



The European employment and pensions challenge

Expertise across all jurisdictions



CMS Cameron McKenna gives *advice that deals with and responds to real business issues.*

(Legal 500 2009 on CMS Cameron McKenna)

One of the leading German employment law practices, that manages to cover the span between transactional expertise and the expansion of ongoing labour law advice of a significant number of major companies. A success story in employment law.

(JUVE 2009 on CMS Hasche Sigle)

The employment practice at CMS is the largest in the country and a powerhouse of the Austrian market. Clients highlight the team's *original, effective thinking on commercial problems* as an advantage.

(Chambers Europe 2009 on CMS Reich-Rohrwig Hainz)

The group's *unsurpassed technical proficiency* and breadth of expertise, which encompasses an impressive range of employment issues and includes specialist knowledge.

(Chambers Europe 2009 on CMS Bureau Francis Lefebvre)

The team is noted by the market for its growing profile.

(Chambers Europe 2009 on CMS Russia)

Clients state that they continue to use CMS DeBacker not simply for its *very good work*, but also because they are *always sure to receive a complete and accurate answer quickly.*

(Legal 500 2009 on CMS DeBacker)

This small practice group is a member of the CMS international network, and has expanded from its role as a support department for the firm's business practice. The team has been heavily involved in acting for a number of foreign companies and advises on collective dismissals, restructuring procedures and alterations to working conditions.

(Chambers Europe 2009 on CMS Albiñana & Suárez De Lezo)

CMS Employment and Pensions Group

Pan-European employment and pensions advice

Doing business across Europe is complex and can be confusing. European laws, languages and cultures mean that local jurisdictions vary widely. And in the case of employment and pension legislation, issues are particularly sensitive. European directives, European Court decisions, national laws, local cases and precedent are just a few of the often confusing issues to consider. One source of integrated expertise offers many benefits.

The CMS Employment and Pensions Group was created to meet a growing demand for integrated, multi-jurisdictional legal services. Whether your business is setting up a new operation in Europe, already employing staff somewhere on the continent or facing a cross-border reorganisation or redundancy programme, you can rely on the expert advice from this specialist international team of labour law experts.

Peace of mind in all jurisdictions

The CMS Employment and Pensions Group consists of nine renowned and well established European firms covering 27 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 230 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.

Full service spectrum

The CMS Employment and Pensions Group advises on labour law issues affecting businesses across Europe. 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;
- behaviour at work, misconduct and discrimination issues;
- individual and collective dismissals and severance agreements;
- employee share/stock ownership schemes;
- employee pension schemes;
- social security contributions;
- labour/trade union issues/disputes;
- employee non-competition and confidentiality commitments; and
- employment contracts, policy advice, shop agreements and collective agreements.

Many employment issues are so complex 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.

Clients

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 and indeed many small and medium sized businesses. We have also represented many high profile executives. The client profile reflects the strengths of CMS in most 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.

Track record

- Advice and negotiation of terms of management agreements and advice on related redundancies and workforce issues
- Advising a major supplier of oil on the company reorganisation, cost efficiency programme, change of the company structure and concluding a social plan
- Advising a major cable company on restructuring issues following its merger, such as the relocation and closure of sites, reconciliation of interests and negotiations with the central Works Council
- Advising a major German bank in relation to redundancies and consequent grievances and appeals brought by redundant employees
- Advising a German paper producer on the closure of its Belgian entity, negotiations with the union delegation and social plans
- Advising clients on employment rights of workers across Europe
- Advising an automotive supplier on directors' contracts, non-competition agreements and Works Council issues
- Advice on employment contracts, in particular with respect to post-contractual restrictive covenants for senior employees in a European biotech firm
- Advice on the enforceability of restrictive covenants in different European jurisdictions
- Advice on the implementation of whistle blowing procedures
- Advice on e-mail/internet policy, ethics code, privacy matters, negotiations with Works Councils
- Advising a major electronics company on employment matters related to commencing activity in Poland and drafting the employment structure as well as providing ongoing advice on Polish labour law
- Ongoing advisory services in Bulgaria with respect to restructuring of personnel and the internal structure of a large company including outsourcing and public procurement procedures
- Advising a large manufacturing company on how to implement employee pension plans in central Europe
- Advising a leading TMT company on personal data regulations with regards to the implementation of a new employee monitoring system
- Advising an international consultancy company on transfer of business and outsourcing projects
- Advising a major manufacturer of power tools and accessories on transfer of business and outsourcing projects
- Advising a global leader in sanitising and food safety products and services on the separation of subsidiaries and the relocation of businesses
- Advising a large pharmaceutical company on the implementation of a code of conduct on a European level and standardisation of the existing powers of attorney across Europe
- Advising a software provider on expatriate issues, the implementation of dismissal procedures and negotiations of settlement agreements



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 publish books and articles on employment and pension law developments. Recent projects include the guide on “CMS Labour Law in CEE” (2010), the “CMS Dismissal Guide” (2009) and “Group Redundancies in CEE and the United Kingdom” (2008).

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

Also available is Law-Now, the free online CMS Cameron McKenna news service which assists clients and associates in keeping up-to-date with the latest legal developments. Visit us at www.law-now.com.



CMS Derks Star Busmann offers clients *accurate and speedy advice*. The team is adept at handling international work.

(Legal 500 2009 on CMS Derks Star Busmann)

CMS von Erlach Henrici is recognised for Labour and Employee Benefits.

(PLC Which Lawyer? 2008 on CMS von Erlach Henrici)

Clients are *astounded by the speed and quality of the service and the lawyers' genuine understanding of our needs*. They agree that the firm provides good value for money.

(Chambers Europe 2009 on CMS Cameron McKenna in Hungary)

Providing added employment advice for existing corporate clients from Austria, Europe and USA, this team is adept at company restructurings and advises on a wide range of employment matters.

(Chambers Europe 2009 on CMS Hasche Sigle in Serbia)

Long-term clients highlight that the team is particularly capable of handling supervisory board issues.

(Chambers Europe 2009 on CMS Cameron McKenna in Poland)



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 nine CMS firms, employing over 2,400 lawyers, in 53 offices in 47 cities covering 27 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 and CEE
- CMS DeBacker – Belgium
- CMS Derks Star Busmann – The Netherlands and CEE
- CMS von Erlach Henrici – Switzerland
- CMS Hasche Sigle – Germany and CEE
- CMS Reich-Rohrwig Hainz – Austria and CEE

Client-based solutions

We build strong, long-term relationships with our clients – this enables us to understand their businesses and the requirements of each transaction. Our role often exceeds that of a traditional legal adviser and we add value by project managing transactions and taking a broader consultative role. We seek to avoid the label ‘just another law firm’.

Our lawyers are ‘hands on’ – our clients tell us we are often more approachable and accessible than they expect. We are easy to work with and provide commercial solutions to clients’ problems without adopting a legalistic approach.

We are pro-active – we alert clients to all relevant issues. Our unique online information service, Law-Now, is consistently praised for its ‘first to market’ speed in addressing current legal developments and news.

We are flexible – with clients ranging from multinationals to smaller, privately-owned companies, we are flexible and versatile in our approach and managing our resources.

A thorough understanding

Our approach to client satisfaction is based upon three aspects of ‘understanding’:

- understanding clients’ businesses through CMS sector groups and common client relationship management systems;
- understanding the law through the excellent experience profile and reputation of each CMS firm in its national market; and
- understanding each other through a shared history, common training and a track record of working together to secure the best possible outcomes for our clients.

Added value

CMS provides added value to its clients in many ways. Key ones include:

- Distinctively European: CMS operates in most European markets.
- CMS member expertise extends to emerging markets, particularly Central and Eastern Europe and China.
- Full service capability across CMS with particular emphasis on corporate transactions, taxation, real estate and banking and international finance.



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PLC Which Lawyer 2007 and 2009

Central and Eastern Europe Law Firm of the Year

CMS Cameron McKenna

ACQ Country Law Award 2008 and 2009

Employment Law Firm of the Year

CMS Hasche Sigle

ACQ Country Law Award 2008

Employment Law Firm of the Year

CMS Reich-Rohrwig Hainz

Belgian Legal Awards 2009

Best Law Firm to work for

CMS DeBacker

Investment Provider Awards 2009

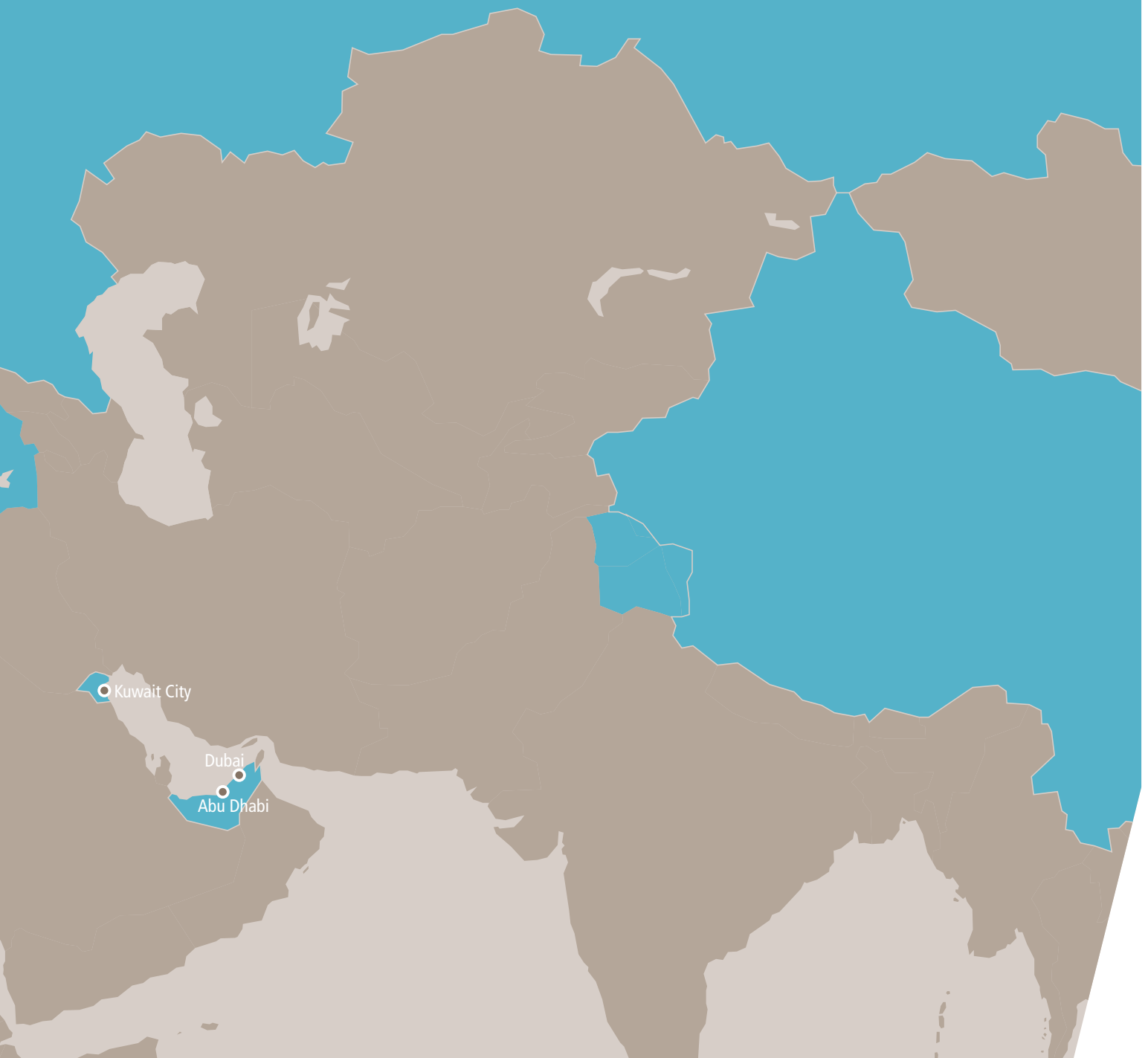
Pension Lawyers of the Year (UK)

CMS Cameron McKenna

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.



Contact your employment experts

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