



Employee and Labor Relations

Whether employers are focused domestically or multi-nationally, the laws relating to an employer's relations with its workforce are becoming increasingly critical and central to corporate strategy. Whether the issue is compliance with international conventions or treaties, whistleblowing in the financial services sector, employee consultation over business reorganization, or even basic employment law compliance, success turns on navigating an increasingly complex regulatory framework. And where a multi-national company is targeted for a global strategic labor campaign of the type which seek to multiply an employer's legal and regulatory problems, a coordinated global response is necessary.

We are one of the few practices in the world that can combine experienced resource in this area covering more than 20 countries. Our approach is to use our considerable experience to deliver practical and effective solutions for our clients. We often assist clients in the formulation of strategic goals, applying best practice in the process, in addition to assisting clients to achieve or protect their long term pre set objectives.

With years of experience in dealing with collective employment and traditional labor matters and disputes, we are ideally placed to advise, guide and represent employer clients domestically and internationally.

CAPABILITIES

We advise extensively across the whole field of collective labour relations, including in relation to:

- Developing coordinated and innovative strategies for responding to the Global Strategic Campaigns that increasingly are the preferred strategies of global union federations and international labor unions.
- The establishment of national information and consultation forums and European Works Councils
- The conduct of trade union and works councils officials and employee representatives
- The contractual force of trade union agreements
- Industrial action ballots, strike action, industrial action short of a strike and picketing
- The impact on third parties of industrial action (usually via outsourced agreements) and remedies available
- Collective bargaining and pre-bargaining negotiating strategies
- Trade union recognition and de-recognition, both through voluntary arrangements and following judicial applications

KEY CONTACTS

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EXPERIENCE

- Advising and representing a significant employer within the construction materials sector, in relation to an organised leverage campaign mounted by a leading independent trade union. Injunction applications were issued prior to resolution via a negotiated settlement.
- Advising FTSE 100 and Fortune 250 companies in the retail, construction, transportation, security, and hospitality industries in relation to Global Strategic Labour campaigns.
- Advising a major provider in the outsource security services sector in relation to the de recognition of one of its two recognised trade unions.
- Advising employers in relation to the impact and effect of existing trade union agreements and providing a strategy to simplify and rebase trade union agreements via negotiation and the presentation of a new style recognition arrangement.
- Advising a world leading company in the transport sector in relation to reorganisation of its trade union recognition arrangements, allowing an extension to staff grades, whilst excluding manager grades and restricting collective bargaining rights in relation to a new grouping.
- We have advised a number of clients including one of the world's largest telecommunications companies on their unionisation strategies in China including advice on how to deal with the pressure to unionise and how to structure unions and deal with publicity once the decision to unionise had been taken.
- Providing strategic advice to a leading hotel chain in relation to European trade union pressure to establish a new binding European works councils agreement.
- Assisting a leading global pharmaceutical company in its strategy to "head off" pressure for its German based European Works Council (EWC) to be renegotiated in the light of the new legislation.
- Advising a UK-based listed global construction services business on all aspects of its industrial relations and employment matters in Australia, including enterprise bargaining and other union-related matters connected with major mining, oil and gas and infrastructure projects and issues concerning migration and cross-border employment.

INSIGHTS

Publications

Chicago's Fair Workweek Ordinance will bring predictive scheduling requirements to the city

9 September 2019

For employers with Chicago operations, the new law will mean increased cost, additional notification and communication requirements, and less flexibility to react to staffing needs.

Velox Express: NLRB holds independent contractor misclassification does not itself violate the NLRA

5 September 2019

Classification of workers is a fundamental threshold issue under federal labor law.

DOL weighs in on gig worker classification

6 MAY 2019

The DOL opinion letter concludes that a company's workers are independent contractors, not employees.

Dallas passes ordinance requiring paid sick leave for private sector workers – key facts to know

29 APR 2019

With the effective date rapidly approaching, companies with employees in the City of Dallas should become familiar with the ordinance and review their applicable policies.

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Preparing to comply with the new proposed federal overtime rule: 5 action steps for employers

12 MAR 2019

If finalized, the new rule's most significant impact will be to raise the minimum salary an employee must be paid to be exempt from overtime under the FLSA.

Global Employment Law Quiz 2019

11 JAN 2019

The annual quiz about global developments and trends in employment law.

Domino's not a joint employer, says SDNY: top points for franchisees and franchisors

9 OCT 2018

The first summary judgment decision from any district court in the Second Circuit to address whether franchisors and franchisees may be joint employers in the wage-and-hour context.

***Epic Systems Corp. v. Lewis*: Supreme Court affirms employers' efforts to "waive" goodbye to wage-and-hour class and collective actions**

29 MAY 2018

Employers can now reliably depend on the enforceability of their arbitration agreements, subject to certain takeaways.

Top franchise decisions: two standouts from 2015

29 MAR 2016

What is a joint employer? Two significant cases.

Top franchise matters of 2014

24 MAR 2015

Summarizing three of the year's most significant matters

NLRB starts holidays early, demands employers gift their email systems to employees and unions

15 DEC 2014

A decision greatly expanding the rights of employees in the use of employer-provided communications

New Jersey high court decision will reshape employer liability in sexual harassment cases

13 FEB 2015

A significant sexual harassment decision that offers something positive for both employers and employees

NEWS

New report finds retail sector leadership diversity deficit will affect future competitiveness

5 JUN 2019

DLA Piper and executive recruitment and diversity consultancy Green Park today launch *The Retail Leadership 700* report, which reveals for the first time the extent of the lack of diversity within the leadership teams of the top US, UK and European retailers.

DLA Piper announces partnership promotions for 2019

1 APR 2019

DLA Piper is proud to announce that 77 lawyers have been promoted to its partnership. The promotions are effective as of April 1, 2019 in the United States and May 1, 2019 for EMEA and Asia Pacific. The promotions were made across many of the firm's practice areas in 43 different offices throughout 20 countries.

Ciara McLoughlin joins DLA Piper's Employment practice in Dublin

20 MAR 2019

DLA Piper announced today that Ciara McLoughlin has joined its Global Employment practice as a partner in the firm's newly opened Dublin office.

Two DLA Piper lawyers listed in *D Magazine's* 2019 Best Lawyers Under 40 list

8 JAN 2019

Crystal Woods and James C. Bookhout were recently named to *D Magazine's* 2019 Best Lawyers Under 40 list, which recognizes outstanding young lawyers in Dallas.

Dean Fealk named honorary senator of German economy

6 DEC 2018

DLA Piper is pleased to announce that Dean Fealk has been named an honorary senator of the German economy (Senat Der Wirtschaft) in recognition of his efforts to strengthen transatlantic relations by leading trade, investment and innovation initiatives between Germany and California.

DLA Piper advises Columbia Capital, LLC in its US\$21 million equity investment in Resilience360

13 NOV 2018

DLA Piper represented Columbia Capital, LLC in its US\$21 million equity investment in Resilience360 GMBH.

Janine Guzman joins DLA Piper's Employment practice in San Juan

17 OCT 2018

DLA Piper announced today that Janine Guzman has joined the firm's Employment practice as a partner in San Juan, Puerto Rico.

Holly Lake has joined DLA Piper's Employment practice in Los Angeles

17 SEP 2018

DLA Piper announced today that Holly Lake has joined the firm's Employment practice as a partner in Los Angeles.

DLA Piper advises Nemetschek on acquisition of MCS Solutions

31 AUG 2018

DLA Piper has advised the software supplier Nemetschek SE on the acquisition of the real estate and facilities technology firm MCS Solutions in Belgium, Sweden, India and the USA. The acquisition sees Nemetschek SE gain access to the rapidly growing market in building management.

Brooke Kim and Evan Parness named *Law360* Rising Stars

16 AUG 2018

DLA Piper is pleased to announce that *Law360* has named Brooke Kim and Evan Parness to its 2018 list of Rising Star attorneys.

DLA Piper wins significant victory for New York University

31 JUL 2018

DLA Piper won a significant victory for its client, New York University (NYU), in an Employee Retirement Income Security Act (ERISA)- related class action.

Mary Dollarhide and Ute Krudewagen named *Daily Journal* Top California Labor and Employment Lawyers

23 JUL 2018

DLA Piper is pleased to announce that the *Daily Journal* has named Mary Dollarhide and Ute Krudewagen to its 2018 list of Top California Labor and Employment Lawyers.

Ryan Vann joins DLA Piper's Employment practice in Chicago

10 JUL 2018

DLA Piper announced today that Ryan Vann has joined the firm's Employment practice as a partner in Chicago.

Cecilia Guzmán-Barrón joins DLA Piper's Labor and Migratory practice in Peru

3 JUL 2018

DLA Piper announced today that Cecilia Guzmán-Barrón has joined DLA Piper Pizarro Botto Escobar in Peru as a partner and leader of the Labor and Migratory practice.

DLA Piper named International Law Firm of the Year in Ukraine for fifth year running at The Legal Awards 2018

24 MAY 2018

DLA Piper has been named International Law Firm of the Year in Ukraine at the 2018 Legal Awards, held by Yuridicheskaya Practika Publishing House. This is the fifth time the office has won the award.

Dean Fealk elected chair of the Northern California District Export Council

17 MAY 2018

DLA Piper is pleased to announce that Dean Fealk, a partner in the San Francisco office, has been elected chair of the Northern

California District Export Council (DEC).

DLA Piper announces new US Employment practice leadership

11 MAY 2018

DLA Piper is pleased to announce that New York-based partner Brian Kaplan has been named US chair and global co-chair of the firm's Employment practice.

DLA Piper announces partnership promotions for 2018

3 APR 2018

DLA Piper is proud to announce that 62 lawyers have been promoted to its partnership. The promotions are effective as of 1 April 2018 in the United States and 1 May 2018 for EMEA and Asia Pacific. The promotions were made across many of the firm's practice areas in 42 different offices throughout 20 countries.

DLA Piper wins significant victory for 7-Eleven

16 MAR 2018

DLA Piper won a significant victory for its client, 7-Eleven, in a putative class action that was filed against 7-Eleven in the United States District Court for the Central District of California.

DLA Piper expands in Dallas with addition of leading employment and litigation lawyers

1 FEB 2018

DLA Piper announced today that Marc Katz and Isabel Crosby have joined the firm's Dallas office as partners in the Employment practice, and Rob Hoffman has joined as a partner in the Litigation practice.

Businesses still not fully aware of Data Protection issues

31 JAN 2018

DLA Piper has released its second Data Privacy Snapshot report, finding that once again, company global privacy programs have gaps in meeting increasingly demanding global privacy principles. Significantly, it appears that many companies are falling short of data protection obligations under the General Data Protection Regulation (GDPR), which will start to apply from 25 May 2018.
