



Prepare for  
Tomorrow's Workforce  
Challenges, Today



Global employers today face growing market complexities. Technological and social forces are transforming the workplace. Whether advising on global mobility issues, designing employee benefits programs, negotiating collective bargaining arrangements, or responding to increased public attention on harassment and equal pay, workforce issues can impact a company's ability to attract and retain talent. Or they can damage the company's reputation and market value in an instant.

The combination of an employer's legal and business challenges can no longer be separated or dealt with in isolation. Each organization needs business advisors who can address both business and legal issues related to multinational workforces. As multinational organizations confront the problems that come with operating around the world, they seek global solutions.

Through our alliance with Deloitte Legal, Epstein Becker Green can advise clients on a wide range of issues, including:

- Major transitions with digitalization and artificial intelligence;
  - Changes in laws concerning recruitment, employment terms and conditions, discrimination, and pay equity;
  - Compliance to safeguard corporate reputation;
  - Creation of a culture of inclusion;
  - Pandemic preparedness;
  - Changes to their business plan to respond to an evolving world;
  - Reskilling of employees in response to business model changes; and
  - Compliance with new regulations as employee types change.
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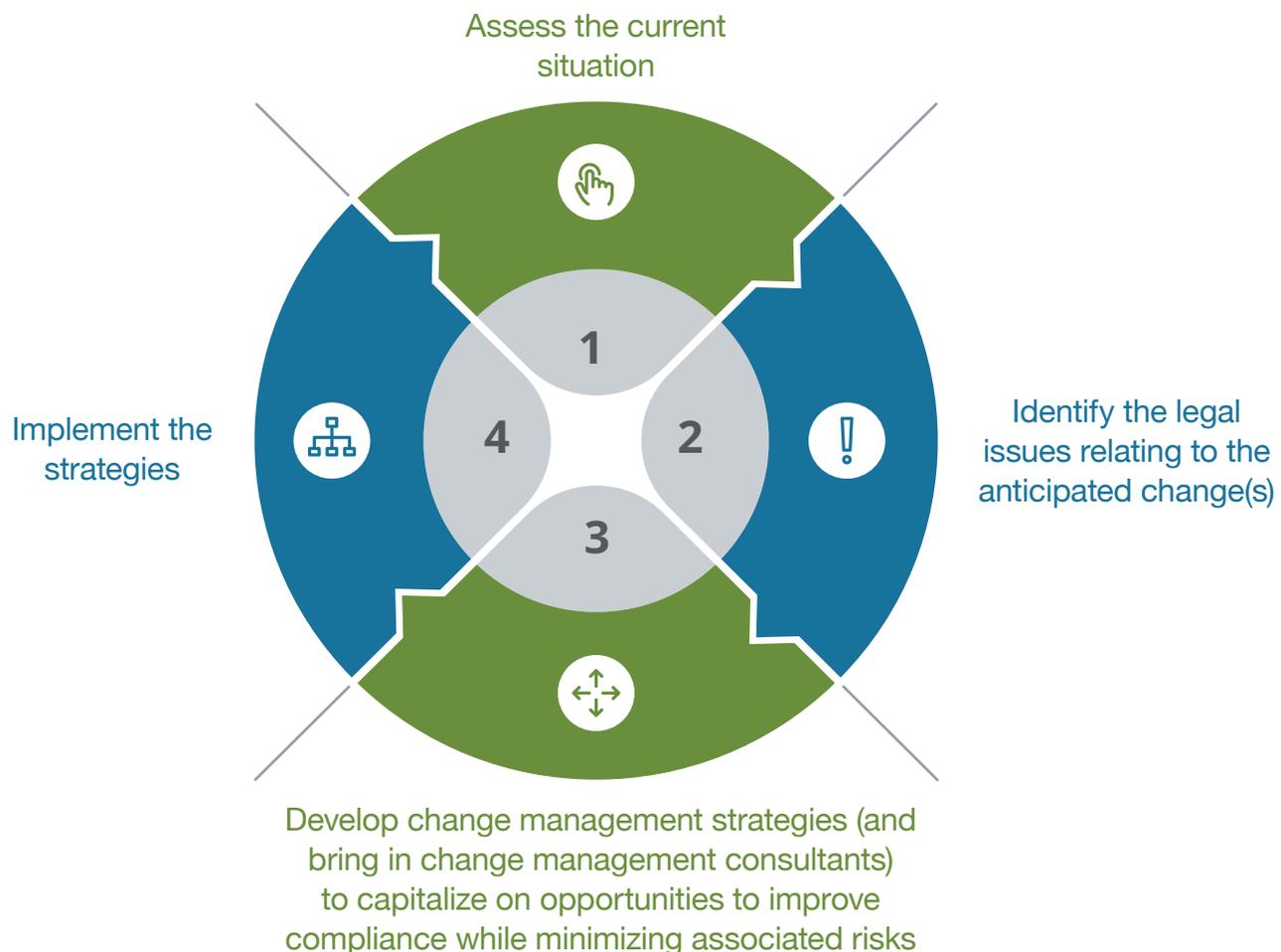
# Services



End-to-end HR support solutions help our clients enhance the employee experience. Whether the issues are regulatory or business-driven (a downsizing, merger, etc.), we provide a full range of change management services. From timetables, negotiations (including strategy), cost projections, and internal stakeholder communications to documentation, we have you covered.

Global organizations face novel challenges from COVID-19. Reshaping business fundamentals to ease concerns and limit liability (while also getting your business fully operational and adjusted to the new normal) calls for the right planning.

If you are facing corporate restructuring, leadership changes, new technologies, or a new corporate direction, we can help.







## Global Legal Mobility Services

As the workplace becomes more global, many companies offer opportunities across borders to employees of varying nationalities. The expatriation, and later repatriation, of employees often results in exposure to risk from local authorities relating to tax, employment, and labor law.

Companies with a globally mobile workforce need to protect and retain human resources, intellectual property, trade secrets, workplace technology, and client relationships. Through its alliance with Deloitte Legal, Epstein Becker Green provides complete support on employment-related matters, such as:

- Drafting confidentiality agreements and restrictive covenants (i.e., non-competition, non-solicitation, non-disclosure, and anti-raiding agreements);
  - Creating policies for information ownership, protection, and retention (i.e., policies that protect trade secrets and other confidential information, as well as address electronic discovery requirements and related issues);
  - Reviewing and crafting compensation plans to ensure retention and compliance;
  - Advising on structuring and reducing risk when recruiting individuals or groups of employees;
  - Helping clients promptly investigate and respond to thefts of trade secrets or other types of unfair competition; and
  - Pursuing and defending litigation involving restrictive covenants, trade secrets, employee raiding, breach of duty of loyalty, breach of contract, unfair competition, and other employment law violations.
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## Regulatory and Legal Compliance and HR Risk

When large corporations expand abroad, they often struggle with being compliant with local employment law regulations. Risks and challenges may involve:

- Inconsistencies in policies and practices;
- Application of local labor laws and union requirements;
- Retirement plan regulations;
- Employee benefits;
- Income taxes;
- Immigration issues;
- Expatriate employee contracts and compensation;
- Extraterritorial effects of U.S. laws and regulations;
- Effects of various treaties and accords to which the U.S. is a party (e.g., EU General Data Protection Regulations, EU-U.S. and Swiss-U.S. Privacy Shield Frameworks, etc.);
- Application of local employment laws;
- Overlapping jurisdictions and regulations; and
- Application of artificial intelligence in the workplace.

We help companies implement, review, and revise policies and procedures on all employment concerns. With the necessary local insights, we also provide training on the global implications of numerous HR issues and related laws, conduct webinars, and offer general advice and counsel. We can assist teams in setting up the necessary controls for compliance with the employment laws in your jurisdictions.

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## Contingent Workforce

Contingent workers, the fastest-growing segment of labor in the world, have become mainstream. (These workers are also known as freelancers, independent contractors, or consultants.) But many organizations have been slow to adjust to the new mix of traditional employees and contingent workers.

The global employment landscape is constantly evolving due to many parallel legislative schemes in the U.S., the U.K. and many other countries aimed at regulating some aspects of the contingent workforce. Social pressures to provide levels of support usually reserved for employees, such as unemployment and health care benefits, will continue to accumulate. There is also increasing case law on the assessment of the platform and whether each type of contingent worker is genuinely self-employed or should be reclassified as an employee.

The misclassification of contingent workers could have severe consequences for an employer. For example, misclassifying independent contractors, when they are actually employees, could result in penalties and liability for back taxes, overtime pay, workers' compensation, and retirement benefits.

We expect that vast numbers of contingent workers will soon proliferate all ranks and functions in many organizations. As such, the need for thorough HR and legal support will increase.

Epstein Becker Green's services cover:

### **Workforce visibility**

Providing support in gaining full insights on the contingent workforce within the organization: How many? How long? What functions? What pricing model? Which geographies?

### **Classification assessment**

Correctly labelling the relationship with the contingent workers, and mitigating any reclassification exposure and linked tax risks.

### **Legal compliance**

Monitoring the regulatory environment, assessing risks in the field of IP and restrictive covenants (confidentiality, non-competition), and drafting contracts and clauses.

### **Reward & mobility**

Defining reward and mobility strategy for contingent workers; for a mobile contingent workforce, analyzing from a tax, Social Security, legal, and immigration angle, and providing compliance support.

### **Organizational strategy**

Designing a technology-enabled process for contingent workers in line with the operating model of the organization, and drafting policies with rules applied by the organization to its contingent workers.



## Executive Compensation and Employee Share Plans

The strategy and design of employee benefit offerings have never been more vital to attracting and retaining talent, to shaping the culture of an organization, and to an organization's bottom line. We help global organizations identify compensation components and structure employment of their executives, as well as navigate the corporate governance landscape and increase investor scrutiny.

Also, we help companies:

- Design compensation and benefits programs in a cost-effective, tax-efficient, and compliant manner (for employer and employees);
- Align programs with the company's overall talent strategy, corporate strategy, and marketplace needs;
- Address an array of tax and legal matters at various stages, including M&A, sales, right-sizing, and general restructuring;
- Explore opportunities to transform global employment programs (e.g., discerning the total rewards that critical employees want and need); and
- When certain issues prevent companies from offering employees participation in a share plan, or the cost to deal with it can be too steep (e.g., securities law, foreign exchange control), focus on the rules in the countries in which they operate, and comply with them.

## About the Deloitte Legal and Epstein Becker Green Alliance

# Deloitte Legal + Epstein Becker Green = One comprehensive global delivery model

Deloitte Legal provides employment law and workforce management services in more than 60 countries, excluding the U.S., while Epstein Becker Green offers employment law and workforce management services in the U.S. Our multidisciplinary team comprises top business and legal talent with 600+ professionals worldwide. Our legal professionals work with our colleagues in Deloitte's tax, consulting, and financial advisory services across multiple countries, supported by leading-edge technology.

**Global reach with holistic business solutions combining legal, tax, consulting, and technology services across multiple countries**



**600+**

employment law and  
workforce solutions  
professionals



**60+**

countries

**Deloitte.**  
Legal

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Epstein Becker & Green, P.C., is a U.S. law firm with a primary focus on health care and life sciences; employment, labor, and workforce management; and litigation and business disputes.

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