

McDermott  
Will & Emery

# Employment

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# London Employment Group



Our London employment practice consists of nine dedicated lawyers, comprising four partners and five associates, supported by one trainee.

We are committed to working closely with our clients as a team to provide efficient, consistent and high-quality service combined with an innovative and effective approach to assessing and managing risk.

## OUR CAPABILITIES

Our London employment team is recognised by the legal directories as being one of the best in the United Kingdom. All of the team's partners are identified as leaders in the employment law field.

The quality of the team's associates stands out from the crowd. Much time and effort is invested in their training and development. That quality allows excellent and nuanced advice to be delivered efficiently and cost-effectively.

We work in partnership with our clients to identify the potential legal implications of workplace issues, to develop comprehensive programs that will limit legal exposure and to defend clients in litigation effectively.

Our experience is broad because our clients are diverse, including corporations, large and small, across a wide breadth of industries such as finance, facilities management, property, sport and leisure, construction, manufacturing, media and publishing, retail, technology and others. Such breadth of experience makes our advice insightful and, when appropriate, inventive.

With Firm offices in London, Boston, Brussels, Chicago, Dusseldorf, Houston, Los Angeles, Miami, Milan, Munich, New York, Orange County, Paris, Rome, Silicon Valley and Washington, DC, we offer integrated service across multiple jurisdictions.

In countries where we do not have a Firm office, we have relationships with firms and individual lawyers with whom we work regularly and whom we trust to provide exceptional employment law advice, at appropriate cost.

## WHAT OUR CLIENTS AND PEERS SAY

- "They always deliver on time. They never tell us what we can't do or what we already know."  
— *Chambers UK 2012*
- "McDermott Will & Emery has developed a fine reputation for handling multi-party and industrial action litigation. The team has high levels of technical expertise and commercial exposure. The advice received from the team is of a fantastic quality and the practitioners are known for their straight-talking style."  
— *Chambers UK 2012*
- "McDermott Will & Emery UK LLP has 'one of the few employment departments in the City capable of competently running large pieces of High Court litigation.'" — *Legal 500 UK 2011*
- "[McDermott] offers consistently high-quality advice and efficient case management. It has been involved in some of the biggest employment cases within the financial sector, advising BGC Brokers on injunction proceedings brought by Tullett Prebon and assisting Dresdner Kleinwort with its sale to Commerzbank." — *Chambers UK 2011*
- "Their great teamwork ensures excellent client service." — *Chambers UK 2011*
- "A standout practice ..."  
— *Chambers UK 2010*
- "A strong City practice, this 'highly responsive, business-oriented and proactive' team is noted for its excellent problem solving advice that helps clients avoid lengthy and expensive litigation." — *Chambers UK 2009*
- "[A] supremely responsive team"  
— *Legal 500 UK 2009*



# London Employment Group

## Day-to-day employment law advice and support

This forms the backbone of what we do and is the basis of our relationship with our clients, allowing us to understand the structure of their businesses, and learn which issues are key to their values and what matters to their business and its success. We regularly advise on matters relating to recruitment as well as the ending of employment, including unfair dismissal, wrongful dismissal, severance strategy and negotiation and compromise agreements.

We work with clients to find methods of working through internal grievances and addressing disciplinary matters with the least business disruption. We have a wealth of experience defending our clients against claims, including discrimination claims. Therefore, we have the experience to know how certain employer actions and reactions would be perceived by a Tribunal and so can guide and support our clients through the relevant process to best prevent or defend claims against it.

## Contract amendment and negotiation

We routinely draft and assist our clients with the negotiation of the terms of employment documentation, including service agreements, standard terms and conditions, and employment policies. We can assist our clients to plan and carry through a program of contract change.

## Re-organisation and disposal

The team regularly advises on the employment aspects of business change including disposals, acquisitions and outsourcings, including all aspects of the TUPE analysis and process, collective consultation, minimising severance liabilities, plant closures and relocations, changing terms and conditions, and the integration of businesses/workforces.

Our lawyers also have the experience and knowledge to assist clients in conducting effective and streamlined collective redundancy processes.

## Protection of Company assets

We have cutting-edge experience of the process involved in the protection of a company's assets, including its confidential information and trade secrets, client base and workforce, through the use of restrictive covenants, springboard injunctions and invoking the obligations derived from fiduciary duties.

## Disputes

We have defended our clients in some of the most high-profile and difficult High Court and Employment Tribunal litigation in recent years. Once the decision is taken to defend we are known as being one of the hardest fighters for our clients. We take responsibility for delivering the outcome the client seeks in the case.

## Collective issues

We have extensive experience in the complete range of collective issues, including employee consultation structures, UK national and European works councils, industrial disputes, electing employee representatives and union recognition.

## Data protection

We advise on data protection and privacy issues concerning employees, including restrictions on the use and storage of personal data and monitoring of employee activities (e.g., via telephone and e-mail or use of the internet).

# London Employment Group



## OUR APPROACH

Our approach to employment law is simple. We give practical, commercial and creative employment law advice to our clients consistent with the way the client wishes and needs to run its business successfully. We see ourselves working in partnership with our clients to assist them in achieving their commercial objectives.

We offer a client-focused service delivery model. We give leadership, accessibility and proactive representation.

We understand that employment law requires rapid responses and advice given in the context of a client's particular culture. So we build a team dedicated to serving each client, a team that understands its culture and focuses on establishing an ongoing, long-term relationship to deliver the results it wants.

We put special emphasis on building and maintaining the relationship we have with our clients and are committed and proactive in our dealings with them. We see it as key to our ability to give the best advice that we understand our client's business, issues and strategy, and we take responsibility to ensure that we do.

The benefits which we provide to our clients also include:

- Twenty-four-hour access to their dedicated Client Service team—a team with the right balance of partners and associates to work efficiently and effectively
- In-house training as required
- Networking seminars and workshops—some specifically focused on their business sector
- A proactive and customised e-mail service advising clients of significant employment law developments as they happen
- Access to an unrivalled breadth of experience across many business sectors
- A team that takes personal and professional responsibility, in partnership with our clients, in delivering agreed upon objectives, drawing on outstanding legal skill and deep practice/industry experience
- A team of seasoned advocates and employment law experts, able to back up advice with constantly updated legal knowledge and personal experience of similar situations



# Representative Experience

Our experience in recent months includes:

- Winning a high-profile sex discrimination case representing an employer in tribunal for 10 days (*Lewis v. Jubilee Managing Agency Limited*)
- Working with our client, BGC, in response to the Court of Appeal's judgment on its appeal in this long-running team poaching case (*Tullett Prebon and others v. BGC Brokers LP and others*)
- Assisting a client manage the departure of a key employee holding trade secrets to go to a competitor, including the forensic analysis of IT systems
- Conducting a 10-day High Court poaching case representing the employer from whom an employee had been poached: extensive interim application stage (including countering strike out application and applications on specific disclosure)
- Representation on a High Court partnership dispute representing hedge fund partners
- Handling complex immunity from jurisdiction issues in threatened employment-related proceedings against a sovereign central bank and tribunal proceedings against an international financial institution
- Second opinion work on a race discrimination tribunal case for major investment fund
- Corporate advisory work involving the pan-European disposal of a group of companies, involving French works council, Spanish unions, the possibility of the formation of a German works council and the retention of key executive issues
- Working with a major plc on strategic thinking relating to the harmonisation of terms of former public sector and directly hired staff after multiple TUPE transfers and dealing with the associated industrial action consequences
- Handling application for approval of binding corporate rules on data privacy for a US multinational
- Training on "managing with confidence" for 200 managers at a major investment bank in multiple sessions (and devising programmes for remote (non-UK) managers of UK employees)
- Assisting our Chicago office with the rollout of a long-term incentive plan across Europe
- Conducting the negotiation of the settlement of high value disability discrimination claim
- Advising on the employment aspects of the closure of final salary pension scheme
- Advising on liability/tactics for dealing with pension-related contractual changes erroneously implemented a number of years ago
- Successfully defending an interim injunction application against our client in the High Court
- Advising on the US\$1.225 billion acquisition of the Titleist and Footjoy brands
- Successful filing of Binding Corporate Rules for client covering all global employee data
- Devising global data protection strategies tailored to a number of different multinational employees
- Advising on the reorganisation and on-sale of a £550 million foodstuffs business

# Contact Us



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