



CMS DeBacker, Chaussée de La Hulpe / Terhulpesteenweg, 178, 1170 Brussels, Belgium
T +32 2 743 69 00 – F +32 2 743 69 01 –
CMS DeBacker, Amerikalei 92, 2000 Antwerp, Belgium
T +32 3 206 01 40 – F +32 3 206 01 50

CMS de Backer is a member of CMS, the organisation of independent European law and tax firms of choice for organisations based in, or looking to move into, Europe. CMS provides a deep local understanding of legal, tax and business issues and delivers client-focused services through a joint strategy executed locally across 28 jurisdictions with 54 offices in Western and Central Europe and beyond. CMS was established in 1999 and today comprises nine CMS firms, employing over 2,400 lawyers and is headquartered in Frankfurt, Germany.

CMS nine member firms are: CMS Adonnino Ascoli & Cavasola Scamoni (Italy); CMS Albiñana & Suárez de Lezo (Spain); CMS Bureau Francis Lefebvre (France); CMS Cameron McKenna LLP (UK); CMS DeBacker (Belgium); CMS Derks Star Busmann (Netherlands); CMS von Erlach Henrici (Switzerland); CMS Hasche Sigle (Germany); and CMS Reich-Rohrwig Hainz (Austria).

CMS offices and associated offices: Amsterdam, Berlin, Brussels, London, Madrid, Paris, Rome, Vienna, Zurich, Aberdeen, Algiers, Antwerp, Arnhem, Beijing, Belgrade, Bratislava, Bristol, Bucharest, Budapest, Buenos Aires, Casablanca, Cologne, Dresden, Dusseldorf, Edinburgh, Frankfurt, Hamburg, Kyiv, Leipzig, Ljubljana, Lyon, Marbella, Milan, Montevideo, Moscow, Munich, New York, Prague, Sao Paulo, Sarajevo, Seville, Shanghai, Sofia, Strasbourg, Stuttgart, Utrecht, Warsaw and Zagreb.

The members of CMS are in association with The Levant Lawyers with offices in Beirut, Abu Dhabi, Dubai and Kuwait.

www.cms-db.com

The information contained in this brochure does not constitute legal advice.

Employment Pensions & Benefits 2008

Challenges and solutions

At CMS DeBacker, we like to think that we can offer the kind of common-sense approach that our clients need.

Constant new developments in the business world continue to present major challenges, impacting on national and multinational businesses alike.

We know it isn't easy balancing your company's legal needs against the constant pressure to meet demanding targets. But having the right support makes a real difference.

These days every law firm offers impeccable client service, a complete range of legal expertise, proven international coverage and a real focus on value for money.

With your reputation resting on the quality of their work, however, you need to be confident that your lawyers offer much more : handsome assistance.

We believe we do. Here's how.

We go to great lengths to learn about your business.

Because it's only by understanding its objectives, exposures and opportunities that we can provide effective advice on legal issues and their commercial implications. You can trust us to operate directly with your colleagues, confident that we're staying focused on your priorities and always looking after your interests.

We always adapt our services to your needs.

Naturally you want a uniformly high standard of support across your entire portfolio, but how these are delivered can make a huge difference to your workload.

Whether you need a single point of contact or direct access to a range of experts, we'll make it happen.

You can rely on us to offer you the maximum of flexibility and convenience.

We stay enthusiastic about the law and the businesses we advise.

Our 60-strong legal team does not just keep up to date with the latest developments; in many cases they are shaping them with academic research and media commentary. This intellectual drive helps us develop innovative solutions that are of practical benefit to the running of your business.

If you're looking for a fresh approach, why shouldn't you contact us?

CMS DeBacker & CMS Organisation

CMS DeBacker has offices in Brussels and Antwerp and offers clients a full range of legal and tax services.

CMS DeBacker is a member of CMS, the Organisation of major independent European law firms providing businesses with legal and tax services across Europe and beyond. Operating in 54 business centres around the world, CMS has over 595 partners, more than 2,400 legal and tax advisers and a total complement of over 4,600 staff.

The CMS Organisation can offer :

- ✓ a single team of CMS Pan-European Employment advisers
- ✓ co-ordinated advice from a single point of contact guaranteeing same standards of service and quality
- ✓ transparency and clear monitoring of fee structures
- ✓ a strong presence in 15 EU countries
- ✓ probably the largest presence in Central Europe.

CMS Employment PAG

The members of the CMS Organisation work together extensively through Practice Area Groups (PAGs) to share knowledge and expertise and improve their standards of quality and service.

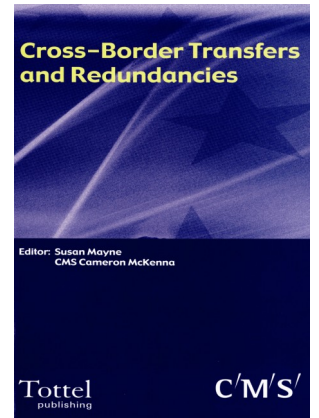
PAG activities allow the members to get to know one another, both professionally and personally. This in turn enables the members to develop a reciprocal understanding of technical issues and a mutual confidence, facilitating teamwork and enhancing efficiency.

CMS Employment PAG members have a proven track record in, among other things, complex cross-border transactions and projects such as restructurings, mergers and acquisitions, divestments, expatriate schemes, etc.

Today the CMS Organisation is widely recognized as one of the leading full service legal providers in Europe. Almost 200 lawyers from all over Europe are members of the CMS Practice Area Group or 'PAG' making it the largest integrated organization of European experts.

The CMS Employment Team has published two important books e.g. on Employment Law in Europe and on Cross-Border Transfers and Redundancies. Its Employment Newsletter is edited each semester and is available via e-mail and in hard-copy.

For more information on these publications or if you would like to register to the EU Newsletter, please contact regine.husson@cms-db.com



"The CMS employment law practice combines the classic acknowledged practice of a boutique with the presence and manpower of a well networked and internationally connected major law firm."

German lawyers Handbook (Juve)2004/2005

How do we work?

A partner and a team

Every client has a contact partner within our firm. This client relationship partner is available whenever you need him/her. Our contact partner approach aims at offering you services of the highest quality, while at the same time maintaining the personal contact you deserve.

Contrary to many of our competitors, our firm prides itself for the direct involvement of its partners in large and medium projects and for their total availability to clients and our clients have repeatedly told us how much they appreciate our team spirit when working with us.

An efficient service – keeping costs to a minimum

Right man at the right place – transactions staffed with the minimum number of lawyers consistent with the highest quality level.

A committed team – as well as providing continuity for you this also ensures that we work to the highest levels of efficiency.

Individual tasks handled at the appropriate professional level – when tasks are delegated, the lead partner retains ultimate responsibility for the quality of work and advice given.

Value based pricing -
Alternative fee arrangements

We recognise that different types of work require different fee arrangements. We are happy, where appropriate, to discuss with clients alternative fee arrangements.

Discounted hourly charge out rates – we can agree discounted rates in appropriate circumstances, for example an exceptionally large transaction or a regular substantial flow of business.

Abort/Success fees – we can agree a percentage of the billable value is applied as a discount if the transaction aborts and as an uplift if the transaction proceeds.

Fixed or capped fees for specific project work – we would be prepared to discuss fixed or capped fees for all or some elements of work subject to parameters agreed at the outset of any aspect of work.

Blended rate – on certain transactions we can agree blended hourly fee rates that apply to all fee earners involved.

Progress-based payment – ideal for project work, we can agree key project milestones at which certain targets have been met. If they are not met only a proportion of the fees is paid.

“At CMS DeBacker, I appreciate having high level and seasoned lawyers with outstanding creativity and understanding of our business”.

Feedback from a large international bank (Client Survey - August 2005)

“... A key strength is their pragmatism and the way CMS DeBacker gets to understand the business by getting to know us, building the relationship and understanding what is important and what is not”.

Feedback from a large international bank (Client Survey - August 2005)

Our Employment Expertise

CMS DeBacker's Employment team is led by Stanislas van Wassenhove, Jef Degrauwe and Michaël De Leersnyder, three highly dedicated and seasoned professionals with a passion for their work.

Our team is involved in major employment legal areas, and among others in :

Collective labour issues

- M&A
- Restructurings and HR governance
- Corporate restructuring
- Structuring employees working hours flex-security

Individual relations & Employee benefits

- Salaried workers
- Company executives
- Salary policy
- Dismissals
- International mobility

Administration - Litigation

- Social security & Social inspection
- Criminal law

Pensions

- Complementary pension schemes
- Pensions plans & benefits for top managers

The Employment Team is continually developing new services and expertise, clearly demonstrating its commitment to clients and emphasis on business oriented solutions.

Here are some examples:

Social Watch

The Employment Team has set up an Employment Alert Network which gives access to new legislative or regulatory developments, information, know-how and advice provided by a dedicated help-desk. Today, more than 40 companies are members of CMS DeBacker's Employment Alert Network.

Social Audit

At least once a year, we spend a few hours with our clients reviewing all HR and Social aspects of their businesses and then provide them with a 360° analysis as well as suggestions drafted in a concise and ready-to-use management style.

Internet & Technology policies

Internet, e-mail, tele-work, video-surveillance, , privacy, confidentiality, etc. Today, all businesses - and mainly HR managers - are confronted with the challenges of a new high tech era in the working environment. CMS DeBacker's employment lawyers have developed a unique expertise and gained a solid reputation in these areas of laws. They have published a very useful and highly regarded casebook on the subject 'Nouvelles technologies et leur impact sur le droit du travail.'

Industry Focus

Although our Employment Team covers all areas of Employment law and provides advice to clients in a wide range of industries, our lawyers have a particularly strong background in and thorough knowledge of the following industries.

- Hotels & Leisure
- Construction
- I.T.
- Retail & Commerce
- Mass Consumer Goods & Distribution
- Aviation
- Transport
- Service logistics

Top Management Assistance Program

A extensive full-service assistance for senior executives in :

- Contracts and negotiations
- Tax and planning
- Split-salary structures
- Expatriate schemes
- Stock Option Plans
- Fringe Benefits
- Insurance and related products

