



Hot Issues in International Employment

June 15-16, 2012

Boston

UNITED STATES



INTERNATIONAL ASSOCIATION OF YOUNG LAWYERS
ASSOCIATION INTERNATIONALE DES JEUNES AVOCATS

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LLP

Introduction

A variety of AIJA Commissions, in cooperation with the International Employment Committee of the American Bar Association – Section of International Law (ABA SIL), are delighted to invite you to elaborate on international employment law issues at a joint seminar on June 15 and 16, 2012 in Boston. Held at the Omni Parker House, a landmark since 1855 located on the Freedom Trail in historic downtown Boston, a one- and a half day seminar and a thrilling social program are awaiting you:

Seminar – Hot Issues in International Employment

This highly topical seminar on international employment will address recent developments and hot issues relating to public and private law impacting the international employment market. We will touch upon issues for employees' and employers' counsel but also for M&A lawyers advising on transatlantic M&A transactions to consider, with input from high-profile speakers from private practice, university and industry.

Bribery of employees in a trans-national context

Corporations operating in a multi-jurisdictional environment inevitably face exposure to bribery issues. Demands for bribes, competitors acting corruptly, employees violating their codes of conduct and similar problems can undermine the business and affect the reputation of the multi-nationals. Recent legislation and tougher enforcement regimes in different jurisdictions have led to the imposition of record fines and the threat of criminal penalties for company directors and employees. This session will (i) review the risks and challenges posed by bribery of employees in the private sector and (ii) consider the tools available for companies to mitigate these threats

Aspects of Corporate Internal Investigations

Corporate investigations are an integral component of a company's risk management, compliance, regulatory and litigation strategy. There are a myriad of complex legal and risk issues to be considered. A corporate investigation may begin if fraud or misconduct is suspected within an organization or as a consequence of the initiation of a domestic government or international regulatory investigation. This is a difficult area and it is crucial that the lawyers, at the centre of the maelstrom, ensure they can give the right advice. This session will guide delegates through the challenging employment law focused issues facing lawyers dealing with corporate investigations. This will include: the organization and co-ordination of an internal investigation; getting the most out of employees; the do's and don'ts of interviewing employees; data protection issues, privacy rights, data gathering and dealing with whistleblowers.

Mass dismissals

The session will mainly focus at stressing the major concerns, on one hand, and major impacts and consequences, on the other hand, when mass dismissals are envisaged – from collective bargaining agreements, consultation and proceedings, to the organization of the restructuring and respective costs, in an international context.

Key human resources issues in international M&A

Question: Should labor & employment lawyers be involved from the beginning of an international m&a deal?

This session, primarily aimed at US lawyers, will explore the labor & employment law rules in Europe and Asia triggered by international m&a deals. Our session will be focusing on restrictions on changes in compensation and benefits post-close, automatic transfer of employees and works council consultation obligations, and our panel will share its vast experience in these matters and share the key issues to bear in mind, pitfalls to avoid, and best practices to put in place.

Data Protection Issues: How Far Can my Client Go to Protect Itself?

This session will deal with the issues related to the necessity of a company to protect its data and confidential information and the rights and obligations of its employees. Possible topics for discussion are: freedom to contract under Labor legislation in various jurisdictions (US, Europe, Brazil, and others), to control employee's behavior at the workplace and to regulate the use of the company's and the employee's assets at the workplace; secrecy obligations and data protection, as well the civil, labor and criminal consequences for breaching the secrecy obligation; and the inviolability of the employee's correspondence and privacy as opposed to the need to protect the company's business

"You are fired! – OK, and how much is my bonus?"

Through a mock negotiation between an executive ex-employee and his employer, and their attorneys and HR Manager, we will handle the main issues arising from termination of an employment relationship, both from the employee's and the employers perspective. Starting with the validity of the termination

cause, we will analyze the problems commonly arising hereof, such as the enforcement of the anti-competition clause and communication issues with the challenge to reach an out-of-court settlement. Will the parties be able to solve this conflict in an amicable way?."

Social Program

We'll be kickin' off the social program "Bahhston" style on Thursday evening, ladies and gents. Join us for welcome cocktails at the Omni Parker House, kindly sponsored by Ogletree, Deakins, Nash, Smoak & Stewart, followed by a little "clink" at the fashionable Liberty Hotel (in its previous incarnation, the iconic Charles Street Jail!).

And did we mention that Bahhston has some of the best seafood on the planet? On Friday night you are invited to come and sample some of the best seafood and New England specialties that the city has to offer at the Union Oyster House, a historic landmark on the Freedom Trail and the oldest restaurant in the US! On Saturday night we'll head to the waterfront in "Southie" to indulge in some more spectacular seafood and to hit some happenin' bars (pronounced as "bahhs") for some awesome beers (pronounced as "beeahhs").

For you history junkies, a world famous member of the American Bar Association – his identity will be revealed at the seminar – has agreed to give a tour of the Freedom Trail and to prove once and for all that the US has some history that can compete with Europe... with the exception of Greece (according to one member of the Organizing Committee, Demetrios).

So, register and get ready – Boston and we are waiting for you!

The Organizing Committee



Program

All scientific events will take place at the following venue:
**Omni Parker House, 60 School Street, Boston,
MA 02108, United States**

Thursday, June 14, 2012

- 17.30 Registration at Omni Parker House
- 18.00 Welcome Drinks (sponsored by Ogletree, Deakins, Nash, Smoak & Stewart) at Omni Parker House
- 20.00 After party or dinner (optional) at Liberty Hotel, 215 Charles Street, Boston

Friday, June 15, 2012

- 8.30 Registration
- 9.00 Welcome and Opening Remarks**
Alessandra Tarissi De Jacobis, Cocuzza & Associati, Italy, Immediate Past President AIJA
Salli Swartz, Immediate Past President ABA SIL
Martine Hoogendoorn, VMW Taxand NV, President Labour Law Commission AIJA
- 9.15 Bribery of employees in a trans-national context**
Chairs: **Benjamin Borsodi**, Schellenberg Wittmer, Switzerland
Andreas White, Kingsley Napley LLP, England
Speakers: **Timothy L. Dickinson**, Professor at the University of Michigan Law School, USA; Partner with Paul, Hastings, Janofsky & Walker LLP; Former Chair of the ABA Section of International Law and Practice (1997-1998); Former Chair of ABA Committees on European Law and Foreign Claims
Andrew Orsmond, Foley Hoag, USA (Boston)
Jan Rudolph, Noerr LLP, Germany
- 10.45 Coffee Break
- 11.00 Aspects of Corporate Internal Investigations**
Chairs: **Mark Beardsworth**, Kingsley Napley, England
Jonathan Tickner, Peters & Peters Solicitors LLP, England
Speakers: **Lara Vivas**, Cuatrecasas, Spain
Marjorie Culver, Seyfarth, USA (NY)
Anders Etgen Reitz, IUNO, Denmark
- 12.30 Lunch
- 14.00 Mass dismissals**
Chair: **Marta de Oliveira Pinto Trindade**, Abreu Advogados, Portugal
Speakers: **Saverio Lembo** and **Marie Christine Balzan**, Bär & Karrer AG, Switzerland

Elisa Noto, Macchi di Cellere Gangemi, Italy
Salli Swartz, Artus Wise (AARPI), France
Els de Wind, Van Doorne NV, Netherlands
Philip Berkowitz, Littler, USA (NY)

15.30 Coffee Break

15.45 Key human resources issues in international M&A

- Chairs:* **Per Hedman**, Lindahl, Sweden
Severin Roelli, Pestalozzi, Switzerland
Speakers: **Carson Burnham**, International Practice Group, Ogletree, Deakins, Nash, Smoak & Stewart, USA, (Boston)
Lesli Ligorner, Paul Hastings, China
Roselyn S. Sands, Ernst & Young Société d'Avocats, France
Sajai Singh, J. Sagar Associates, India
Henriette Stakemann, Plesner, Denmark
- 17.15 End of Scientific Programme for the Day
- 19.00 Dinner at Union Oyster House, 41 Union Street, Boston

Saturday, June 16, 2012

- 9.30 Data Protection Issues: How Far Can my Client Go to Protect Itself?**
Chair: **Renata Antiquera**, Stüssi-Neves Advogados, Brazil
Speakers: **Andrea Massei Rossi**, Lobo & de Rizzo Advogados, Brazil
Rhonda Shirreff, Heenan Blaikie, Canada
Sonia Cortés, Cuatrecasas, Spain
Laurent Badoux, Littler, USA (Phoenix)
- 11.00 Coffee Break
- 11.30 "You are fired! – OK, and how much is my bonus?"**
Chair: **Sonia Gumpert**, Monereo Meyer Marinel – Ió, Spain
Speakers: **Alan M. Koral**, Vedder Price PC, USA (NY)
Martine Hoogendoorn, VMW Taxand NV, Netherlands
Patrick Goudreau, Langlois Kronström Desjardins, s.e.n.c.r.l., Canada (Montréal)
Pietro Straulino Rodriguez, Sanchez Devanny, Mexico
Philippe Despres, Winston & Strawn LLP, France
- 13.00 Closing Remarks and End of Scientific Programme**
Anita Schläpfer, Schellenberg Wittmer, Switzerland, Chair of the Organizing Committee
- 13.10 Lunch
- 19.00 Optional dinner at Legal Seafood, 270 Northern Avenue, Liberty Wharf, Boston



Administration

Venue of the seminar

Omni Parker House

60 School Street, Boston, MA 02108, United States

Phone: +1 (617) 227-8600, Fax: +1 (617) 742-5729

Website: <http://www.omnihotels.com/findahotel/bostonparkerhouse.aspx>

Language – Number of Participants – Cancellation

The seminar will be held in English without simultaneous translation. The number of participants is limited. Enrolment takes place on a first-come, first-served basis. The organisers reserve the right to cancel or modify each of the seminars. In this case neither the organizers nor their representatives will be liable for any loss incurred by any participant, nor will they refund any money paid to them in connection with the event.

A participant, who cannot attend, may send a substitute participant at no cost. Should you need to cancel your participation, please inform JLC by email (esther@judylaneconsulting.com). The following terms and conditions apply:

A cancellation of participation will be handled as follows provided the cancellation has been timely sent to JLC by email:

- **Up to May 1st:** Refund of 100% of the registration fees paid deducted by an administrative fee of 65 USD
- **Up to June 1st:** Refund of 50% of the registration fee paid deducted by an administrative fee of 65 USD
- **After June 1st:** No further refund

In order to avoid problems with refunds, we strongly advise those who require a visa to register as early as possible.

Please note that in the event of any cancellation or no-shows, rooms will be at charge of the participant.

Registration Fees

	< 14.05.2012	>= 14.05.2012
Speaker	USD 580	USD 580
AIJA/ABA Member < 35	USD 580	USD 770
AIJA/ABA Member > =35	USD 655	USD 770
Non Member < 35	USD 695	USD 880
Non Member > =35	USD 770	USD 880
In-House counsel	USD 580	USD 770
Accompanying person	USD 220	USD 220

The **registration fee** includes attendance at the seminar, documentation, coffee breaks, welcome drinks on Thursday, lunches on Friday and Saturday and dinner on Friday.

The accompanying persons' fee includes welcome drinks on Thursday, dinner on Friday and lunch on Saturday.

Registration is considered binding immediately, but participation to the event is possible only after full payment of the registration fee.

Payment should be transferred in USD with no cost to the payee to the following account:

ING – Agence Cavell – Rue Edith Cavell 32 – Uccle – Belgium

Account number: 363-0708347-93 – IBAN: BE98 3630 7083 4793

SWIFT: BBRU BE BB – Ref: AIJA/ABA SIL BOSTON + NAME PARTICIPANT

Accommodation is not included in the registration fee. A limited number of rooms have been reserved at special rates at the hotel subject to the conditions indicated below. These rooms will be held only until **14.05.2012**.

Omni Parker House

60 School Street, Boston, MA 02108, United States

Phone: +1 (617) 227-8600, Fax: +1 (617) 742-5729

Website: <http://www.omnihotels.com/findahotel/bostonparkerhouse.aspx>

Room: Deluxe Non-Smoking (Single/Double occupancy) 259 USD, 14,45% taxes, without breakfast

Booking must be made directly on <http://omnihotels.com/FindAHotel/BostonParkerHouse/MeetingFacilities/AIJALabourLawSeminar5.aspx>

Dress code: Business (working sessions) or smart casual (evening program).

AIJA IS THE ONLY GLOBAL ASSOCIATION DEVOTED TO LAWYERS AND INHOUSE COUNSEL AGED 45 AND UNDER. AIJA, THROUGH A WIDE RANGE OF MEETINGS, SEMINARS, LAW COURSES AND ADVOCACY, PROMOTES PROFESSIONAL COOPERATION AND FRIENDSHIP AMONG YOUNG, CAREER BUILDING LEGAL PROFESSIONALS AROUND THE WORLD.

INTRIGUED BY ISSUES ON THE CUTTING EDGE OF INTERNATIONAL LAW? INTERESTED IN BUILDING AN INTERNATIONAL PRACTICE? EAGER NOT ONLY TO BECOME PART OF A NETWORK OF THOUSANDS OF CAREER BUILDING LAWYERS AND INHOUSE COUNSEL FROM ALL OVER THE WORLD BUT ALSO, WITH A LITTLE EFFORT, TO BECOME THEIR FRIENDS? KEEN TO GO TO SEMINARS RUN BY ENTHUSIASTIC PROFESSIONALS WHO WILL SHARE THEIR IDEAS AND INVOLVE YOU IN DISCUSSIONS ON THE LATEST DEVELOPMENTS IN LAW AND BUSINESS? THEN AIJA IS YOUR ASSOCIATION.

AIJA GIVES LEGAL PROFESSIONALS AN EXCELLENT OPPORTUNITY TO CONTRIBUTE TO IMPORTANT TOPICS CONCERNING THE PROFESSION IN AN INTERNATIONAL ENVIRONMENT. WITHIN AIJA, LAWYERS AND INHOUSE COUNSEL CAN SHARE VIEWS AND EXPERIENCES WITH OTHER COLLEAGUES FROM AROUND THE WORLD AND ENHANCE THEIR PROFESSIONAL SKILLS. WE FOCUS NOT ONLY ON LEGAL SKILLS BUT EQUALLY IMPORTANTLY ON CONTRIBUTING TO THE BROADER PROFESSIONAL DEVELOPMENT OF OUR MEMBERS WHICH IS OF PARAMOUNT IMPORTANCE TO THE 21ST CENTURY LAWYER AND INCLUDES NEGOTIATION AND MANAGEMENT SKILLS AND THE ABILITY TO WORK IN A MULTI-CULTURAL ENVIRONMENT. BY JOINING AIJA YOU WILL BENEFIT FROM THE INPUT OF AND DISCUSSIONS WITH COLLEAGUES ON AN EQUAL FOOTING. WE DO NOT "LECTURE" – WE "SHARE, LEARN AND BENEFIT".

DEFENDING THOSE PRINCIPLES, WHICH ARE AN INTRICATE PART OF THE LEGAL PROFESSION WORLDWIDE, AIJA IS ALSO COMMITTED TO THE DEFENCE OF HUMAN RIGHTS AND THE SOCIAL RESPONSIBILITY OF LEGAL PROFESSIONALS.



Registration Form / Bulletin d'inscription



BOSTON 15-16.06.2012

To be returned to: **Judy Lane Consulting (JLC) – Esther Meneses – PO Box 5098 Broadstone BH18 9WG – UK – Tel: + 34 654 639 139 – Fax: + 34 933 807 486 E-mail: esther@judylaneconsulting.com** – Or register online at www.aija.org

Complete in block capitals or attach a business card

AIJA Member ABA SIL Member Nr:

First and last name: Title:

Law firm:

Address:

Zip Code: City:

Tel.: Fax:

E-mail: Website:

Date of birth: Gender: F M

Accompanying person(s):

First AIJA event? Yes No First ABA SIL event? Yes No Special dietary requirements:

Delegate: Acc. pers:

Registration Fees

	< 14.05.2012	>= 14.05.2012	
<input type="checkbox"/> Speaker	USD 580	USD 580	USD
<input type="checkbox"/> AIJA/ABA Member < 35	USD 580	USD 770	USD
<input type="checkbox"/> AIJA/ABA Member >= 35	USD 655	USD 770	USD
<input type="checkbox"/> Non member < 35	USD 695	USD 880	USD
<input type="checkbox"/> Non member >= 35	USD 770	USD 880	USD
<input type="checkbox"/> In-House counsel	USD 580	USD 770	USD
<input type="checkbox"/> Accompanying person	USD 220	USD 220	USD

Optional:

Thursday dinner (to be paid on spot)

Saturday dinner (to be paid on spot)

Donation to / à / SOS Avocats USD

Donation to / à Scholarship Fund USD

TOTAL

USD

I attach proof of payment by bank transfer to account no. The payee is not liable for any charges.

ING – Agence Cavell – Rue Edith Cavell 32 – Uccle – Belgium

Account number: 363-0708347-93 – IBAN: BE98 3630 7083 4793 – SWIFT: BBRU BE BB – Ref: AIJA/ABA SIL BOSTON + NAME PARTICIPANT

No cheques – No bank drafts / Les chèques ne sont pas acceptés

PAYMENT VISA / MASTERCARD

I authorise AIJA to debit my credit card (Visa/Mastercard/) with the amount of USD (+ 30 USD for bank costs/registration)

Name of the card holder:

Credit card Number: Exp. Date:

Security Code:

(3 last digits, printed at the back of your credit card under the signature panel).

Cancellation: carefully read our cancellation policy in the administration section

Accommodation: Booking must be made directly with the hotel.

Yes No Full authorization to print my details on the list of participants.

Yes No Full authorization to forward my details to a sponsor.

For non-members only:

Full authorization for AIJA to send programs of the future events by email.

Full authorization for ABA SIL to send programs of the future events by email.

Date

Signature

Organizing Committee

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“Young lawyers of every country stand together. They intend to defend those principles which are common and which they consider to be indivisible from the notion of justice and law.” | AIJA, Declaration of Athens. Adopted, August 27, 1966.



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INTERNATIONAL ASSOCIATION OF YOUNG LAWYERS
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