



# Employment & Pensions

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**The Pestalozzi employment practice group draws on many years of wide-ranging experience to advise clients on virtually every aspect of Swiss law applicable to employment, labor, immigration and related issues.**

## **Our expertise**

Clients choose Pestalozzi because we have built up a thorough understanding of Swiss employment rules and standards. We have established a successful practice for addressing all the main issues relevant to employment, labor and immigration. These include contracts, long-term incentive plans, bonus, share or option plans and employment issues arising during mergers and acquisitions. At operational level, we efficiently handle the domestic and cross-border transfer of employees, business restructuring, the termination of employment agreements, downsizing, outsourcing, and the closure of production lines as well as workforce restructuring and mass dismissals. We also cover the drafting of employment rules, policies and regulations, and help Swiss employers to obtain work and residence permits for foreign employees and their family members.

## **Our services**

We offer a comprehensive range of advisory services covering the following areas:

### **Senior executives**

employment agreements for senior executives; development and implementation of compensation packages; compliance with Swiss say-on-pay rules (VegÜv – Ordinance Against Excessive Compensation); retention agreements; post-contractual restrictions (non-compete, non-solicitation); exiting of senior executives: negotiation of settlement agreements

### **Bonus programs**

developing employee participation programs (e.g. ESOP) and variable compensation systems; implementing bonus schemes of foreign parents for Swiss subsidiaries

## **Standardization**

template agreements; employment handbooks; policies (on IT, data protection, sexual harassment, etc.); working time regulations for white and blue collar employees; outsourcing and business transfer (Swiss TUPE)

## **Restructuring and reorganization**

personnel lending; business transfers (Swiss TUPE); staff reductions; mass dismissals; social plans; contract amendments; severance schemes and negotiations with trade unions

## **Pensions**

compliance with Swiss pension system; optimization of remuneration packages under Swiss pension rules; partial liquidation of pension funds

## **Privacy and protection of trade secrets | IP rights**

data protection and personal rights; internal investigations; protection of confidentiality obligations; protecting intellectual property rights of the employer

## **Representing employers in employment law disputes**

litigation in employment law proceedings, often in conjunction with employee participation programs

## **Immigration**

short and long term permits for Non-EU nationals (L- and B-permits); 120-day permits; permits; registration procedures for EU service providers up to 90 days per calendar year; work permits in connection with public tenders; C permit applications for management functions; residence permits without gainful activity

# Team

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