

## Checking In: Susan Eandi, Baker & McKenzie LLP

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Q&A with Practical Law Labor & Employment Advisory Board member *Susan Eandi* of *Baker & McKenzie LLP*.

### *Practical Law Labor & Employment*

**Education:** 1997: J.D., University of California, Hastings College of the Law; 1993: B.A., University of California, Davis.

**Career in Brief:** 1999–present: Baker & McKenzie LLP (2005–present: Partner; 1999–2005: Associate); 1997–1999: Sedgwick, Detert, Moran & Arnold LLP, Associate.

**What do you think is currently the biggest challenge facing employment attorneys?** To some degree, it depends on “where you sit.” For in-house counsel, my clients tell me that one of the biggest challenges continues to be ensuring compliance with employment laws, while simultaneously empowering the business to operate effectively.

For companies with workforces in multiple countries, this requires a global perspective and understanding of comparative laws across regions to better inform a company’s strategic decision on issues involving its workforce. This can be particularly challenging for employment counsel because many legal compliance issues start with employees, but US employment laws and norms simply do not translate in many situations. Being aware of the pitfalls that can lead to material liability for an organization, criminal sanctions and even bad press, is imperative.

For outside counsel, supporting dynamic organizations with their global employment needs in a cost-effective and scaleable manner is an ongoing challenge.

**Have any recent legal or market developments had a significant impact on your practice?** In the past year, we have certainly seen the effect of a rebounding economy tempered by a renewed vigilance toward corporate compliance. The year started with an increase in IPO activity, with pre-filing diligence and global compliance taking on a high-profile role. There was an uptick in M&A activity, as well as more focus on rationalizing corporate resources through post-acquisition integrations. At the same time, companies seemed to be expanding across borders at an increasing rate. It is no longer “exotic” for a US company to have international operations, rather it is almost a given to operate wherever the talent and business are located and to do so in compliance with local laws. Flexibility in operating global workforces also became increasingly important, as did the ability to “tap” and move talent nimbly. All of these trends impact workers directly, and require companies to understand at the outset the

requirements of local employment, employee benefits, immigration, tax, corporate and privacy laws, wherever they operate.

**Are there any changes on the horizon that you think will significantly affect global employment practice?** In the global employment space, employment law reform has been the “topic of the day” for the past few years and will continue to be as the various laws become effective. For example, the past year brought increased scrutiny and regulation of temporary and other contingent worker arrangements, which will continue to impact the employment law landscape. Notably, China, Japan and Mexico recently implemented new laws expressly designed to limit the use of contingent workers in favor of regular employment relationships. In addition, employment law reforms came “on line” in various countries, including Japan, Mexico, Brazil, Hungary, Spain, France and the United Kingdom, having varying impacts on employers, with some jurisdictions showing a trend to strengthen individual rights in the workplace.

**What do you like most about your job?** I learn something every day. Laws are constantly evolving and changing, and every situation brings a new opportunity to learn and advise clients. I have the opportunity to work with some amazingly creative and forward-thinking companies, which keeps me challenged and engaged. Further, the ability to share that opportunity with my colleagues around the world and junior attorneys in my practice in such a collaborative fashion inspires me daily.

**Why did you decide to be a part of the Practical Law Labor & Employment Advisory Board?**

Practical Law offers a valuable service to counsel through its many publications, including practical “how to” advice that allows in-house counsel to self-educate and work more effectively with outside advisors. I am a big advocate of educating my clients so that they are positioned to issue-spot effectively, work with me efficiently and ultimately be successful in their organizations.

**If not an attorney, what would you be?** At one time I would have been an English professor (my aspirations to be a pediatrician were quashed when it became clear that I was a much better writer than a scientist), but now I think I would find something productive to do in one of my favorite vacation spots with my family. I have not figured it out yet or I would probably be there by now!

**What one piece of advice would you give to a junior attorney considering specializing in employment law?** Find as many opportunities as possible to explore both the substance of employment law and the reality of working in an area of law that will give you exposure to many people on a regular basis, whether they are clients, opposing counsel, individual actors or colleagues. Employment law by its nature is people focused, so finding affirmation and energy from working with people on real-life issues is an important trait for a happy career in the area.

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