

Your World First

C/M/S/

Law.Tax

The European employment and pensions challenge

Expertise across Europe and beyond

June 2015



Our clients about us

» This team offers business-oriented solutions and is very responsive, working well within tight timeframes.
(Chambers 2015 on CMS Slovenia)

» The lawyers are very reactive and can give concrete answers immediately.
(Chambers 2015 on CMS France)

» They provide business-focused advice, which is important. I can read a book to know the law but they apply it in a business context. It is real-world advice which enables you to do what you need to do.
(Chambers 2015 on CMS United Kingdom)

» The lawyers are flexible and open and have a deep knowledge of the market. The team doesn't just focus on legal solutions but also flags up potential risks. Its advice is credible.
(Chambers 2015 on CMS Poland)

» CMS reacts promptly and provides clear and comprehensible advice. It always looks at the different alternatives and clearly points out the risks involved.
(Chambers 2015 on CMS Belgium)

» The lawyers are highly committed to our objectives and are flexible enough to adapt to our business needs.
(Chambers 2015 on CMS Spain)

» The lawyers don't just do what we say, but also highlight the potential risks. Their internationality also helps us immensely — they understand overall EU regulations.
(Chambers 2015 on CMS Hungary)

» It is really a top firm. I like the team's fast reaction times and the high quality of answers.
(Chambers 2015 on CMS Austria)

CMS Employment and Pensions Group

Why CMS?

- The CMS Employment and Pensions Group consists of 10 renowned and well-established European firms covering 33 jurisdictions in Europe and beyond. It offers co-ordinated cross-border advice through a single point of contact. This means clients deal with a local firm in their own country in their own language whilst benefiting from the integrated expertise of a wide multi-jurisdictional team of more than 250 labour law professionals.
- Group members, operating under the common CMS identity, have a long history of satisfied clients and are often leading names in their jurisdiction. Together they represent a formidable force within the professional services market. Each CMS firm has a deep understanding of its home market and an extensive network of contacts with fellow professionals and institutions. Each is accustomed to making deals happen, both at home and abroad. Each has a commercial approach to advising clients and an entrepreneurial attitude to the development of their and their clients' businesses.

Who we work for?

- Our experienced and renowned team acts for clients across the whole spectrum of commerce and industry, including major public companies, multinationals, banks and other financial institutions, professional firms, public sector bodies, high profile executives, and indeed many small and medium-sized businesses.
- The client profile reflects the strengths of CMS in key sectors of industry including construction & development, consumer products, energy & utilities, financial institutions & services, hotels & leisure, infrastructure & project finance, lifesciences, and TMT. In addition to deep legal knowledge and experience, close familiarity with the business sectors and businesses of clients are an indispensable foundation for the thorough legal advice we provide.

What do we offer?

- The CMS Employment and Pensions Group advises on labour law issues affecting businesses across Europe and beyond. These may include:
 - effects of mergers, acquisitions, outsourcing, off-shoring, nationalisation, and privatisation;
 - works councils' co-determination at company, national and international levels;
 - compliance with national and international laws and standards, including remuneration changes;
 - behaviour at work, misconduct and discrimination issues;
 - individual and collective dismissals and severance agreements;
 - employee share / stock ownership schemes and employee pension schemes;
 - wage tax, fringe benefits, social security matters, expat regulations and cross-border secondments;
 - dispute resolution, litigation and mediation with respect to employment and pensions matters, including labour / trade union issues / disputes;
 - employee non-competition and confidentiality commitments procedures; and
 - employment contracts, policy advice, shop agreements and collective agreements.
- Many employment issues are so complex that they require expertise in other areas, such as corporate law when it comes to restructuring or tax law for dealing with senior management contracts and international mobility. As necessary, the CMS Employment and Pensions Group works closely together with specialists from other parts of CMS.

Track record

- Advising a major IT company on structuring its employment scheme when starting its operations in a special newly created Russian economic zone (Skolkovo)
- Advising a leading telecommunication company regarding the terms of the negotiation for a collective bargaining agreement
- Advising an international lighting manufacturer on a cross-border merger in Hungary into a Slovak subsidiary
- Advice on the restructuring of the workforce in a major maritime transport of goods company, change of the company structure and negotiations with the Works Council
- Advice and cross-border study regarding car policies and fringe benefits for a major player in data protection
- Advising an international telecom group on the cross border comparative analysis of pensions and group insurances for employees, managers and executives
- Advising an international beverage company and delivering co-ordinated advice from CMS across 16 different jurisdictions on collective consultation obligations within 48 hours of first being instructed
- Advising a global credit insurance company on the cross border merger and election of negotiations body in Germany, France, Italy, Bulgaria, Romania, Czech Republic, Slovakia, Slovenia, Hungary and Poland
- Advising a major international sports retail chain in numerous disputes with the trade union in respect of work safety, employment conditions and employment termination issues, including the termination of employment of the management of the trade union and subsequent trade union dissolution
- Advising a leading insurer on data protection across 28 jurisdictions in connection with a merger
- Advising overseas parent companies on understanding and managing UK pension liabilities
- Advising a major international software developer in a complex multi-jurisdictional employment dispute in respect of the dismissal of one of its top managers
- Advising a stock listed energy company on the sale of one factory located in two countries and advising on the co-determination structuring
- Advising a leading German energy supplier on European wide staff cutbacks of up to 11,000 employees
- Advising a worldwide Japanese producer of electronic products regarding the customisation of the employees handbook (code of conduct) in 9 European jurisdictions
- Advice on the arrangement for and implementation of the necessary employee participation for the transition of a German stock corporation with several European subsidiaries into a European company (SE)
- Assisting a major pharmaceutical company on the employment aspects of the sale of its respiratory drug business, including drafting and negotiating multi-jurisdictional employee transfer provisions
- Advising an international bank on issues concerning former employees including unlawful actions, breaches of contract, confidentiality and loyalty
- Advising a leading company in the field of occupational risk prevention in a collective dismissal procedure of initially 640 employees, but ultimately 400 employees were affected by the collective measure
- Advising one of the biggest American financial insurers on cross-border merger and employment issues related to a transfer under UK and Polish law
- Advising a major consumer products company on a post-acquisition restructuring of its business and co-ordinating the delivery of employment advice across 13 European jurisdictions



On the international level the CMS lawyers' knowledge of employment is great.

(Chambers Europe 2014)



Publications and teaching practice

Our lawyers are regularly invited to speak at conferences on a wide variety of topical employment law issues. CMS staff regularly publishes books and articles on employment and pensions law developments. Recent publications include the "CMS Guide to Data Privacy" (2015), the "CMS Guide to Dismissals" (2014), "CMS Guide to Employment Issues in an M&A Transaction" (2014), "CMS International Guide to Pensions" (2014) and "CMS Labour Law in CEE" (2014).

Please download or register for our publications via our website **www.cmslegal.com**.

Also available is Law-Now, the free online CMS information service which assists clients and contacts in keeping up-to-date with the latest legal developments. Visit us at **www.cms-lawnow.com**.



Besides the profound technical knowledge they have, the lawyers adapt to the daily needs of our business and always find solutions that can work even in eventual alterations in our company.

(Chambers 2015 on CMS Portugal)



Provides an excellent service in a timely manner.

(Chambers 2015 on CMS Slovakia)



They provide business-focused advice, which is important. I can read a book to know the law but they apply it in a business context. It is real-world advice which enables you to do what you need to do.

(Chambers 2015 on CMS United Kingdom)



The team gives very helpful business-related advice. A very impressive team for employment law.

(Chambers 2015 on CMS Germany)



The lawyers are responsive, conscientious and very attuned to client needs.

(Chambers 2015 on CMS Bulgaria)



What is CMS?

- CMS is one of the top five legal services providers in Europe measured by fee income, number of offices, number of partners and total head count. CMS was established in 1999 and today comprises ten CMS firms, employing over 3,000 lawyers, in 59 offices covering 33 jurisdictions (including an unrivalled presence in Central and Eastern Europe).
- CMS member firms are:
 - CMS Adonnino Ascoli & Cavasola Scamoni – Italy
 - CMS Albiñana & Suárez de Lezo – Spain
 - CMS Bureau Francis Lefebvre – France
 - CMS Cameron McKenna LLP – UK
 - CMS DeBacker – Belgium and Luxembourg
 - CMS Derks Star Busmann – The Netherlands
 - CMS von Erlach Poncet AG – Switzerland
 - CMS Hasche Sigle – Germany
 - CMS Reich-Rohrwig Hainz – Austria
 - CMS Rui Pena & Arnaut – Portugal

Your world first

- We deliver real value because we put total client understanding and commitment ahead of everything else. Looking out for your business makes our business grow.
- As a client, 'Your World First' means your issues and objectives are paramount wherever and whenever you work with CMS.
- In all our work with you, we are committed to providing the technical rigour, strategic excellence and long-term partnership focus to help keep you ahead in your chosen markets.
- For CMS people, connecting with and making a difference to your world is our mission, our motivation, and the measure of our success.

Adding value

- In committing to really understanding your business, strategy, culture and the risks, challenges and opportunities in your sector, we aim to act as valued business partners.
- Wherever and whenever you work with CMS, our advice is always both practical and commercial. We take a down-to-earth approach to legal and tax services, taking care of the details and looking out for the big picture benefits for your business, far and wide.
- Making a difference to your business is the focus of our business. Meeting your objectives and contributing to your success.
- By focusing on sectors, we offer technical expertise with business understanding. We share knowledge and co-ordinate project expertise to deliver exceptional quality and value to your business, cost-effectively.

Client Service Commitment

- We take the same approach to service delivery everywhere based on a common training programme and a shared understanding of what our clients value most. The CMS Client Service Commitment guides all our lawyers and focuses on four key elements that we know matter to you: quality, the correct resourcing, efficiency and transparent fees.
- Your satisfaction with our performance drives our efforts to continuously improve our service. Through regular exchange of information and independent feedback we identify opportunities to reach higher levels of efficiency and effectiveness in service delivery.

Awards



M&A Legal Adviser of the Year (CEE)

Mergermarket European M&A Awards, 2014



Banking & Finance Legal Practice of the year (Spain)

International Finance Awards, Acquisition International Magazine, 2014



Leading Firm, receiving the majority of the overall recommendations (Germany)

Kanzleimonitor.de, 2014



Client Service Award (Belgium)

Chambers Awards for Excellence, 2013



Human Resources Firm of the Year (UK)

Legal 500 UK Awards, 2014



Law Firm of the Year Award (Hungary)

Chambers Europe Awards for Excellence, 2014



Labour Law Category winner (Austria)

Die Presse, Advocatus' 13 Awards, 2013



Full Service Law Firm of the Year (Portugal)

Acquisitions International, 2013



Joint 3rd, Most Innovative Law Firm on Social Responsibility (International)

FT Innovative Lawyers Awards, 2014



Recognized for excellence in client service (UK)

Client Choice, 2015

Most extensive presence, deep local expertise



CMS has the most extensive presence in Europe. Our people are immersed in the local culture and understand the legal landscape. It means our clients benefit from high quality expertise wherever they need it in Europe, delivered in the local context.



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