



DIRECTORS  
ROUNDTABLE

# WORLD RECOGNITION of DISTINGUISHED GENERAL COUNSEL

GUEST OF HONOR:

**Martin Henrich**

& The Law Department of Adecco  
A Global Leader in Workforce Solutions



## THE SPEAKERS



**Dr. Martin P. Henrich**  
*Group General Counsel  
Adecco Group*



**Anny Pinto**  
*Senior Vice President, Global  
Privacy Officer and Legal  
Head Group IT and Digital,  
Adecco Group*



**Nora Teuwsen**  
*Partner, Bär & Karrer*



**Richard Cumbley**  
*Partner, Linklaters*



**Gordana Landen**  
*Chief Human Resources Officer,  
Adecco Group*



**Matthew Devey**  
*Partner, Linklaters*

(The biographies of the speakers are presented at the end of this transcript. Further information about the Directors Roundtable can be found at our website, [directorsroundtable.com](https://directorsroundtable.com).)

## TO THE READER

General Counsel are more important than ever in history. Boards of Directors look increasingly to them to enhance financial and business strategy, compliance, and integrity of corporate operations. In recognition of the achievements of our distinguished Guest of Honor and his colleagues, we are presenting Martin Henrich and the Law Department of Adecco Group with the leading global honor for General Counsel and Law Departments.

Adecco is a leading global recruiting, employment, and workforce solutions company operating in 60 countries with 2,500 branches around the world. It is headquartered in Zürich, Switzerland.

Mr. Henrich addressed “Key legal issues facing a human resources services provider in the changing world of work.” The Distinguished Panelists’ additional topics included digitalization and innovation; the future of work with the impact of Covid; and effective corporate governance.

The Directors Roundtable institute is a 501(c)(3) not-for-profit which organizes the preeminent worldwide programming for Directors and their advisors, including General Counsel. Our privacy policy is [here](#).

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**Dr. Martin P. Henrich**  
*Group General Counsel*



**THE ADECCO GROUP**

Martin P. Henrich serves as Group General Counsel for Adecco Group AG.

Previously, he served as Vice President, General Counsel for the Global Commercial business and Global Chief Privacy Officer at Avon Cosmetics. He joined Avon Cosmetics in August 2014 as Vice President, General Counsel for the EMEA region. In August 2015, he assumed the worldwide responsibility for Data Privacy of the Avon Group of companies as Global Chief Privacy Officer.

He served in various senior legal and tax roles at Novartis International AG and at Novartis Corporation in the USA. Among

other positions he served as Head of the Global M&A/Antitrust Practice Group, as Head of Group Tax, as General Counsel the Americas, as a.i. General Counsel Consumer Health Division and Head of Global Litigation.

He started his career with the Vischer Law firm in Switzerland.

He was admitted to the Swiss Bar in 1987, pursued his JD (1984) and PhD (1991) from the University of Basel, Switzerland.

## Adecco Group AG

Across the world, the Adecco Group helps businesses optimize their talent and transform their workforces, while building the employability of people. With more than 30,000 full-time employees in 60 countries, we transform the world of work one job at a time with 3.5 million careers enabled annually. We are the world's leading talent advisory and solutions company. We are driven by a powerful purpose – making the future work for everyone. Our services help people fulfill – and exceed – their potential, building employability and connecting people with opportunities. Our solutions enable our clients to optimize their talent

needs and organizational models to achieve their goals. While our advocacy and firm commitment to operating responsibly aims to build a better world of work for all. We have three major business units:

### Adecco Workforce Solutions

As a career partner, we support the employability and employment of our Candidates and Associates and are committed to their success. As a partner to organizations, we deliver the right talent capabilities at the right time, enabling flexibility and agility for clients. Our global scale, local knowledge, solutions approach, and commitment to responsible employment practices set us apart.

### LHH Talent Solutions

We are leading the way to the future of work, with a full range of services along the entire talent journey: from organizational advisory services, to talent transformation, up-skilling & re-skilling, and people placement.

### Modis Technology Solutions

We power digital transformation and accelerate innovation with our cross-industry technology and digital engineering consulting, talent services, and skilling in fields such as software, engineering, automotive, energy, environment, IT, financial services, and manufacturing.



**KAREN TODD:** Hello! My name is Karen Todd, and I'm the Executive Director and Chief Operating Officer of the Directors Roundtable.

I would like to thank everyone who is listening in today for taking time from your busy schedules to attend this program. I want to especially thank the people of Adecco Group, and the law firms that support your legal team for their cooperation in this event, and the many other outside law firms, universities and organizations who are in the audience. I would also like to express our appreciation to the staff of Linklaters for their help with this webinar.

The Directors Roundtable is a civic group operating globally to organize the preeminent programming for Boards of Directors and their advisors, including General Counsel and their legal departments. For our entire 30-year history, we have never charged the audience to attend any of our more than 800 events worldwide. We created this series after speaking with corporate directors, who believe their companies are not sufficiently acknowledged for their achievements and good citizenship. They wanted to give executives and corporate counsel an opportunity to speak about their organizations, the actions that give them pride, and their successful strategies in navigating a business world that is constantly changing. We honor General Counsel and their legal departments so that they can share this information with the Directors Roundtable community via today's program and the full-color transcript document that will be made after the event and provided via Internet to more than 100,000 leaders.

Today, we are very pleased to honor Martin Henrich and the Legal Department of Adecco Group who are represented in the speakers and the audience. The Adecco Group, based in Zürich, Switzerland, is a world-leading talent advisory and solutions company. They help businesses optimize their talent, transform their workforces, and build the employability of people. This makes the future work.



A special certificate has been sent to Martin Henrich acknowledging his leadership and the valuable contributions of the Legal Department.

I would also like to briefly introduce our Distinguished Panelists: Anny Pinto, the Senior Vice President, Global Privacy Officer and Legal Head Group IT and Digital for Adecco Group; Nora Teuwsen, a partner with Bär & Karrer Ltd. in Zürich; Richard Cumbley, a partner with Linklaters in London; Gordana Landen, the Chief Human Resources Officer for Adecco Group; and Matt Devey, a partner with Linklaters in Frankfurt.

I will now turn the program over to Matt to introduce Martin and moderate today's panel.

**MATTHEW DEVEY:** Thanks very much, Karen, and hello to everyone. It's a pleasure for us to be here. It's the first time Linklaters has hosted this forum, so hello, everybody. I would now like to introduce Martin Henrich. First of all, Martin, from Linklaters and from myself, congratulations on your award. To those of you who don't know Martin, he is currently the Group General Counsel for Adecco, based in Switzerland. He's had a very distinguished and long career, mainly in the healthcare sector.

Martin studied in Basel, Switzerland, and at Harvard in the U.S. Prior to being in your current role, which has been for just about four years, you were at Novartis and Sandoz. You spent five years as Regional General Counsel for the Americas to Sandoz, and at Novartis, you were in New York. You have experienced quite a lot of change in the course of your career. You have tended to our fast-changing environments, and I know that you will have plenty to tell us about your lessons learned and all the different experiences that you've had.

You are known as having an open and direct personality; very curious; and very at ease with different dimensions of diversity. You communicate very well with different cultures, with a high level of energy. You are self-disciplined and a real go-getter, with some great enthusiasm. Many people have said how much they enjoy working with you.

Martin, I'm very much looking forward to hearing your acceptance speech. Over to you, Martin.

**MARTIN HENRICH:** Thank you. Good afternoon, good morning and good evening, everybody, depending on where you are! Thank you, Matt. Thank you very much for your kind words of introduction.



I'm delighted to be here with all of you. I'm humbled and honored to be included in a list of outstanding general counsels. I would like to thank Karen very much, Jack and the Directors Roundtable for that.

It is also clear that the recognition of honor goes much more to the fabulous legal teams that I've had the chance to work with throughout my career, than to me personally. So, thanks to the friends and mentors at Sandoz, former colleagues at Novartis, and to the great lawyers and friends I worked with at Avon Cosmetics. Particular thanks go to the team of Adecco. And I do not only mean my superb lawyers, but the whole Adecco family, without which this recognition wouldn't have been possible.

Special thanks also goes to Richard and Matt from Linklaters, who were so kind to help organize this event; and, of course, the panelists, Nora from Bär & Karrer; Anny, our Global Privacy Officer; and last, but not least, our esteemed Adecco Chief Human Resources Officer, Gordana Landen.

I could go on thanking a lot more people and organizations, and my parents and my grandchildren, but let's leave it at that, because first, I'm not an actor, and it is not the Oscar Academy Awards ceremony – although it feels a bit like that, I have to say!

All of you know that there is nothing like a free lunch, and hence, the honor comes with an ask to have a speech. So, without further ado, let's start.

You will get an idea about what changes we, as Human Resource Service Providers, see in the future world of work. We will then touch upon some of the legal challenges we are faced with – some that have been here all along, and some coming with the changing world of work.

Finally, we should also have a look at the leadership challenges the change process imposes on all of us because, yes, a General Counsel is not only a *legal* business partner

for management and the Board but also, and that at times is forgotten, a leader, caretaker and sometimes also a personal coach.

But before I do that, I would like to give you a better understanding of what Adecco Group AG is – what our *raison d'être* is; what our purpose is; what our service offerings are; and why we think it is so important to do what we do.

For me, personally, I have to add that purpose has always been the driver in my career. Joining Adecco had a lot to do with wanting to be part of something important, with a purpose.

Now, Adecco AG is a Fortune 500 company, and we are one of the leading talent advisory and HR solutions companies. We are active in more than 60 countries, with around 5,000 branches around the globe; more than 30,000 full-time-equivalent employees, with revenues of close to €20 billion; and with more than two million people working with us daily. We enable 3.5 million careers yearly, and support more than 100,000 clients along the human resources value chain.

Whatever we do, and wherever we operate, though, our purpose is always: "Make the Future Work for Everyone." Enabling sustainable and lifelong employability for individuals and empowering organizations to optimize their workforce to reach their full potential is our vision, and the common denominator is talent.

We search, recruit, place, up- and re-skill, transition and coach millions of people every year, thanks to the combination of our unique assets, unmatched HR, domain knowledge, massive amounts of data and global distribution networks, allowing us to create sustainable, lifelong employability, help businesses and individuals embrace the change and face the future of work with confidence, and empower organizations, both globally and locally, to optimize their workforce.

The Adecco Group will differentiate with this unique ecosystems solutions. Our goal is to lead the change and put the Future@Work, powered by the three global business units within the Adecco Group: Adecco, LHH, and Modis (soon to be combined with AKKA).

With Adecco, we place candidates in skilled and unskilled roles across a wide range of office, industrial and service sector occupations. Workforce solutions are delivered, focusing on temporary staffing, permanent placement and outsourcing. Also, we offer recruitment-on-demand online staffing under the Adia platform.

With LHH, we advise and support organizations and individuals to succeed in the evolving world of work. This includes talent development, career transition, technical training across a broad range of scarce, high-in-demand 21st century skills, and full HR outsourcing solutions like Managed Service Programs (MSP) and Recruitment Process Outsourcing (RPO), permanent recruitment and coaching.

With Modis, we focus on the smart industry, delivering cross-industry expertise in technology and digital engineering consulting, talent services, and skilling to enable digital transformation and to accelerate innovation.

We specialize in bringing expertise to organizations in cognitive technologies, digital transformation, cloud and IT infrastructure, smart ecosystems, and industry 4.0.

The world of work is changing. Accelerating trends demand new answers. These changes were visible at the horizon before the pandemic. Covid worked as an accelerator for a revolution that drives us to perform and transform our business to our Future@Work, strategy and transformation.

Now, global megatrends impact the way that people choose to work and the way that organizations think about human capital. There are four trends which we, at Adecco Group,



use and focus on to define the context in which our business operates and which shapes our strategic thinking: those are the Gig Platform Economy; Geopolitical and Economic Uncertainty; Human Centricity; and Digitalization.

The gig and platform economy drives the change that affects work-life patterns and reshapes labor markets, determining both new ways of working and profiles of our workforce. Companies are increasingly participating in the gig and platform economy. The use of platform workers in the U.S. by companies with more than a thousand employees will have increased by more than twenty percent between 2017 and 2022.

Geopolitical and economic uncertainty means that businesses need more and more agility and resilience to stay ahead. Flexible talent solutions are becoming an important source of competitive advantage. Global economic policy uncertainty increased threefold in the period between 2014 and 2020.

Human centricity is becoming even more important. With unemployment rising due to the Covid19 pandemic, there is an ever-increasing need to up- and re-skill shortages, create a truly inclusive workforce, and ensure that no one is left behind.

Last, but not least, digitalization is more and more determining our life and work life. New distribution channels and data-driven business models are emerging as HR solutions go digital. Organizations increasingly expect seamless, integrated, tech-enabled solutions. Three hundred and seventy-five million workers will need to change jobs by 2030, and 95 million will need reskilling to make the transition.

When looking at these developments or key themes from a legal point of view, we can first look at the legal ambient noise, which remains the same with variations due to the changing world of work. I will not dive into areas the legal function of any company of a certain size deals with, like legal

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contract work, corporate governance, M&A projects, although I could probably go on talking about all the many issues related to an acquisition of a public company, including the tender offer, financing, regulatory hurdles and, finally, the integration.

More interesting, for a company like Adecco – the asset of which is the human capital – are labor law in general, and topics that are related to individuals we work with and for, like privacy.

Let's have a look at labor law first. We are faced with a vastly different local regulatory landscape that is subject to constant change. Moreover, these are highly complex subject matters that are even locally governed by different applicable regulations, with various stakeholders involved. We have to deal with and adhere to the rules of different governmental agencies, from tax to health, and safety to Social Security, often also without consistent rules within one country, like state regulations in the U.S.; or, if you take Switzerland, in the cantons.

We then deal with unions in the countries and organizations, like the European Works Council, let alone when politics get involved in labor law issues. Those are external challenges we have to cope with. When a company is in a transition phase like we are, by creating global business units and moving away from purely regional responsibilities, you have, as most of you certainly have experienced, issues cut out for the legal function.

Often, the legal function is used as the emergency room. You are sought for if something went wrong and urgent help is needed. What it boils down to is damage control. We all, and above all members of the legal profession, know that greater value can be added

by getting ahead of the problem or concern, giving the business early warning, and guidance on risks at the horizon, which one can see, or risks around the corner, which you usually cannot see in their entirety.

For a multinational enterprise, this requires not only that the legal function is close to the business, that the lawyers are more than just legalistic experts, but that they have an understanding of the business and are involved and have a seat at the business and management table.

It also requires a massive exercise of obtaining accurate and complete information. I quote one of my mentors at the law firm I worked with early in my career, “Your worst enemy in a dispute is very often not the counterpart, but your client; hence, the importance to be very close to where the business action is.”

Creating value also depends on making a risk gap analysis before trying to provide guidance. A thorough risk status analysis is crucial. I know this sounds rather banal; it is the basic of risk management. More often than not, it is the mundane things that are not given enough attention, and if the foundation of something like risk management is not sound, any sophisticated structure you build on top of that foundation will, at the end, deliver flawed results, or collapse.

We have undertaken the exercise to start with the basics, and we have formalized the process of defining where we are in the labor law world and then continuously checking where we have moved to, and whether we have moved at all. We do this with our labor law risk matrix, which defines our risks, assesses their impact, and then describes the



level of control, which is a lot easier to do than the traditional approach of coming up with a probability measure.

This is even more important in the changing world of work, and I may add, in a fast-changing world.

Well, that was a bit of the legal background noise – new sounds have begun to mix into the background legal humming or ambient noise – and as I said earlier, with these new sounds respectively changes were visible at the horizon before the pandemic, and Covid worked as an accelerator for quite an impactful transformation of the work situation.

I would like to touch upon one of them that goes across the megatrends I mentioned earlier, which is the move towards flexible work patterns.

A February 2021 McKinsey report with the title, “The Future of Work After Covid,” describes trends that may persist after the pandemic. One of them is described as hybrid remote work to continue, and 20-25% of workers in advanced economies and about 10% in emerging economies could work from home three to five days a week. And Ross Dawson, Australian author, futurist, entrepreneur and former stockbroker, says, “Society is fundamentally changing. That is, power is shifting from institutions to individuals. In evaluating what makes a company a valuable place to work, more than ever, workers have greater expectations of flexibility, autonomy, diversity and privacy.”

Let’s look at work from home or teleworking first, and then move on to the issue of independent contractors, which is an example of what Dalton describes as “greater expectations by workers of flexibility and autonomy.”

Working from home, which is said to be here to stay, for some looks extremely appealing, and for others, not so much. We have seen this when Covid forced us into a lockdown situation and even now does not



allow us, unfortunately, to meet in person; we still communicate virtually, as you can see here!

Of course, like with everything, this has two sides. We do not need to travel and can work from a place that might be a lot more convenient than an air-conditioned meeting room where my U.S. and Asian friends are still sweating, while my European friends find it freezing cold! On the other hand, the screen lacks the very important personal feel and touch which I, at least, am missing greatly. I guess all of us would wish back the times when we met, had drinks and dinners together, and talked about the very important and sometimes, more importantly, about the less important things.

I would like to show you some of the challenges in the work-from-home concept which has been used in some organizations before Covid. We have, however, not seen such a wide and often welcomed use we find today.

In my opinion, the legal traps of work from home, or teleworking – particularly across borders, have been underestimated by individuals and by companies. There are quite different

kinds of work from home or teleworking. The simple setup, where the office is in the same country or in the same town as the employee’s home. The case where the family lives in a different country. Then, there are cases where the home is not the place where the family lives, but where the employee has a vacation home. Finally, where we look at pure teleworking, and the employee works from a place different from where the family lives, and different from a vacation home, but just, let’s say, from a most convenient place like, for example, Bermuda, Barbados, Cozumel or any other nice place you may pick. The risks for such examples are mutual for the employer and the employee.

To make it simple, I would want to name four risks. First, immigration or work permit risk. Working in a country of which you are not a citizen requires a work permit, and often there are immigration restrictions. The risk is with both the employee and the employer, as an employer you may be sanctioned and may lose the license to operate.

Second, is Social Security. An employee is, and needs to be, subject to Social Security. The rules regarding where you are insured



are tricky, and the risk is one of the more severe ones for both the employer and the employee. The employee may not be, or only insufficiently, covered by the respective insurance. The company may have paid mandatory Social Security contributions in the wrong country, and hence could be subject to sanctions if it did not pay the required contributions.

Third, taxation. Again, this is tricky and can become quite expensive for the employee. Here, too, like Social Security, the rules can sometimes be difficult to understand, and I'm speaking out of experience, when I worked in the UK and kept my place of living in Switzerland. For the employer, the risk is two-fold. Depending on the status, function, duties of, and activities carried out by an employee, there is the risk of creating a permanent establishment. A taxable presence of the employer and depending on whether the employee is taxed at source, the employer is obliged to deduct and directly pay to the tax authorities, the employee's tax risks become the risks of the employer.

And fourth, more general, given the ever-changing labor regulations in the different jurisdictions, the employer may fail to adhere to rules which are enforced to protect the employee and, hence, incurs again risks of being sanctioned.

Let's now move to another interesting topic: the move towards flexible work patterns. According to Dawson, the Futurist, expectations of workers regarding independent flexibility and autonomy will be growing going forward. I would like to touch upon one phenomenon which has been emerging over the last couple of years in sync with the emerging of the gig economy: the issue of independent workers or contractors.

The trend to independent work is nothing new. This has been around for several years now. Already in 2016, according to the McKinsey report, "Independent Work Choice Necessity and the Gig Economy," independent workers in the U.S. and the

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EU made up 20 -30% of the working age population or 162 million people. *Forbes* estimates the number of gig workers in 2018 at already 36%, and according to the CEO of Intuit, Brad Smith, it was expected to reach 43% last year. According to another study done by Upwork and Freelancers Union, 50% of the U.S. workforce will participate in the gig economy in 2027.

While Covid may be an accelerator for certain sectors and brands, like online surveys, banking and investments, the restaurants and food and grocery delivery and, of course, also all software-based brands, it may, in other sectors, not be the case – like for ridesharing, home rental, babysitting and physical tasks.

Increasingly, companies in the gig economy utilize independent contractors rather than traditional employees, as a means to cut costs and decrease employment-related liabilities. These companies rely on independent contractors for work and retain control over work typically performed by employees. The gig economy has flourished over the last years, and will continue to do so – whether in all sectors or not remains to be seen.

The fact is that the legal framework in which gig work has operated has not been able to evolve at the same pace. The flexibility and autonomy the gig workers enjoy comes with the price of legal uncertainty regarding social status and conditions. The classification of the worker as an independent contractor means that wages exclude benefits that full-time or part-time workers would normally receive, such as

guaranteed national minimum wage, sick pay, holiday pay, pension contribution, and health insurance.

Legislation has not really kept up with the requirement to combine flexibility and autonomy with social protection. As much as gig workers strive for flexibility and autonomy, they also are looking to improve the uncertainty regarding their social status and condition.

Courts have, in the recent past, issued decisions in favor of workers. A few weeks ago, we saw another example in the Netherlands, where a court classified them as employees and not as independent workers. This, of course, helps the workers regarding their social protection, but creates the risk of pushing them back into a situation of lower autonomy and flexibility.

The risk that workers in the gig economy face, or have been facing for years, has been sharpened by Covid. It is understood that companies have a responsibility to ensure they focus on workers' health, safety and well-being, and it is also understood that in a changed world of work, striving for flexibility, independence and autonomy is very high in demand by workers. This will require new ways of looking at how to find solutions to solve the dilemma of both the companies in need of workforce with a wish to control costs, and the worker in need of independent, flexible and autonomous work.

Now that is where Adecco's purpose comes into play: make the future work for everyone.



We are working with individuals to handle lifelong employability, and with employers to optimize their workforce to reach their full potential. This we do with a view to mitigate the dilemma for both employers and gig workers. This closes the loop to the ambient noise in the labor law landscape, with all the subject matter and jurisdictional traps we are coping with as a legal function of the Adecco Group.

The last megatrend we need to briefly touch upon is the digitalization and emerging technology trends and as a result, the Internet of Things, artificial intelligence, data analytics by means of big data, and augmented reality.

Of special interest to a company like Adecco are of course, artificial intelligence and data analytics by means of big data. Simply put, these technologies make it easier to find the right candidate for the right customer, which is a triple-win situation.

There is a huge advantage such technology can bring to employers, workers and, of course, also for us, but there are tripping hazards. Our business is a people business, and we are serious about our obligation to protect and ethically treat individuals we work with. This means that we commit to the rights of these individuals – and here, that means above all, their privacy rights. The challenge the legal function is faced with is the collision between these emerging technologies and the evolving privacy laws and autonomy principles. Whenever we use big data and put data analytics and AI at work, we need to look at and take into consideration issues, like consent, disclosure, de-identification, and limits of data collection and use. It becomes tricky with predictive analysis and using AI algorithms for facial recognition. The fast-evolving technology is very useful for helping individuals to sustainably become or stay lifelong employable, and organizations to be empowered to optimize their workforce and to reach their full potential. At the same time, with adherence to privacy laws,



which are also in flux. To maneuver around these often-colliding interests is one of the key challenges the legal function of many companies is faced with.

There are many more legal challenges that come with the new way of work, and it would be too much to tackle all of them within the scope of my short speech. In concluding, I would like to pick up on a theme that is important to me: the General Counsel as a leader or more generally, leadership challenges in the new world of work.

I would like to focus on one specific issue which I'm really concerned about as a leader. Last Sunday was the World Mental Health Day, and for sure, we will later hear one or the other statement about "mental health" in today's workplace. For the second edition of Adecco's *Resetting Normal, define the new era of work, 2021*, Adecco spoke with about 15,000 workers across the globe. Well-being and mental well-being are at the top of the issues list. Burnout might be the new worker pandemic, and leaders are not living up to employees' expectations. Worse, half of all leaders struggle to see the signs. For me, this is alarming, and this is one of the most pressing and critical leadership challenges we are facing. You can have the best legal or

other team for that matter, in the world, in terms of technical skills, but if members of your team are suffering from constant overwork with no breaks, disconnected from the team, meaning deprived from social contact within the team, and you, as the leader, do not see the signs, this will be the beginning of something contagious. It will massively impact the quality of the service, a fabulous legal function – and I look at my folks here when I say "fabulous" – I see my role as General Counsel as "enabler." Of course, a General Counsel needs to know the legal stuff, but she or he cannot be the specialist in all areas a company is dealing with. I won't speak for the General Counsels in today's virtual room. But at least for me, this is certainly the case. What I need to do as the leader of my folks is to make sure that they can be the best they can be. I must be the one who gives them the opportunity to excel. It goes without saying that legal excellence is a condition *sine qua non*. Making sure they can focus on doing what they do best – that is the leader's task. Move things that stand in the way and appropriately organize the team.

In the beginning, I talked about the General Counsel also being a caretaker, and sometimes personal coach. This is where the



physical and mental well-being comes into play, with the challenge to see around the corner or rather to the shadow cast by a burnout waiting around the corner.

Connect often; listen carefully; be empathic and truthful, but clear in your communication; and be creative and agile in finding solutions for problems you can solve for your folks. The change into the new world of work provides fantastic opportunities and is energizing. Let's make sure we do not lose the positive spirit and the energy to make the transition work.

Thank you very much.

**MATTHEW DEVEY:** Thanks very much, Martin. One of the disadvantages of this format is you can't hear people applauding.

Thank you very much, indeed; it was very interesting. As a labor lawyer and an employment lawyer, I found a lot of what you had to say fascinating, and I think we'll touch upon that a little later on.

I'm just looking to see if we've got any questions for Martin, and we've got the first one coming through. "What are the essentials required to be a successful General Counsel?"

**MARTIN HENRICH:** You can put up a long list of things. One, and I just mention that this is very near and dear to my heart, is making sure that your people can do what they do best. That means you need to like people and you need to make sure you can let them grow.

Other things are also clear: get to know your stakeholders. Learn the business. You need to understand the business to be able to give guidance. Understand the culture of the company, because without it you run into issues around every corner. Assess your law firm relationship. I could put that at the very end, but that's also important to know what your relations are with the support you can get outside. Have integrity;

there's nothing without integrity. Some others are: change agility, courage, be a great partner/manager, and you need some gravitas. It is hard to imagine a 30-year-old General Counsel of a Fortune 500 company – I wouldn't exclude it, but such a person needs to bring enough seniority and gravitas to really be taken seriously.

Those are issues that are more on the soft side. Diversity, and knowing about your blind spots, is something which is very important. Cultural consciousness in an international organization, is something which is very important, but that's probably not only for the General Counsel.

One of the last things I could add is, and this will sound good in the ears of all business people: don't talk legalese. Talk like a normal person, otherwise business won't understand you.

That's the list I can work down. There must be a lot more things that make a good General Counsel, but if you have at least a couple of those, you're a fairly good General Counsel.

**NORA TEUWSEN:** Matt, if you would allow me to comment on that. Martin, thank you very much for your comprehensive and very interesting insights. I would like to add, for my introduction and so that you're not wondering where I take my insights from, I used to be a General Counsel at the Swiss Federal Railway, so some experience being in-house. Martin, you summarized it very well. It's about being a leader. I still see some General Counsel who think they are the personal attorney of the CEO or the executive boards. You said the basis is having the legal skills but there is much more on top of it. The General Counsel should enable his team to perform at their best or at their highest potential. One thing which is very important is that you clarify the role of the General Counsel and the legal department. Often, what I see is expectations clashing, because management sees their roles in a totally different way than how the team and the General Counsel see them.

Therefore, I would highly recommend that you do this role clarification, and this includes making clear that the legal team is allowed to think beyond legal, and that it's clear for everyone that the legal knowledge is the basis, but there is much more. That there is a large number of people who can think strategically, see the risks, and can make things happen. If you do that the right way, you can have a big impact with the legal function. In some companies, the value of the legal function is not really used to its maximum.

**MARTIN HENRICH:** I couldn't agree more.

**MATTHEW DEVEY:** Thanks very much, Nora. Martin – just a couple more questions coming through. "What have you learned from the pandemic?"

**MARTIN HENRICH:** One very important thing is the importance of reliable networks. Again, this sounds rather simple. When I talk about networks, I mean technically sound networks and personal networks. Looking at the beginning of the pandemic, I anticipated the technical networks to be a real challenge. Now, this may have been the case in certain companies; I was surprised to see how well-prepared we were at Adecco with our IT systems. No glitch of any kind from one day to the other; it just worked amazingly well. Having the technical stuff in good working order is very important.

Then there is the personal network. It is rather difficult to establish a personal relationship virtually. Make sure you can do that face-to-face. That will prepare you for something like the pandemic, where the personal interaction suddenly becomes virtual. To then have a good working personal relationship is also very important.

Another thing is remote work works! There is a potential for increased productivity, and I say "potential"; that may not be true for all functions in a company. For the legal



function, an increased productivity is the result of being able to do more focused work. If you work from home or do remote work, you can concentrate a lot better than when you're in an open plan situation where there is a lot of noise, and people are walking by and so forth. So, for the legal function, it's clearly an increased productivity you can see.

On the other hand, there is a downside, and I alluded to that in my speech. You lose contact; you lose touch and that is not good. That needs to remain to some extent, even when you work virtually. When you have your space and you can work very focused, you still need contact with other people. Without this kind of a social aspect, it doesn't work.

For mental health and well-being, there is a risk in a situation like we have with the pandemic, that you forget about breaks. There is no distinction between work and life; it's all a bit blurred. That is really dangerous, because that will affect your health at the end of the day. If you're not able to be firm on taking breaks from work, it is really difficult. It is also more difficult in a work environment where your home is also your workplace and in a cramped situation.

Those are the things I learned from the pandemic. What helps is resilience and change agility. Without that, you're lost.

**MATTHEW DEVEY:** Thank you, Martin. I think we've got time for just one final question, and then we'll move on to the next topic. It's a question close to my heart as a private practice lawyer, "How do you go about selecting your external legal counsel?"

**MARTIN HENRICH:** Again, I have a list: expertise, responsiveness, reliability, pragmatism, proactivity, solution-minded, and fees only for performance. You need a good communicator on the other side.

I have varying needs. I may need resources for work I could easily have done in-house had I had required resources. Or I need a



detailed expert advice on something I don't have in-house or I don't have need enough. Or I need a great legal mind with a lot of practical know-how to play legal ping pong, to use him or her as a sounding board to discuss ideas and things I have in mind, and solutions I'm developing together with that person. Sometimes, I need a formal legal opinion.

In the best of all worlds, I have a law firm, a law firm partner who combines all of that in one person. That's in the land of dreams, and that's hardly ever possible. Therefore, I choose depending on what's needed. The resource issue is probably the easiest one, because the choice is heavily determined by price.

Legal expertise, the choice here is determined by the subject matter expertise. I'm looking for, and the question: is it local? is it across borders? is it multi-jurisdictional? So that defines what kind of a law firm I would need.

Is it about discussing a legal problem – testing, development, developing solutions – for a tricky issue? Then, I think – apart from the technical expertise, of course

– that the personal chemistry is of importance. Excellence is clear, but I need to have a relationship with someone to do that.

When it comes to a formal legal opinion, I'm looking for the relevant expertise and the reputation of a law firm in a given context.

Just one word with regard to the preferred law firm concept. I've gone through that. I'm a bit skeptical if that works, because I'm not working with a law firm; I'm working with people. I'm working with experts; I'm working with people I like. I work with people I trust. That doesn't depend on a law firm. Law Firm "A" may have the person I'm looking for; law firm "B" may be said to be the best law firm in the world, but I can't connect with those guys, so no chance I will work with that law firm. It's the law firm partners. If it's cross-border and multi-jurisdictional, I have law firm "A" in New York, who provides me with the perfect advice and support, and in country "B", they are just a disaster. It happens.

I don't want to focus on a law firm that gives me a 20% discount, and then have to use them all over the world; that won't work. So, just as an add-on.



**MATTHEW DEVEY:** Thank you. Really interesting, Martin. We've just got one more final question, and it really is the final question. I know Richard and Anny are chomping at the bit to get into the discussion. Someone says, "Thank you for your great insight. Do you see the evolution of workforce you describe applying to lawyers, or do you see specific trends accelerating in our space?"

**MARTIN HENRICH:** I'd like to keep that part to other specialists on the panel here, actually.

**MATTHEW DEVEY:** Thank you very much, Martin. Let's move on then. Anny Pinto at Adecco and my partner, Richard Cumbley are now going to speak about digitalization and innovation.

**RICHARD CUMBLEY:** Thanks, Matt. Martin has talked to us already about what Adecco is doing both itself and with its clients to help them into the 21st century. Regarding more flexible staffing solutions, he was talking about bringing a digital world of work to its clients. That, obviously, is driving an awful lot of change through Adecco – a move from a face-to-face business to an at-a-distance business. Not only is that driving change through the business as a whole, but it is also driving change through the legal team.

I wanted to talk today with Anny and Nora from Bär & Karrer about how, first of all, the drive to create digital change within Adecco is changing demands and it's making new kinds of demands on lawyers. Nora, you kick us off, and then Anny, on that question. How is going digital changing the demands on lawyers in-house?

**NORA TEUWSEN:** Martin showed it very well. Adecco changed a lot including the legal functions.

**RICHARD CUMBLEY:** Yes.

**NORA TEUWSEN:** I see a lot of legal teams at the moment and not everybody has changed so far. [LAUGH]

“Often, the legal function is used as the emergency room. You are sought for if something went wrong and urgent help is needed. What it boils down to is damage control.”

– Martin Henrich

It depends a little bit on the starting point, how much they've changed. Some of the people or some of the legal teams functioned very differently quite some years ago. Some of them take the opportunity now. Digitalization and Covid has pushed them into the right direction, into the new world. In the legal world, within the last years, there were no digital tools coming up which turned everything upside-down.

Still, it's not a revolution; it's an evolution but it's going in the right direction. What is most important is that change cannot come only from top-down. Everybody in a legal team must understand the need for change. It's basically more a cultural transformation than first a technical transformation. You have to make sure that everybody understands what the opportunities of digitalization are. This is the role of the team leader or, in this case, of the General Counsel. He has to make sure that everybody gets this appetite for change and digitalization, and that they also have the skills to see and understand the opportunities.

**RICHARD CUMBLEY:** Anny, I just want to bring you in, because you've obviously lived through change within Adecco and its legal team. As Chief Privacy Officer, you're right at the tip of the spear of that change. I'm fascinated to know what you think going digital, that drag to the digital environment, has changed the legal team at Adecco and what stresses that has put on people.

**ANNY PINTO:** Digitalization is one of our goals. One of the key benefits that GDPR [General Data Protection Regulation] brought to our organization is the automation of some internal processes, of some privacy activities. Our clients, the products and services that we are developing

and selling today don't respect any borders. When we are offering solutions, it can no longer be that I think as a Spanish-qualified lawyer, or my team thinks as a Zürich-based lawyer. We are setting and serving a variety of clients that are operating globally, so we need to think globally, even though we act locally.

We need to think very strategically. As Martin pointed out, we want to be an enabler, and also, at least, as a legal partner, we want to support business, and we want our business to sell more, while protecting and taking care of our candidates and clients. Thinking strategically, this is one asset that is truly valuable as an in-house lawyer, and that, as a leader, I encourage my team to do.

Also, getting knowledge from technologies is important such as AI, data analytics, data strategy, data quality, and data operations. Those are terminologies that in-house lawyers need to be familiar with if they want to really understand and collaborate and offer value to business.

**RICHARD CUMBLEY:** Those are great. There are a couple of things I really like there. That point about digital products and no respect of national borders. You can't just be a Spanish-qualified lawyer now; you've got to be an international lawyer, whatever that might be. I loved that point, also, about thinking strategically, because lawyers are often able to spot the valuable asset that's being created. Those are great points.

You talked about understanding technology, what about new areas of law? There are whole new areas of law the good 21st century in-house lawyer needs to know about.



**ANNY PINTO:** Yes, definitely, AI – artificial intelligence, machine learning. Now we have a very robust AI team. There are very diverse data scientists in our organization. We need to be able to understand each other. I always tell my team, “We have to be able to speak the same language as our internal clients.” Referring to Martin’s remark, that we cannot speak in legal terms. We need to be understood. Otherwise, our message will not be conveyed, and will not be well-understood.

So, yes, definitely – AI. Even project management – but, sorry, maybe I’m going beyond that – is not a legal domain, but certainly a key asset, I would say, that as an in-house lawyer, you need to have.

**RICHARD CUMBLEY:** Yes. I really agree with those points. I love the idea that you need to understand both the new technology and the new areas of law, and it’s only by doing that that you can really talk to whole new types of workers – engineers in AI, for example.

Nora, what do you think about what Anny just said? I need one of your reflections, given your broad experience.

**NORA TEUWSEN:** Yes. What you just mentioned, those new areas of law, and also going a little bit beyond that, like new fields – such as the project management field – we could summarize it as the new contract law. [LAUGH]

Everybody needs to be and everybody understood that he or she had to be a good contract lawyer, but now there is even something on top of that. You have to understand the basis of data protection law; you have to have certain project management skills; you have to have this strategic thinking, being able to challenge the question if the client comes and says, “I want to go from A to B” – you have to be able to ask, “Maybe there’s a better solution if we go from A to C,” and therefore, you have to understand your client.



Martin mentioned it, as well, having a seat at the table. This is very important to have the impact you can have, for you to really optimize your services.

**RICHARD CUMBLEY:** Yes, that’s a great point.

**ANNY PINTO:** May I add a point?

**RICHARD CUMBLEY:** Please do.

**ANNY PINTO:** It’s not a technical skill, but you need to be a nice person. Who wants to be with a person who is not nice, is grumpy or complaining. No! You need to be a nice human being.

**RICHARD CUMBLEY:** It’s true.

**ANNY PINTO:** You need to be easy to work with. Also, you need to have lots of empathy, because people are going through difficult times, mental issues, lots of pressure around us. Empathy is key, to understand your clients – whether external or internal – and also public speaking. We are constantly communicating, we need to find a way to be able to *reach* the audience.

**RICHARD CUMBLEY:** Yes, those are all great points, again, Anny. I’m interested

to know how much the two of you think that the role of an in-house lawyer has been changed by that drive to go digital. All those things you’ve just talked about: thinking strategically, new areas of law, understanding how to assign new products, being international, being strategic. How much has the role of an in-house lawyer changed over the last five years? Give me a rough sense as a percentage, put a number on it.

**NORA TEUWSEN:** Anny, you want to go first? [LAUGH]

**ANNY PINTO:** [LAUGH] I’m thinking it is 50-60 %. We have changed a lot.

**RICHARD CUMBLEY:** What do you think, Nora?

**NORA TEUWSEN:** I totally agree, but it’s very, very different. So, there are some that really changed a lot, and they also changed a lot within the last two years, but there are still some who are only at the beginning.

**RICHARD CUMBLEY:** That’s quite striking that 50-60% that Anny just mentioned. That’s a big change in your role description and that’s been lived by a lot of my clients over the last five years. It’s very dramatic.



**MARTIN HENRICH:** If I may jump in here?

**RICHARD CUMBLEY:** Of course, Martin! Yes.

**MARTIN HENRICH:** I respectfully disagree with Nora and with Anny, because maybe the *lawyers* have changed; the *role* shouldn't have changed. As you said, how do you deal with new areas of law, and what does that do? What I see as the really good in-house counsel is a person who is curious, a person who is hungry to learn, a person who is living with change, who likes to see new things. How boring would the world be without these developments? How boring is a person who is not interested in new stuff?

Therefore, the role is the same as five years ago. The lawyers may not be living up to that role – that may well be. Some certainly have, because throughout my career, I have seen *many* in-house and outside counsel who are interested first, because they are looking for something new. They are creative. They have energy to do new things. That is the recipe.

But, in that sense, I don't think the role has changed so much; maybe the lawyers have changed within the role.

**RICHARD CUMBLEY:** Martin, I think you're revealing why you've become a GC, seriously. I actually think that a lot of in-house lawyers don't *revel* in the constant change that Anny and Nora and you are describing. A lot of people who *trained* in a particular discipline, like to exercise that discipline that they know. You make a really great point. The role is about constant change and getting comfortable with that is an important part of being a great in-house lawyer and becoming a senior in-house lawyer.

**NORA TEUWSEN:** I have a short comment on that. Also, the perception of the role from management has changed a bit. You see that also in numbers. Look at how many GCs are a formal part of the executive committee;

“More often than not, it is the mundane things that are not given enough attention, and if the foundation of something like risk management is not sound, any sophisticated structure you build on top of that foundation will, at the end, deliver flawed results, or collapse.” – *Martin Henrich*

this number is increasing. It started in the U.S., where it's quite common already. In our region, it's more in the pharma industry and in the financial sector where they are a part of the executive boards. But also, in other industries it is increasing now.

**RICHARD CUMBLEY:** I have a question for Anny. What have you done to help your teams adapt to the changing nature of the role, the changing products, the changing legal skills? What do you recommend that others can do to help them?

**ANNY PINTO:** First of all, I have changed myself. As a leader, I need to walk the talk. If I'm asking for you to do something different, or something not different but maybe completely new, it's me who needs to initiate the change. Embracing the change myself first was one of the things that I did with my team.

Then I repurposed the trainings. In the past, we used to focus a lot on privacy, and now the focus is more on AI, machine learning, getting knowledge from these domains. That doesn't necessarily entail external costs, because there is a lot of benefit that we can get from our own organization. We have fantastic data scientists and a fantastic chief digital officer. His team has lots of knowledge, and now we are building up in-depth sessions about digital and privacy. We are speaking with each other. Not only are we getting to know each other, but we are also gaining knowledge from each other; we are building up this trust that is needed for these new functions. We are gaining knowledge and getting new collaborations.

**RICHARD CUMBLEY:** Okay. Let's take one final question before we hand back to

Matt. Anny, you just mentioned walking the walk as well as talking the talk. Is there anything else that leaders of in-house teams can do to help lawyers adapt to change? Nora, you spoke to me previously about fear, and the problem with fear. Do you want to touch on that?

**NORA TEUWSEN:** Anny mentioned it already, you have to be a nice person! This goes back to the point where you have to make sure that you have an inclusive work culture, where people dare to speak up. In the legal industry, lawyers realize that diversity is important, but the next step of diversity is collaboration. You only can take the benefit out of diversity – benefit from cognitive diversity and different perspectives – if you collaborate. Collaboration also means talking to each other and working in teams. Regarding fear, it's putting all the opinions on the table to find the best solutions. You only put things on the table, or you only speak up if you have a culture where you dare to speak up. It's important to talk about mistakes, to walk the talk, and to also be a role model as a leader, and to talk about your own mistakes. That creates an atmosphere, a culture, where people dare to speak up.

**RICHARD CUMBLEY:** I *love* that point about talking about mistakes, Nora. That's *such* a valuable lesson that all of us can take away. Anny, do you want to add anything before we hand back to Matt?

**ANNY PINTO:** We need to build up a space where people can be themselves, can be authentic, and can trust and feel safe to speak and to ask for help, for example, in this difficult time.



**RICHARD CUMBLEY:** Really great. Okay. What we've heard about is the changing roles of business has forced lawyers to change even if not our roles about this point, and that requires us to think internationally and to think about new areas of law and new products; helping people adapt to that requires training, but also ability to be a flexible leader and to give people permission to make mistakes as they adapt to the new challenges of the 21st century.

That's been really interesting. I'm going to hand back to Matt now, who has got some reflections on the changing employment and legal markets.

**MATTHEW DEVEY:** Thank you, Richard. Thank you all very much; it's very interesting.

Not quite onto us yet, Richard, because there's a few questions coming through for you.

**RICHARD CUMBLEY:** Oh, my goodness! Okay!

**MATTHEW DEVEY:** I'll just put them through. First one, from Christian – thank you – “Do you see an increase in potential compliance risks when working remotely, and if so, in which areas?”

**RICHARD CUMBLEY:** Who'd like to take that? Anny? Nora? About talking our own organization, we certainly worry about that within Linklaters, that the difficulty with being really closely examining documents, large documents when you're doing it on screens is very challenging. We've talked to our junior lawyers about that; we train them on skills to help do that. I know, Anny or Nora, if you've got reflections on that?

**NORA TEUWSEN:** Compliance has a lot to do with loyalty and integrity. If you're not connected anymore to your company culture and you are shifting away from your employer, there is also a risk that you are not that loyal anymore. It doesn't matter



anymore whom the screen belongs to if you are detached. Therefore, it's important to make sure that you really onboard people and that you keep in touch with them.

**MATTHEW DEVEY:** Thank you. One final question for you, Anny. It's repeating a question we've already had for Martin, “How do you pick your external counsel?” Apart from them being nice people, which we've learned today and which I would concur with.

**ANNY PINTO:** They need to be nice. That's the basis. [LAUGHTER]

No, I guess the top three qualities that I could appreciate would be first, that the person is grounded, and he gives me advice that makes sense, is applicable and is business friendly. I think this would be the first characteristic I want.

The second one is straight to the point: I don't like lawyers who send me very long emails. I get lost on where the advice is and what I should do. Being straight to the point and concise is highly appreciated.

And the third point, I want someone that understands me, is proactive, and is always

thinking ahead to identify needs that I was not even aware that I had. That's fantastic. That's really the top.

**MATTHEW DEVEY:** Thanks very much, Richard, and Anny, that was very interesting. Now we're moving on to the topic that's closest to my heart as an employment lawyer, and that is the future of work and the impact of Covid. I am delighted to be joined here by Gordana Landen, who is the Chief HR Officer at Adecco, and Nora Teuwsen will be part of this discussion as well.

As a person and an employment lawyer my life changed considerably last spring. I'm sure in the first lockdown, everyone was impacted by the beginning of the pandemic. It was a huge burden and shock to all of us. As an employment lawyer, I must say it was probably the most challenging part of my career so far. Not only were we faced with unprecedented new challenges, but there was also a constantly changing legal landscape that was being adapted and tweaked as we spoke.

I was inundated with calls and meetings with clients faced with unprecedented issues. The main ones were initially, the focus on what to do with the workforce – should we send our people home? How



can we have people working from home? Companies that had never really entertained the idea of people working remotely before were suddenly faced with having to introduce all kinds of new policies and ways of working. A lot of companies were also struggling with the IT impact.

Then the face screens were either reintroduced or completely introduced or tweaked, and we all faced, on our private level, all kinds of challenges.

Now I'm very happy that Gordana is with us today. Gordana, I would be very interested to hear from you, how Covid and the crisis impacted your organization and your people.

**GORDANA LANDEN:** Thank you and thank you for having me here. There have been very interesting discussions. Yes, of course, Covid19 has changed the world of work for all companies, not only our company, and Martin also alluded to it, but so did you, Nora.

If we think of it, it might be hard to find positives on something as devastating as this pandemic, but one good thing that has come out of this Covid crisis is that it has actually given us a chance to develop our professional environment in a better, more sustainable, and also an inclusive way. Even though the pandemic is not yet over, we have the roll-out of the back signs globally. Hopefully at one stage, we will be able to leave this behind us, and kick-start a better world of work.

Looking at Adecco as the company, we really had to adapt to that pandemic. What we did was we started to look at existing trends, how we already were working, and through a series of surveys that in the beginning were actually as frequent as biweekly. There were also workshops and interviews with all our leaders and colleagues across our three business units, but also geographies – and at the same time, looking at the external research which had been made throughout the Covid. I have been participating in a number of meetings with

other CHROs [Chief Human Resources Officers], dealing with the same issue and with the same situation.

When we had these workshops and surveys, we started to create what we called a global framework, because in principle, in all these virtual townhall meetings, and especially in the beginning, the question that constantly came up was, are we going to force our people to go back to work fully in the office again? There seemed to be a huge need for clarification among our people.

Based on these surveys, workshops and interviews across the globe, we created a global framework called “New World of Working Principles.” The purpose of these principles was to guide, and help our people navigate through these shifting landscapes. We needed to put in place emphasis on how we will prioritize our work to drive business performance while equally ensuring the well-being of our people.

We designed five principles for hybrid working. It's the balance of office and remote work; delivering the result, which is prioritizing results and performance; smart planning, which is around goal-based flexibility, but at the same time, taking into account customers and clients and their needs, as well as when we are operating. For example, I might want to stay home Tuesday, Wednesday, but if my team is in the office Tuesday and Wednesday, maybe it's not the smartest thing if I really want to have the interaction with my team.

The fourth part was around well-being. It's all about deliberate and accountable actions to make sure that we are driving the well-being, both of ourselves but also others, and providing the right support to do so.

The fifth guiding principle was around agile working, which Martin also spoke about earlier. It is about us, as leaders, to make sure that we are providing a role model of the right behavior. It's important to send these strong signals to our people; if we

want to implement a new way of working, it's also important that we, as leaders, are standing behind those.

When we looked at these five guiding principles, of course we fully recognized that one size doesn't fit all. These principles were globally introduced into our organization last year, but it's an ongoing journey. We are working with our teams around the world, to understand what works for each country, for each business, for each function, as it's not one recipe that fits everybody.

These principles are now driven locally, on a country basis, and we take into close consideration the local Covid-19 government regulations.

The application of these principles allows a certain freedom within the framework, and it's this flexibility that reinforces the significance of continuing to build our culture on the basis of trust.

That's what I would very much summarize this to be.

**NORA TEUWSEN:** Thank you very much, Gordana, for your insight. These principles should also apply to the lawyers; sometimes they think they are a different species, but they should not be. They do better if they are not a different species. What employment trends are expected as an outcome of Covid?

**GORDANA LANDEN:** Thank you for that question. The employment trend we're going to see is actually this hybrid way of working. But we are also going to see people asking for more flexibility. Flexibility within that frame is also very much part of that. People learned during this lockdown period to actually organize their day-to-day work, and they made themselves available for when there were meetings and so on. They also made themselves available for “when do I need to review things,” “when do I need to create things,” “when do I need to design something.” The flexibility



and, to some extent, the shorter week will also occur. Then Martin mentioned it so well: we clearly also see the burnout. That might be the next workers' pandemic.

Last, but not least, the leaders need to be present. We need to reconnect with our people, and we are the ones who have to provide the role model; we have to understand our people, and at the same time, give them freedom within the frame.

That's what I believe will actually happen.

**NORA TEUWSEN:** Thank you. Just a question from me, personally, out of interest. You said it's important that people still meet and that they don't miss each other at the office. There are different places where sometimes they can work quietly, and different work needs different situations. What will you do at Adecco to foster different work environments? Do you have an office manager who makes sure that people still meet in the office and do not miss each other because of different homeworking schedules?

**GORDANA LANDEN:** Thank you for that question, Nora, and Martin could also add in here, if he wants. Our five guiding principles do not suppose that it's one recipe that will be for everybody. You take these five guiding principles and have a workshop with your team. Based on the results of the workshop, you decide what work can and should be done remotely and also what work needs to be in the office. Then you come to an agreement, certain days that you, as a team, meet in the office. During these periods, you may go for a lunch, or you spend a breakfast together, or you might even have a team event. For example, "Every Wednesday, we're going to have a meeting with the entire team; that's when we're going to spend the time together; we're going to brainstorm, and we're going to design certain things that need to be developed for us as a team."

That's the freedom within the framework we want to give.



On top of that, what we are now looking into is how to refurbish our offices. We clearly have seen that people really want to come back to the office. They want to connect with their colleagues and their leaders, and they also want to be in the office a certain amount of time – not full-time, not five days per week – but maybe two to three days. Then we need to arrange for these collaborative spaces. We need to arrange for quiet spaces when people are in the office. Or we might need to arrange larger meeting rooms so that a team can get together and brainstorm for whatever needs they have.

There would be several different elements that we are going to try, to meet the needs of our people and the leaders. It's an ongoing conversation.

**NORA TEUWSEN:** Thank you.

**MARTIN HENRICH:** May I jump in? We had a meeting where Gordana made a good comparison. You can either offer a sandwich packed into wrapped paper, and that's it, that's what you get, or you can have the bread and lots of toppings, a lot of stuff you can fill your sandwich with, and you have a choice to do that. You have a choice to take ham, eggs or vegetables. That's a bit

of what Gordana talked about refurbishing, about a new office setup. Considering that no one size fits all, there are different needs. The legal folks would like to have a quiet room where they can focus and concentrate on something. Other functions, sometimes even legal, would like to have a chance to talk about things that are very important and also not important things. Then you need places where you can do the collaborative stuff; you need places where you can just have a phone call in all quietness. You have to provide a choice so that people say, "Okay, I have the possibility to work from home; I know that setup; and I have a possibility to work in a place where I have choices, where I can choose and pick." That's the idea, to make a workplace attractive, to make people want to come to the office again. That's what we are trying to do.

**MATTHEW DEVEY:** Thank you. I've got one question for Gordana. You touched upon it earlier, Martin, on working from abroad. What I am seeing more and more is clients introducing policies allowing their employees to work for a certain number of days from basically anywhere they like. I'm just wondering, have you seen any businesses offering a complete flexibility about where you work from?



**GORDANA LANDEN:** I love this question. Martin is my partner in crime in many cases, and I'm so grateful to have him. Yes, we have seen it from other companies, to be honest with you, and we have discussed it, but we haven't really formalized it yet. It is because of the issues Martin mentioned: Social Security issues, tax issues, and risks for both the employer and the employee. It will be difficult to have that kind of system in place. Of course, if somebody comes to me like a person did today saying, "Gordana, I'm planning to work one week in India before Christmas; can I do that?" Of course, you can work one week. But if she would do it on a regular basis, we would fall into some legal issues, and that's where I go to Martin and say, "Martin, please help me here, to sort it out from a legal and tax point of view – can we do it, or can we not support that way of working?"

**MATTHEW DEVEY:** Thank you. I think 2022 is going to be a very interesting period, to see how everything falls.

I'm mindful of the time. We've just got four minutes left. We do have one question for you, Gordana. "What makes a successful HR leader, in your view?"

**GORDANA LANDEN:** It's a good question. I was listening to Martin, and also to Nora, what they were saying earlier. You need to have someone that stays very close to the people and brings the people's agenda forward. You connect it with the business, the strategy, the goal and the vision, and that's extremely important.

“Increasingly, companies in the gig economy utilize independent contractors rather than traditional employees, as a means to cut costs and decrease employment-related liabilities. These companies rely on independent contractors for work and retain control over work typically performed by employees.”  
– Martin Henrich

Highly effective HR leaders are also extremely strong communicators and influencers, so they should be able to provide the guidance on a range of HR issues, but they should also be able to influence. They should be able to convey and communicate whatever needs to be out there.

Another area is they need to be strong in caring. They need to have great integrity, but also genuinely care for the people. They need to have a high IQ. They need to identify talent, but they need to be able to empower, to engage, and develop these talents.

At the same time, as I would guess we have heard, they need to be problem solvers. They need to solve problems that arise, and they also need to be great at handling crises. We have seen, in the pandemic, how much and what a large need it was for HR support, care, communication, rallying everybody and providing the right guidance and so on. This is a very important area for HR.

They need to have ethics and integrity, because we have a great deal of confidential information and sensitive issues which we are dealing with, and we need to go beyond

just the legal compliance. That's why I am so grateful that we have Martin leading a fantastic legal team. He is many times my partner in crime, with whom I can bounce different ideas and questions and concerns. You need to have a strong legal team player with you.

Last, but not least, you need to be a life-long learner. You need to be curious; you need to constantly learn about new trends, in order to be able to drive a model HR agenda for the company.

**MATTHEW DEVEY:** Thank you very much, Gordana, for your insights. We've got one minute to go, so I'd like to wrap up. Nora, Gordana, thank you very much. Martin, congratulations and thank you very much. Richard and Anny, also, thank you very much. It was good to see you all and I know that many people will appreciate the wisdom shared today.

I'd like to express also my thanks to everyone who found the time today to listen in as well as provide questions for our speakers.

Stay well and safe. Thank you very much.





**Richard Cumbley**  
Partner

## Linklaters



**Matthew Devey**  
Partner

## Linklaters

Linklaters is a leading global law firm, supporting and investing in the future of our clients wherever they do business. We combine legal expertise with a collaborative and innovative approach to help clients navigate constantly evolving markets and regulatory environments, pursuing opportunities and managing risk worldwide. Our 5,200 people, of which almost half are lawyers, are located across 30 offices in 20 countries.

We work with companies, financial institutions, funds and governments to execute the most significant deals and to resolve disputes arising across the world. We want clients to

Richard is global head of the firm's TMT and IP practices, advising multi-nationals and governments on complex information management and data privacy issues. He has worked on data-related projects across the globe, including major data security incidents, large-scale privacy litigation, appearances before regulators, contentious and large-scale subject access issues, online monitoring techniques, government access programs, data localization and "big data."

Richard also counsels clients on the implications of new technology such as 3D printing, blockchain technology, interactive TV, and IOT.

Matthew has led the German employment practice since 2017. He advises companies, financial institutions and investors on a wide range of strategic German and global employment law issues. He regularly manages and coordinates cross-border employment projects, including M&A-related work, restructurings and distressed M&A, carve-outs, benefits changes, outsourcing, business transfers and pensions work. Further, he has a wealth of experience in the private equity sector and advising US clients about their European employment affairs. He

know they have made the right choice, every time. We invest constantly in our systems, technology and working practices to ensure that we deliver the right results.

Clients' businesses are our business. We bring a long-term perspective, embracing new ideas and proactively identifying future trends and products. We listen to our clients to allow us to understand their current and future needs and to shape our business to meet those. We are a people business. Being best in class in the eyes of our clients means that our people must be exceptional.

Our mind-set is the special ingredient in our strategy. It is what gives every interaction with us distinctive character. It reflects the DNA of our firm and encompasses both a

In addition, Richard advises on complex technology contracts, including large scale outsourcing, cloud services, technology development and related services contracts in both contentious and non-contentious environments.

Based in London and Dublin, Richard has advised on IT, data protection, information governance and outsourcing deals in more than half of the firm's offices around the world. He also works closely with the firm's leading Corporate lawyers on technology and separation issues associated with corporate transactions. He is ranked by both *Legal 500* and *Chambers* as in the first tier of UK privacy and data lawyers.

also provides strategic advice to clients about their important personnel issues, including management changes, restrictive covenants, dealing with works councils and unions, hiring and firing, and benefits queries.

Matthew has led the German employment practice to be nominated for law firm of the year (JUVE) for the first time in 2020 and was ranked as one of the leading lawyers in Germany for employment law by *WirtschaftsWoche* (2020) as well as by *Handelsblatt* (2020).

healthy respect for the past and an ambitious and hungry attitude to the future. It is what enables us to be our best for our clients, for one another and for the communities in which we operate. We respect and value difference but insist on inclusivity. We celebrate all aspects of diversity and challenge any form of bias, because we want everyone to feel that they belong. This is vital to our ability to work as one team, with a common mind-set. We are a partnership, but we are also business-like, driven and entrepreneurial, continuously seeking new opportunities. We are also highly competitive, particularly on our clients' behalf. We are proud of our long heritage and cherish our values. We believe in leading by example, communicating openly and encouraging always. And we hold one another to account for that.





**Nora Teuwsen**  
Partner

As partner of Bär & Karrer, Nora focuses on organizational and strategy consulting for legal and compliance departments. With her team, she supports the implementation of appropriate measures and supports projects in all legal management topics. In particular, she and her team focus on the textual and visual simplification of legal documents, with special attention to client needs.

As former Group General Counsel of Swiss Federal Railways (SBB), Nora has broad

experience in organizing and managing in-house departments and has repeatedly been awarded in international rankings.

She regularly lectures in Switzerland and abroad on various topics of legal management. Nora Teuwsen is a member of the Management Committee of the Institute of Law and Legal Practice at the University of St. Gallen, and on the Board of the foundation “Menschen für Menschen”.

**BÄR  
& KARRER**

## Bär & Karrer

Bär & Karrer is a leading Swiss law firm with more than 170 lawyers servicing corporate and private clients. Our core business includes advice on innovative, complex transactions and representation of our clientele in litigation, arbitration, and regulatory proceedings. In addition, we offer notarial and fiduciary services. Our track record across practice areas is remarkable and dates back to 1969 when we were founded. Our services and solutions are continuously being assessed and ranked by independent research agencies in the legal market. We have been repeatedly awarded.

With our head office in Zurich and branch offices in Geneva, Lugano and Zug, we are present in all three main language areas in Switzerland. This allows us to be close to our clients and offer our bespoke services in the respective language. We aim to stay lean in order to be agile, specialized, and

highly efficient not only in our advice but also in our service delivery. Our strong brand is underpinned by our long-lasting client relationships and the trust we have earned for more than five decades.

Bär & Karrer was repeatedly awarded Switzerland Law Firm of the Year by the most important international legal ranking agencies in recent years.

Every employee is part of Bär & Karrer and contributes to the success of the company with his or her expertise, performance, and commitment. As a future-oriented employer in a dynamic environment, we attach great importance to the working atmosphere. Working with us means modern workplaces, good infrastructure and a collegial approach to teamwork in teams and across our locations. We are convinced that this is the foundation on which we can provide first-class services for our clients.

We support employees with attractive working conditions and offer room for individual

development. We have combined our services in a modern remuneration system.

Workplace health management focuses on the health of our company's employees. We find that healthy employees are a decisive factor in our company's success. We provide various offerings for getting started with workplace health management and for its systematic implementation:

We want to provide our employees with modern, flexible work environments and arrangements. That's because we are convinced that there's a link between job satisfaction and employee health, motivation, and productivity. We also seek to help employees achieve a healthy work/life balance.

The 2,500 m<sup>2</sup> roof terrace of Bär & Karrer is a place for employees with a green thumb to let off steam in urban gardening. The roof terrace offers a new home for a rare Swiss chicken breed and a Moorish turtle family. In addition, bees romp around on the green roof area, which produce honey.





**Gordana Landen**  
*Chief Human Resources Officer*



THE ADECCO GROUP



**Anny Pinto**  
*DPO and Legal Business Partner  
IT & Digital*

Gordana is a Swedish national, born in 1964. She graduated from Stockholm University with a BSc in Human Resource Development and Labour Relations. Gordana joined the Adecco Group in 2019 and has been a Member of the Executive Committee since January 2019.

Before joining the Adecco Group, she served as Chief Human Resources Officer at Signify (formerly Philips Lighting) in Amsterdam from November 2015.

Between 2008 and 2015, she was Senior Vice President for Human Resources at Swedish paper manufacturer SCA.

Gordana spent 15 years working for Swedish telecoms company Ericsson in Sweden, the UK and the United States. She was Vice President for Human Resources, Organisation and Business Services between from 2006 to 2008, having risen through the ranks with a wide range of human resources roles, including Regional HR Manager and Director for Human Resources and Organisation.

Anny is The Adecco Group's organization wide statutory DPO and Legal Business Partner IT & Digital. She is responsible for leading The Adecco Group on privacy and data protection globally, and supporting the business on IT and digital legal matters. The Adecco Group's global data protection program which Anny leads spans over 60 countries worldwide.

**More about Anny:**

- She is an active member of the Centre for Information Policy Leadership (CIPL) and World Employment Confederation (WEC), among other organizations.
- She has over 17 years' experience in data protection, privacy, and IT law in both private practice and corporate environments.
- She leads a global multidisciplinary data protection program to ensure proper implementation of GDPR and other privacy laws in over 60 jurisdictions. She is a recognized by senior management as trusted advisor in privacy and IT and digital legal related topics
- She advises senior stakeholders on the digital transformation of business

- She views herself as a servant leader – she believes in empowering and mentoring her team of 30+ privacy experts to enable them to best serve the business and end clients (that is her “cause” and “why”)
- She places large focus on continuous learning and improvement
- Many would describe her as “pro-active,” “curious,” and a “problem solver”

Anny is passionate about developing relationships at all levels of the organization in a collaborative, constructive and agile manner. She is a believer that privacy is about a few core concepts: trust, honesty, care, respect, and transparency. Anny believes privacy is not just a legal topic but also a business and social matter that affects everyone. She also believes that AI offers endless opportunities, but we need to do it right and get it right from the start.

Anny regularly participates as a guest speaker in conferences/meetings. She views this participation as an opportunity to share, support, advise, get inspired, and learn from other professionals.