

Practice Department

# Employment



Contract Structuring  
Company Pensions  
The Latest Concepts and  
Developments  
Collective Labour Law  
Specialised Strategic Advice  
Labour Law Disputes and  
Dispute Avoidance Strategies  
Termination of  
Employment Contracts  
Restructuring and  
Changes in Operations  
Post-merger Integration  
Outsourcing, Joint Ventures  
and Transfers of Business  
International Labour  
Law

## The law firm

### PRACTICES & INDUSTRIES

**Employment & Pensions**  
Individual and collective labour law

**Finance & Projects**  
Banking, Structured finance, Funds,  
Major projects, Outsourcing

**Corporate / M&A**  
Capital markets, IPOs, Private equity,  
Venture capital, Restructuring

**Construction & Real Estate**  
Project development and management,  
Construction contract law

**EC Law / Antitrust**  
Merger regulations, Antitrust law,  
Subsidies and grants, Regulatory affairs,  
Tendering, Anti-dumping / WTO

**Intellectual Property**  
Patents, Trademarks, Unfair competition,  
Copyrights

**Public Commercial Law**  
Public building regulations, Privatisations,  
Environmental law

**Tax Law**  
Corporate structuring

**Commercial & Distribution**  
China desk,  
Maritime,  
Sales and contract law

**Private Client**

### INDUSTRIES

**Construction & Engineering**

**Banking & Finance**

**Infrastructure Projects**

**Life Sciences & Healthcare**  
Food, Medical devices, Pharmaceuticals

**Media & Entertainment**

**Hospitality, Leisure & Travel**

**Technology**  
Information technology, e-commerce,  
Telecommunications

**Taylor Wessing** is a full service law firm offering a powerful source of legal support for commercial organisations doing business in Europe. We advise major corporations, medium-sized companies, financial and public institutions as well as growing enterprises. We offer specialist services in all aspects of national and international commercial law, in particular, corporate/M&A, tax, finance and projects, construction and real estate, intellectual property, EC law/ antitrust, employment and pensions, and dispute resolutions.

Taylor Wessing offers industry-focused advice by grouping together lawyers from different legal areas, but with in-depth sector experience. With our renowned expertise in intellectual property, we are particularly strong in knowledge-based industries, such as IT and telecommunications, life sciences and healthcare, media and entertainment, leisure, fashion and travel. Other core industries include construction and engineering, infrastructure projects and the banking and finance sectors.

Taylor Wessing is based primarily in the three largest economies in Europe, and has offices in other countries, including China where our Shanghai office serves a thriving Chinese market. Our clients also have the added benefit of our wide network of partner law firms. In Germany, we are one of the leading law firms, with a team of more than 220 lawyers.

***The Taylor Wessing union creates  
an Anglo-German technology giant***

*Chambers & Partners*

## What makes us different?

### THEORY VERSUS PRACTICE


Is theory good enough? Not for us. We believe success is a practical matter. To help your business succeed, we use our wealth of experience to focus on exactly what you want to achieve. Together we can work out what is feasible, and what makes economic sense. Like you, our bottom line is that business success needs ideas that work in practice.

### SUCCESS DOESN'T HAPPEN BY CHANCE

Would you toss a coin when making an important business decision? Neither would we. We operate along economic principles, just as you do. Our approach is to work with you, developing pragmatic, cost-efficient ways to maximise your business success. We also maintain a keen interest in the details of your products, services and markets to ensure that success is a matter of planning, not chance.

### A SINGLE, PERSONAL CONTACT

Are you frustrated if you have to say the same thing many times over? That's understandable. We overcome this by assigning an experienced partner as your personal contact for the entire project, to ensure consistency of communication. Your personal lawyer acts as your link to our entire range of legal resources. They will supervise and manage your legal affairs from the outset, becoming familiar with the specific complexities of your business area and your individual company needs. Because our lawyers work in busy international practice environments, they are aware of all the latest legal and business developments.



## Practice Department

## Employment

In the everyday work environment the goals and interests of employers often conflict with those of employees, works councils and trade unions. In 2001 alone, the German labour courts handled more than 622,000 cases. Due to the increasing regulation of the labour sector, legal advice needs to be proactive and creative to bring about results that meet our clients' requirements and are commercially acceptable.

The approach of the Taylor Wessing Employment Practice Department is to offer comprehensive advice over and above the legal resolution of employment disputes, and help contribute to our clients' business success. We believe that a client's workforce is an important corporate asset and we handle all aspects of individual and collective labour law.

We provide advice to employers in both the public and private sectors, to small businesses as well as multinational groups, both publicly and privately owned, in a wide range of industries: airlines, banks, international personnel agencies, the IT industry, publishers, construction companies, international trading companies, the tourism industry, the chemical industry, automotive firms and automotive suppliers. We help executive staff negotiate their service contracts and advise on the termination of such agreements. Our approach is multinational and European. We are familiar with EU law and the various national legal systems within it. We understand that labour law topics are of vital importance to both our corporate and private clients.

With up to 50 lawyers practising in Germany, the UK and France, including ten German, one French and four UK partners, the Employment Practice Department is represented at our offices in Berlin, Düsseldorf, Frankfurt, Hamburg, London, Munich and Paris.



**Contract Structuring** | Our labour law experts help clients develop and maintain stable, reliable working relationships. Offering both standard contracts and tailor-made solutions, we draft employment contracts, remuneration agreements,

general terms and conditions and collateral agreements to supplement the employment contract.

**Company Pensions** | We support our clients when they introduce company pension plans, and offer advice and documentation when amending, restructuring and merging such plans. We advise on structuring pension plans that already exist.

The effects of insolvency on the company's and employees' claims and the claims of departing and former employees are another main focus of the department.

**The Latest Concepts and Developments** | Our client base includes numerous dynamic employers who seek our advice on the latest legal developments, for example flexible working hours and flexible remuneration (e.g. bonus systems and employee participation models...), and the impact of

EU equal opportunities legislation on remuneration and daily working practice. We develop new concepts such as postmerger integration of various personnel structures in compliance with labour law.

**Collective Labour Law** | Our German labour law team offers advice on all aspects of works constitution and collective bargaining law with a special focus on negotiations with trade unions and works councils concerning works agreements.

Typical issues include collective agreements and any negotiations in conciliation committees, especially those arising from corporate restructuring. We also represent our clients in court proceedings.

***... the practice offers a wide range of services especially for medium-sized businesses, but also for a number of major enterprises***



### Specialised Strategic Advice

We keep up to speed on the latest developments in both EU and national law, so that we can always provide up-to-date counsel based on the latest trends and legislation. We can help employers anticipate upcoming legal developments and adjust their personnel policy and management methods accordingly. Our goal is to keep

our clients posted about any impending changes to the legal framework which will have an impact on their daily business. We back this up with weekly newsletters, and by organising events to share the latest information as well as holding further education seminars, either in-house or in cooperation with external service providers.



### Labour Law Disputes and Dispute Avoidance Strategies

Our services cover all areas of labour court proceedings, including the representation of our clients in British, German and French labour courts, the enforcement of restraints on competition and out-of-court dispute resolution. Our

UK pensions specialists are experienced in handling complaints about pension plans lodged with the UK ombudsman, and in representing clients before the High Court, including test cases for damages claims filed against pension plan administrators.



### Termination of Employment Contracts

We give our clients strategic planning support and help them implement dismissals and other methods used to terminate employment relationships (in particular,

settlement agreements). We also handle claims arising from the operation of the company pension plans on termination.



***... large labour law practice with partner-led, young teams represented at 5 major German locations***

*Juve Handbook*



### Restructuring and Changes in Operations

At the planning and realisation stages, we advise our clients on company and works relocations and shutdowns. This includes advice on large-scale dismissals, from the development of strategy to compliance

with the right to be consulted that works councils have when changes in the conduct of the business are being planned.



### Post-merger Integration

Following a corporate transaction it is most important to exploit and use available synergies. This is often hampered by conflicting personnel structures. We help our clients

with the post-merger integration of the workforce, in particular in relation to works constitution and wages, as well as employment contracts and pension structures.



### Outsourcing, Joint Ventures and Transfers of Business

We advise clients in the public and private sectors on all labour law-related aspects of their entire enterprise, taking into account national and European law on small and large-scale layoffs and transfers of business – including the

consequences for company pension plans and especially in connection with the outsourcing of business activities.



### International Labour Law

We provide comprehensive advice on the international deployment of personnel, in particular when employees are posted to third countries; this includes a consideration of the tax and social security aspects before we help our clients put the chosen solutions into practice.

We advise on the impact of European law on cross-border corporate restructuring and changes in operations, bearing in mind the regulations applicable in the jurisdictions

concerned. Last but not least, we assist our clients with all issues relating to the establishment and structure of European works councils. Our lawyers are highly experienced in project management and in coordinating the legal advisory services connected with transactions or restructuring and changes in the conduct of business across different national legal systems. Our clear process plans enable us to work closely with our clients and optimise procedures.



Berlin Brussels Cambridge Düsseldorf  
Frankfurt Hamburg London Munich Paris  
Representative offices: Alicante Shanghai

[www.taylorwessing.com](http://www.taylorwessing.com)



## Offices and branches

### **Berlin**

Jägerstraße 51  
D-10117 Berlin  
Germany  
Tel +49 (0)30 88 56 36 0  
Fax +49 (0)30 88 56 36 100  
berlin@taylorwessing.com

### **Brussels**

Trône House  
4 Rue du Trône  
B-1000 Brussels  
Belgium  
Tel +32 (0)2 2 89 60 60  
Fax +32 (0)2 2 89 60 70  
brussels@taylorwessing.com

### **Cambridge**

24 Hills Road  
Cambridge CB2 1JW  
United Kingdom  
Tel +44 (0)1223 44 64 00  
Fax +44 (0)1223 44 64 01  
cambridge@taylorwessing.com

### **Düsseldorf / Neuss**

Königsallee 92 a  
D-40212 Düsseldorf  
Germany  
Tel +49 (0)211 83 87 0  
Fax +49 (0)211 83 87 100  
duesseldorf@taylorwessing.com

Am Krausenbaum 42

D-41464 Neuss  
Germany  
Tel +49 (0)2131 7 40 30 0  
Fax +49 (0)2131 7 40 30 50  
neuss@taylorwessing.com

### **Frankfurt am Main**

Senckenberganlage 20-22  
D-60325 Frankfurt a. M.  
Germany  
Tel +49 (0)69 9 71 30 0  
Fax +49 (0)69 9 71 30 100  
frankfurt@taylorwessing.com

### **Hamburg**

Hanseatic Trade Center  
Am Sandtorkai 41  
D-20457 Hamburg  
Deutschland  
Tel +49 (0)40 3 68 03 0  
Fax +49 (0)40 3 68 03 280  
hamburg@taylorwessing.com

### **London**

Carmelite  
50 Victoria Embankment  
Blackfriars  
London EC4Y 0DX  
United Kingdom  
Tel +44 (0)20 73 00 70 00  
Fax +44 (0)20 73 00 71 00  
london@taylorwessing.com

### **Munich**

Isartorplatz 8  
D-80331 Munich  
Germany  
Tel +49 (0)89 2 10 38 0  
Fax +49 (0)89 2 10 38 300  
muenchen@taylorwessing.com

### **Paris**

42, Avenue Montaigne  
F-75008 Paris  
France  
Tel +33 (0)1 72 74 03 33  
Fax +33 (0)1 72 74 03 34  
paris@taylorwessing.com

### **Representative offices:**

#### **Alicante**

Paseo Explanada de España No. 1  
E-03002 Alicante  
Spain  
Tel +34 (0)96 5 14 28 05  
Fax +34 (0)96 5 20 02 48  
alicante@taylorwessing.com

#### **Shanghai**

15<sup>th</sup> Floor United Plaza, Unit 1509  
No. 1468 Nanjing West Road  
200040 Shanghai  
People's Republic of China  
Tel +86 (0)21 62 47 72 47  
Fax +86 (0)21 62 47 72 48  
shanghai@taylorwessing.com