

**Baker
McKenzie.**

「Workforce Redesign」

Build your flexible future

「Solutions for a
connected world」

The case for a connected solution

Flexibility is currency in the new working world. Organizations and employees alike are eager to capitalize on the opportunities offered by technological advancements and shifts in working culture. We are witnessing a significant evolution in the types of work people do, where and how work gets done, as work moves beyond traditional paradigms.

Nine-to-five, bricks and mortar employment models exist within known legal frameworks, but embracing new ways of working means uncertainty — transformative decisions raise legal questions without obvious answers, and the blindspots associated with complex employment, tax, data, cybersecurity, IP and compliance issues can leave organizations vulnerable to challenge by authorities, employees and other stakeholders.

But flexibility and the law are not mutually exclusive. We help organizations confidently build their flexible future.

Aligning flexibility with the law

1 Future-proofing:

Where are we vulnerable to changes in business strategy, public opinion, policy, regulation or enforcement?
How do we risk manage decision-making?

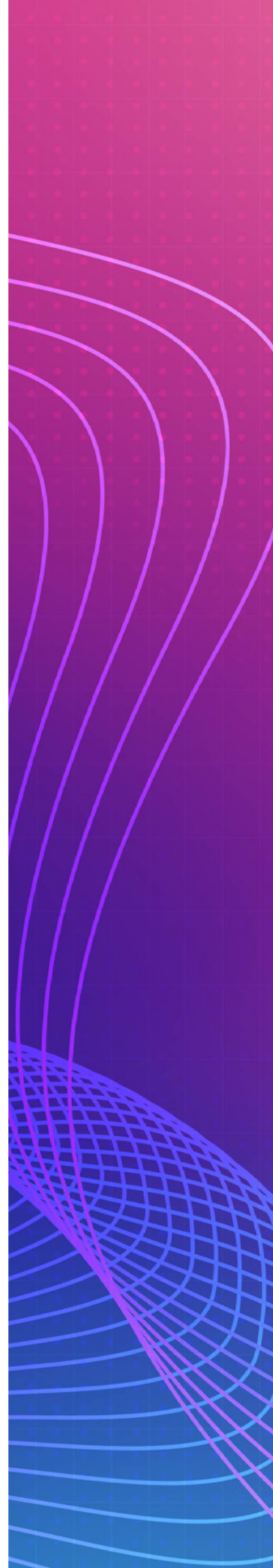
3 Implementation:

How do we implement change and support our people while mitigating risk? Are we redesigning for now or for the long-term?



2 Strategy:

How do we deliver the flexibility our people and the business need? Are new working arrangements legally and commercially viable?



Why Baker McKenzie

Baker McKenzie provides clients the wide-angle lens they need to confidently build their flexible future.



CREATED FOR WORKFORCE REDESIGN

We have one of the deepest and strongest employment practices of any global law firm, coupled with world-class expertise in tax, compliance & investigations, cybersecurity, IP and litigation – connected legal advice built for workforce redesign.



FLEXIBILITY AT SCALE

Because we are not only present but deeply embedded in 45+ markets around the world, we find the synergies that make flexibility possible at scale and across borders.



ADVISORS TO TRAILBLAZERS

We are advisors to the companies shaping the future of work, including cutting-edge technology players and pioneers of modern working practices. By sharing this knowledge we help clients confidently plan for what's coming next – formulating answers, not raising more questions.



Solutions for workforce redesign

Points of alignment



How do we deliver the flexibility our people and the business need?

Employment

Understand how to meet employees' desire for increased flexibility within the law. Determine where workforce redesign may conflict with global employment rules and find synergies across jurisdictions.

Tax

Pinpoint changes in tax liability arising from the creation of new permanent establishments, including whether employee location and/or responsibilities remain consistent with transfer pricing approaches.

Cybersecurity

Protect employee and consumer data. Evaluate where planned applications of technology (e.g. AI, machine learning, blockchain) and personal information are exposed to data collection, storage, and processing laws.

IP

Uncover where new working practices and technology could expose trade secrets and/or commercially important IP. Consider whether owned technology related to workforce redesign and/or innovative approaches are appropriately protected.

Compliance

Uphold diverse, equitable and inclusive cultures, ensuring transformation strategy is aligned with corporate purpose, culture, values and ESG.



How do we implement change and support our people while mitigating risk?

Employment

Navigate local employment law — including working rights, immigration, health & safety and labor conditions — and protect employee wellbeing. Consider litigation preparedness and employee activism.

Tax

Correctly classify employees to avoid unnecessary tax obligations and establish policies to minimize withholding risk.

Cybersecurity

Stress-test data infrastructure, protocols and cybersecurity in light of remote working arrangements and new digital tools. Plug any gaps in cybersecurity and consider key suppliers/contracts to ensure appropriate protection and liability cover.

IP

Review employment, supplier and partner contracts to accommodate remote working and use of technology — ensuring the business is protected against IP theft and breaches.

Compliance

Ensure existing governance and compliance frameworks are fit-for-purpose and consider whether remote/tech-driven employee monitoring and oversight satisfies ABC regulation.

Solutions for workforce redesign

Points of alignment



Do we understand where transformational decisions are subject to further change and risk?

Employment

Determine how new employment models can accelerate inclusion, equity and diversity, and promote new approaches to pay and performance, wellbeing, new working rights (such as the right to culture) and operational resilience.

Tax

Monitor and reevaluate the tax implications of new working arrangements while staying on top of new legal developments, such as OECD and/or local country guidance and the impact of changes in international tax policy.

Cybersecurity

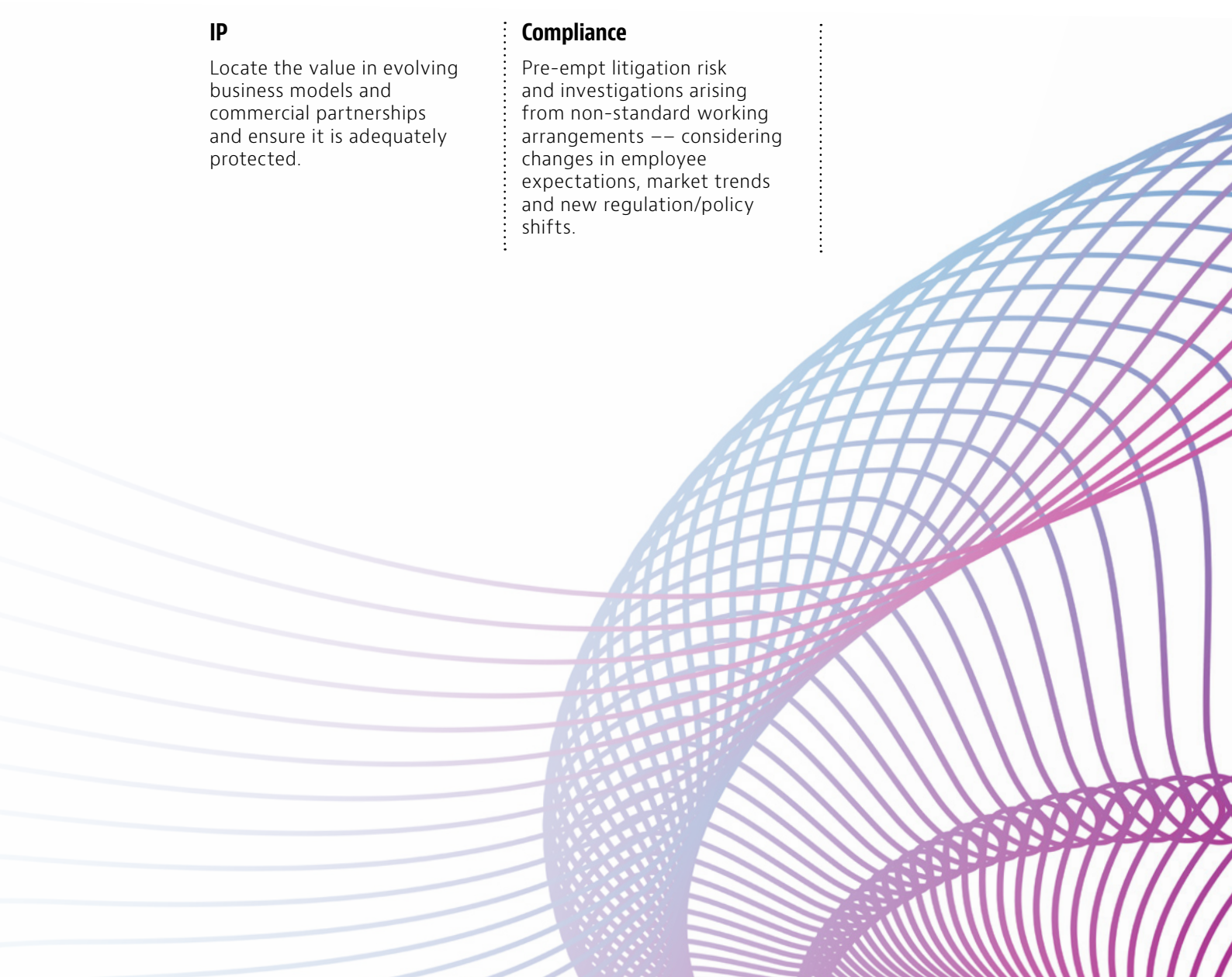
Assess next generation technology and how the organization's data pool will expand over time. What data will we have, where and how might we want to use it, what enhanced data infrastructure will this require and what new regulatory vulnerabilities could we face?.

IP

Locate the value in evolving business models and commercial partnerships and ensure it is adequately protected.

Compliance

Pre-empt litigation risk and investigations arising from non-standard working arrangements — considering changes in employee expectations, market trends and new regulation/policy shifts.



How We Can Help

Baker McKenzie helps organizations to build their flexible future - embracing change in the types of work people do, where and how it gets done. As organizations redesign their workforce for a future they can't predict, we align flexibility and the law - formulating answers to challenging questions.



Remote Working Support

We work with clients to design the right program for remote working, whether temporary, permanent, in full or in part, as they continue to adjust to the impact of the pandemic. We advise on the numerous legal considerations including employment, benefits, immigration, corporate tax, data privacy and trade secrets. We work with clients to develop policies and practices to support working arrangements, and advise on how best to manage risks and remain compliant.



Compliance Support

We advise clients on the regulatory frameworks governing non-traditional workforce engagement by jurisdiction and on the likely developments globally. We help identify countries with the highest reputational, regulatory, financial and employee relations risks of non-compliance, to assist with designing the right workforce models.



Litigation and Crisis Support

Our experienced employment litigators provide rapid counsel, support and resource planning for misclassification claims, class actions, taxation authority challenges, joint/related employer threats, criminal allegations, dawn raids and information security breaches.



Inclusion, Equity and Diversity

We counsel clients on developing and implementing effective and compliant diversity and inclusion strategies. We provide employers with the policies and best practices necessary to achieve their inclusion and diversity program objectives. Our team can undertake local and multi-jurisdictional pay audits to identify potential exposure and advise on strategies to reduce legal risk.



Audits and Risk Management

We conduct global compliance audits to assess modern workforce risks in a client's business. We advise and provide support to address the risks arising across multiple areas, such as employment, remuneration and benefits, mobility, data privacy, tax and protection of confidential information/trade secrets. Our audit service also enables us to provide practical advice to mitigate risk before a joint/related employer claim is brought.



Mobility

We help clients mobilize talent. We design, implement and manage global mobility programs that address all of the legal and administrative issues and help clients avoid the pitfalls of international personnel transfers. Our team also advises on the impact of corporate changes such as layoffs and compensation reductions on immigration status.

For More Information

To find out how we can help futureproof your organization and create safe and agile workforce models, visit [visit our Workforce Redesign hub](#), or reach out to your Baker McKenzie relationship partner.

Baker McKenzie delivers integrated solutions to complex challenges.

Our unique culture, developed over 70 years, enables our 13,000 people to work together across borders and practice areas. We provide seamless advice underpinned by local market knowledge and deep sector expertise so that business leaders can feel confident in driving growth that is both sustainable and inclusive.

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