

An overhead photograph of five business professionals in a meeting. A woman with blonde hair and glasses sits in a pink armchair at the top, looking at documents. A man in a blue suit sits on the left, pointing at a laptop. A woman in a dark suit sits on the right, pointing at a document. A man in a dark suit sits at the bottom right, looking at a tablet. A woman with dark hair and glasses sits at the bottom left, looking at a document. The table in the center holds a laptop, a tablet, a smartphone, a coffee cup, and several documents with charts. The background shows a modern office setting with a brown carpet and a grey wall.

# People and Reward

*Our Global Practice*



Freshfields Bruckhaus Deringer

# **Workplace change – anticipating People and Reward challenges.**

The workplace is evolving fast. Employers are being faced with advancing technology, the increasing impact of AI and digitalisation of the traditional workforce, the changing demands of millennials on employers, new ways of working and the “agile advance”. Added to this is the vital importance of having the right culture in the workplace, to minimise legal risk and regulator scrutiny. As companies look to engage in ever-more transformational M&A, an early focus on post deal workforce integration to ensure long-term success is critical.

Our team of People and Reward lawyers works side by side with our clients to deliver excellent practical, innovative and commercial legal advice across all the full spectrum of these challenges.

We want to provide the best of our team to you,  
whatever the human resources legal challenge you face.

# Human resources challenges and workplace organisation in a new digital era

Understanding liability profiles in an increasingly machine-led work environment, managing employment risks in transformation projects, and setting the right procedures for talent management.

Digital transformation is impacting the workplace in many ways. From the influence the gig economy model is having on the way working relationships are structured to the significant role of big data and people analytics tools in supporting human resources decision-making. This is motivating businesses to reflect on how they organise themselves and prompting them to make changes to their working structures and human resources practices. It is vital to ensure your employees have the right status and are monitored and incentivised in a way that encourages them to thrive.

As technology creates new sources of value that need to be protected, human resources issues are high on the agenda and our experts across the world help you tackle all the related new risks that need to be managed.

## Focus on culture

In the wake of the #MeToo scandal, corporate governance and ethics are increasingly important in today's modern workplace, with authorities and regulators pushing businesses to improve their company culture. With significant developments in the EU and elsewhere aimed at encouraging (and protecting) reports of wrongdoing, it is now more crucial than ever to have appropriate channels and policies in place.

And, when it all goes wrong, we are at your side to guide you through sensitive whistleblowing allegations and workplace investigations.

**Ability to 'set up a plan for the entire region so that we don't have to draw up a plan for every single country.'**

*Chambers Global, 2020*

## Our labour and employment experience includes:

- the impact of technology on the workplace;
- managing compliance of people analytics tools with privacy regulations;
- managing major changes in international human resources policy;
- advising on senior employee hirings and firings;
- advising on employee investigations, whistleblowing, discrimination claims and other complex contentious matters;
- advising on corporate governance, culture, ethics and boardroom matters;
- helping employers to attract and retain key talent, including protecting the business from unwanted departures;
- protecting the business from data leak, loss or theft;
- advising on the employment and benefits aspects of public and private mergers and acquisitions, and joint ventures;
- designing and implementing strategies to manage employment costs, including redundancies, salary freezes, reduced working hours, pensions buyouts and shared service centres;
- project-managing corporate restructuring, including post-acquisition integration issues, the setting up of European companies (SEs) and cross-border mergers;
- advising on industrial relations issues, including works council issues, global trade union campaigns, OECD complaints, industrial disputes and related communication strategies, employee activism; and
- labour market reforms and their impact on investment decisions.

# What do we offer multinational employers?

We help organisations like yours to identify and overcome differing local legal and cultural barriers and to navigate through new international standards and regional laws, such as European employment law.

With over 120 lawyers covering key jurisdictions in Asia-Pacific, Europe and North America, we can help you manage any kind of human resources crisis, from sensitive terminations to corruption investigations.

For international employers like you, we develop tailored human resources policies, review executive compensation, co-ordinate international employment cost-cutting exercises and manage industrial relations issues or complex pensions matters. We do this for M&A transactions, internal restructurings or day-to-day company management.

**‘sensible, commercial and non-legalistic, practical judgement calls to various matters and issues.’**

*Chambers Global, 2020*

## **Our employee benefits, incentives and share schemes services include:**

- designing, drafting and implementing bonus plans and other incentive arrangements;
- advising on the short and long-term effects of the recent regulatory pressure on executive pay, particularly in the financial services industry, and helping employers to understand and comply with the new regulatory landscape, including the introduction of bonus cap, claw-back and malus;
- designing, drafting and implementing share plans (whether all-employee or senior executive). This includes considering the corporate governance, share plan and benefit aspects of ending employees’ contracts, the funding aspects of share plans, as well as handling age discrimination issues and related tax, corporate and securities laws issues. We help to prepare shareholder documentation to approve or amend share plans and advise on the obligations that arise under listing rules and disclosure requirements;
- project-managing activities and assistance on global legal reviews for worldwide employee share plans (including instructing local counsel in countries where we do not have offices); and
- advising on share plans in IPOs and takeovers, through acquisitions or restructurings.

# A joined-up, cross-border team

We're well placed to help because we offer an integrated cross-border approach to People and Reward issues. Our employment lawyers sit and work alongside our pensions and benefits teams.

You will also benefit from the way we work with other human resources legal service providers on a daily basis. Where we do not have offices, we benefit from the Freshfields StrongerTogether programme through which we collaborate with trusted local counsel with whom we have a longstanding relationship on every continent. Our StrongerTogether partners are very much part of the Freshfields team – together we provide a seamless, co-ordinated service worldwide, enabling our clients to achieve a consistent, strategic approach to human resources issues.

**'They really help provide our global team with the right advice and have offline discussion with the right teams and ensure that things are progressing as they should.'**

*Chambers Global, 2020*

## **Our pensions expertise includes:**

- advising on all aspects of pension schemes – including amending benefits; funding issues, including security arrangements; disputes, including regulatory investigations and tribunal and court proceedings; investment and de-risking transactions; and restructuring pension arrangements, including merging and winding up pension schemes; and
- advising on the pensions aspects of mergers and acquisitions, finance transactions and other corporate matters – including negotiating with pension scheme trustees on security of benefits and sponsor covenants; applying to the pensions regulators for clearance; and addressing buyout funding on transactions, including apportionment agreements and withdrawal arrangements.

## **Sharing our knowledge**

If you wish to be kept up to date with new developments, we regularly publish briefings, newsletters and guides on local and international legal developments from a multi-jurisdictional perspective.

We invite our clients to a series of seminars, conferences and working groups. We also offer tailored training solutions to businesses.

To find out more about our services and to join our mailing lists, please get in touch with one of the contacts listed in this brochure or visit [freshfields.com](http://freshfields.com).

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