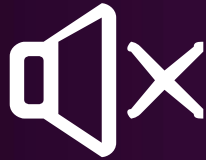


COVID-19 impact: Successfully restructuring your workforce

Welcome! The webinar will start at 9.00

11 June 2020

Lee Hecht Harrison



**All lines have
been
automatically
muted**



**For questions or
comments,
please use the
Q&A feature**



Thank you!

Today's speakers

LHH



**Laurent
Poujol**

Deputy Managing
Director and Sales
Director, LHH
Switzerland



**Martin
Naville**

CEO at Swiss-
American Chamber of
Commerce



**Jean-Christophe
Font**

Managing Director and
Founder of Santaide
Consulting



**Thomas
Kälin**

Attorney at Law and
Partner at
Meyerlustenberger
Lachenal

Now more than ever,
every business is a people
business

Laurent Poujol, LHH



A perfect storm has dramatically changed the world of work

**Social &
regulatory
dynamics**

Demographic shifts

**The 4th industrial
revolution**

**Changing perceptions
toward corporations**



Today, there's a new way to look at ROI

It's now a Return on Individuals

The path to The New ROI isn't about investing more – it's about investing differently and moving away from a replaceable workforce toward one that is renewable.



Helping you see the possibilities in your people and ensure employability in every scenario

**Talent
strategy**

1 Redeployment

Enabling employees to take on new roles and career paths within the organization

2 Active placement

Ensuring people's employability outside the organization by helping candidates land in most in-demand jobs

**3 Upskilling,
Reskilling**

Maximizing the full potential of your people

Rethinking your workforce strategy in the new normal

**Martin Naville,
Swiss-American Chamber of Commerce**



Post Covid-19: How to best leverage Human Capital and new Ways of Working

**Jean-Christophe Font,
Santaide Consulting**



Now more than ever, it's
important to take the
time to take a step back
to be ready to accelerate.

**« Nous souhaitons agir aussi vite que possible, mais
aussi lentement que nécessaire », Alain Berset**



To recognize the crisis has created a big divide

- ▶ How do you set **clear and inspiring messages** that people will adhere to?
- ▶ How do you handle **restructuring is a socially responsible way**?
- ▶ How will you **leverage even more collaborations**?
- ▶ What could be **new ways to share value creation**?
- ▶ How could you **shape a new “Give and Get” contract** with your people?

To bring the Human at the heart of everything we do

- ▶ **Review your safety and health working procedures** for people who have been working remotely during the crisis
- ▶ **Review your Employee Experience maps** to make sure you balance High Tech and High Touch when it matters
- ▶ **Accompany people throughout restructuring**, the ones who leave as much as the ones who stay
- ▶ **Reassess critical capabilities required** to compete and build new upskilling plans
- ▶ **Reflect on how you will assess potential** in view of what happened
- ▶ **Consider how to best reshape your Talent Days** to capture the talents which have truly emerged

To uncover and leverage key learning

- ▶ **Organize After Actions Review workshops** with your leaders and employees to capture the learnings and reshape your business plans
- ▶ Understand the impact of COVID-19 and **capture new opportunities** generated by consumers' behavioral changes
- ▶ Consider **creating a crisis board with leaders who have emerged** during the crisis
- ▶ **Review your Business Continuity Planning strategies** if not yet done. Prepare your re-exiting workplace plan



To reinvent new ways of working

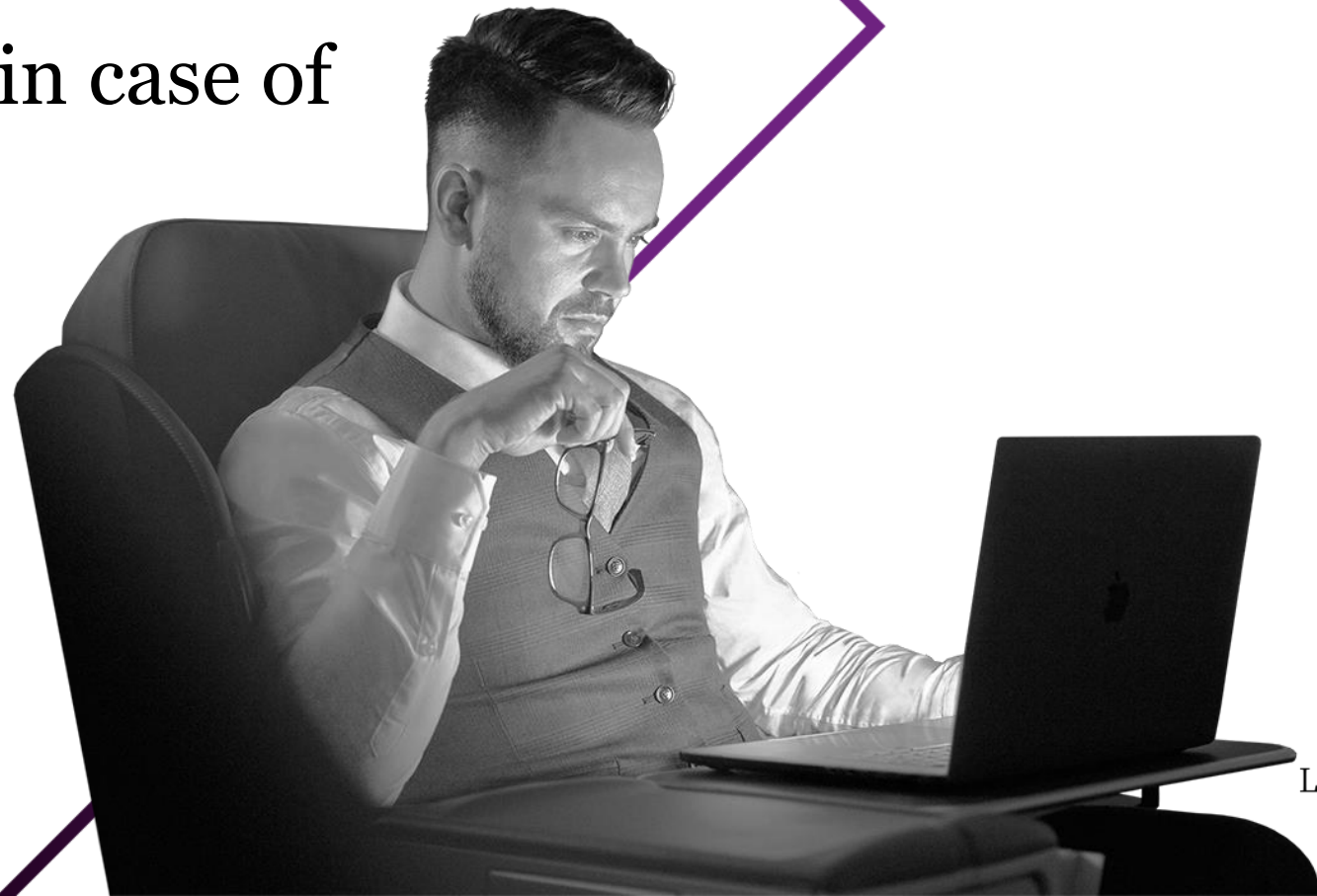
- ▶ **Boost your talent mapping** to better leverage your global talent and reconsider your mobility strategy
- ▶ **Boost your talent diversity strategy** by removing geographical and/or mobility barriers
- ▶ **Reconsider your workplace and real-estate strategy** while keeping a healthy balance between virtual and face-to-face relationships
- ▶ **Leverage more self-led teams** and energize your talents by giving them more autonomy

In a nutshell: Now more than ever, it's important to take the time to take a step back to...

- Recognize the crisis has created a big divide
- Bring the Human component at the centre of everything we do
- Uncover critical learning and leverage them
- Reinvent new ways of working

Legal implications in case of mass redundancies

**Thomas Kälin,
Meyerlustenberger Lachenal**



Lee Hecht Harrison

Mass Redundancies

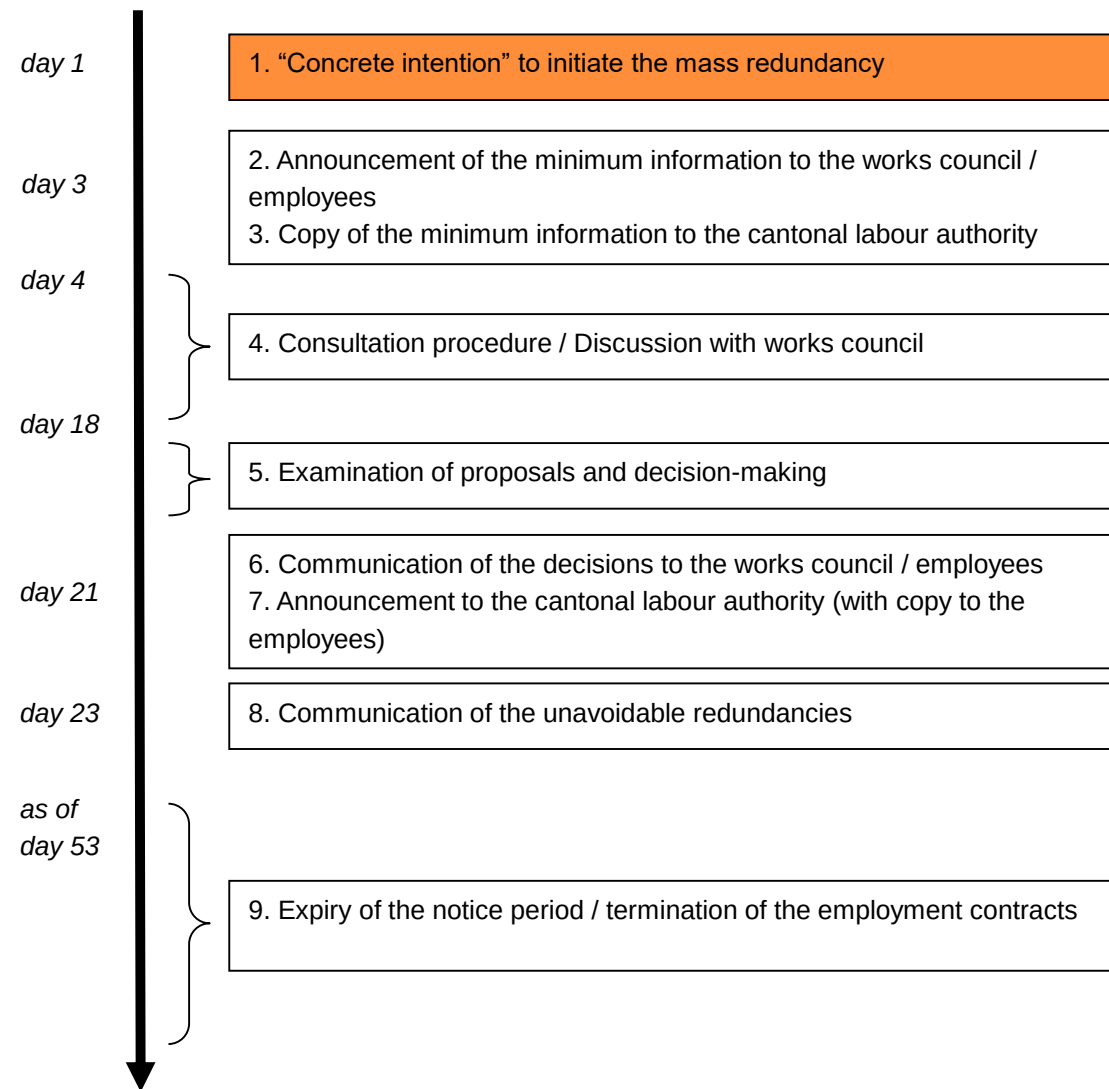
Art. 335d CO

Mass redundancies are notices of termination given by the employer to employees of a business within 30 days of each other for reasons not pertaining personally to the employees and which affect:

1. at least 10 employees in a business normally employing more than 20 and fewer than 100 employees;
2. at least 10% of the employees of a business normally employing at least 100 and fewer than 300 employees;
3. at least 30 employees in a business normally employing at least 300 employees.

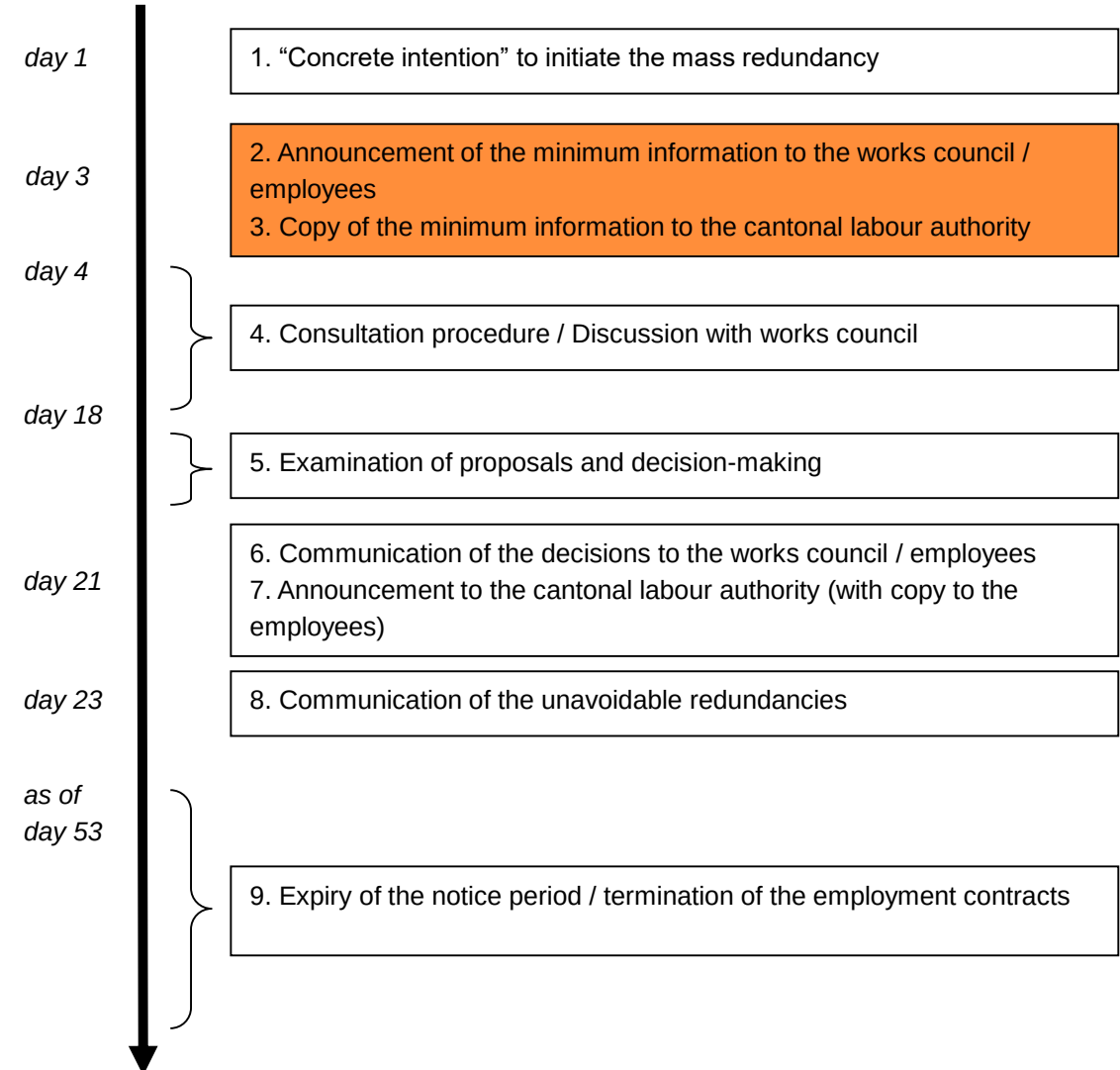
Procedure of Mass Redundancy

- The mass redundancy procedure must be initiated as soon as the employer has the “concrete intention” to carry out a mass redundancy



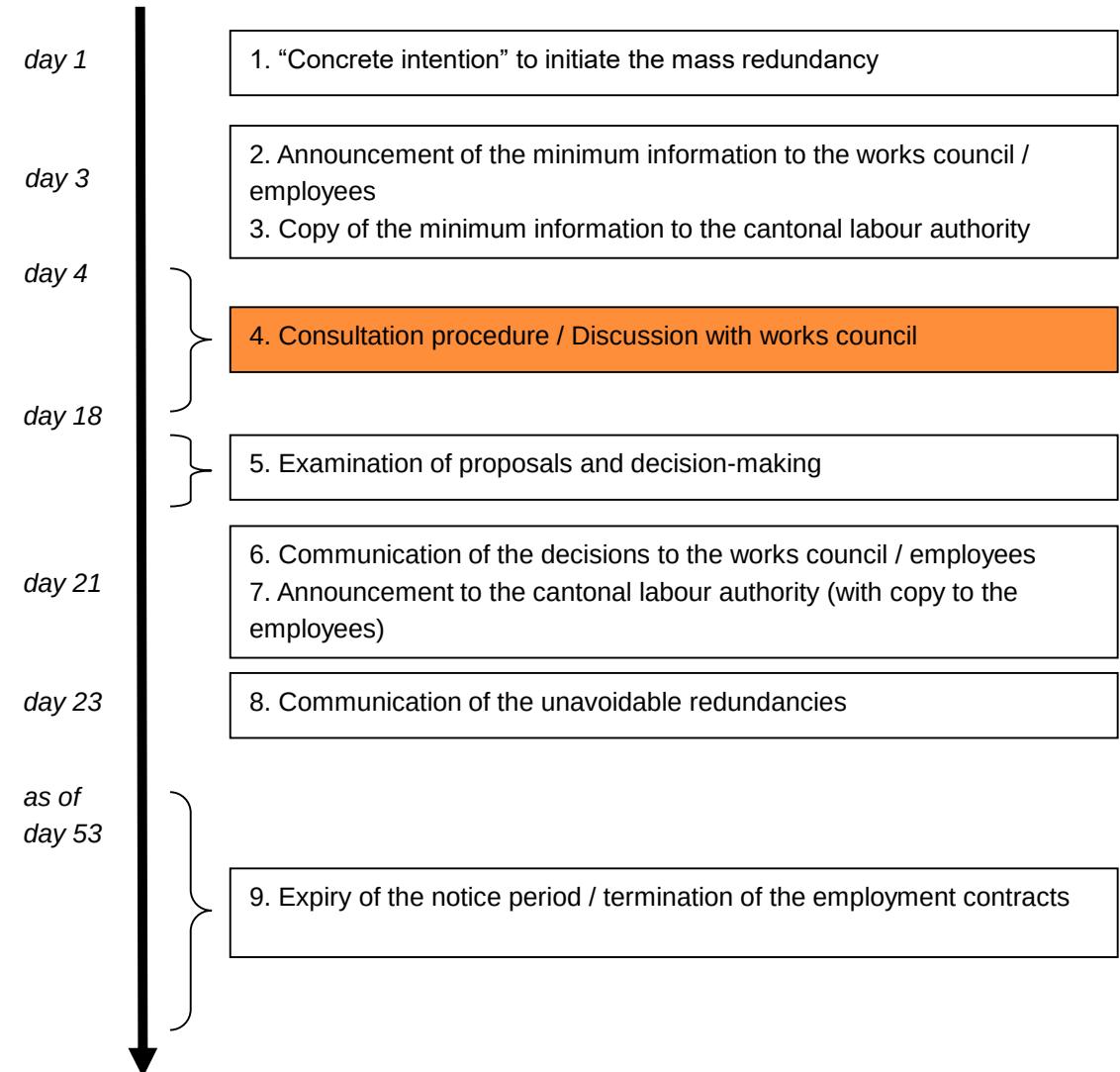
Procedure of Mass Redundancy

- ▶ «All appropriate information»
- ▶ Minimum information
 - ▶ Reasons
 - ▶ Number of employees concerned
 - ▶ Number of employees usually employed in the company
 - ▶ Period of time
- ▶ Copy to the cantonal labour authority



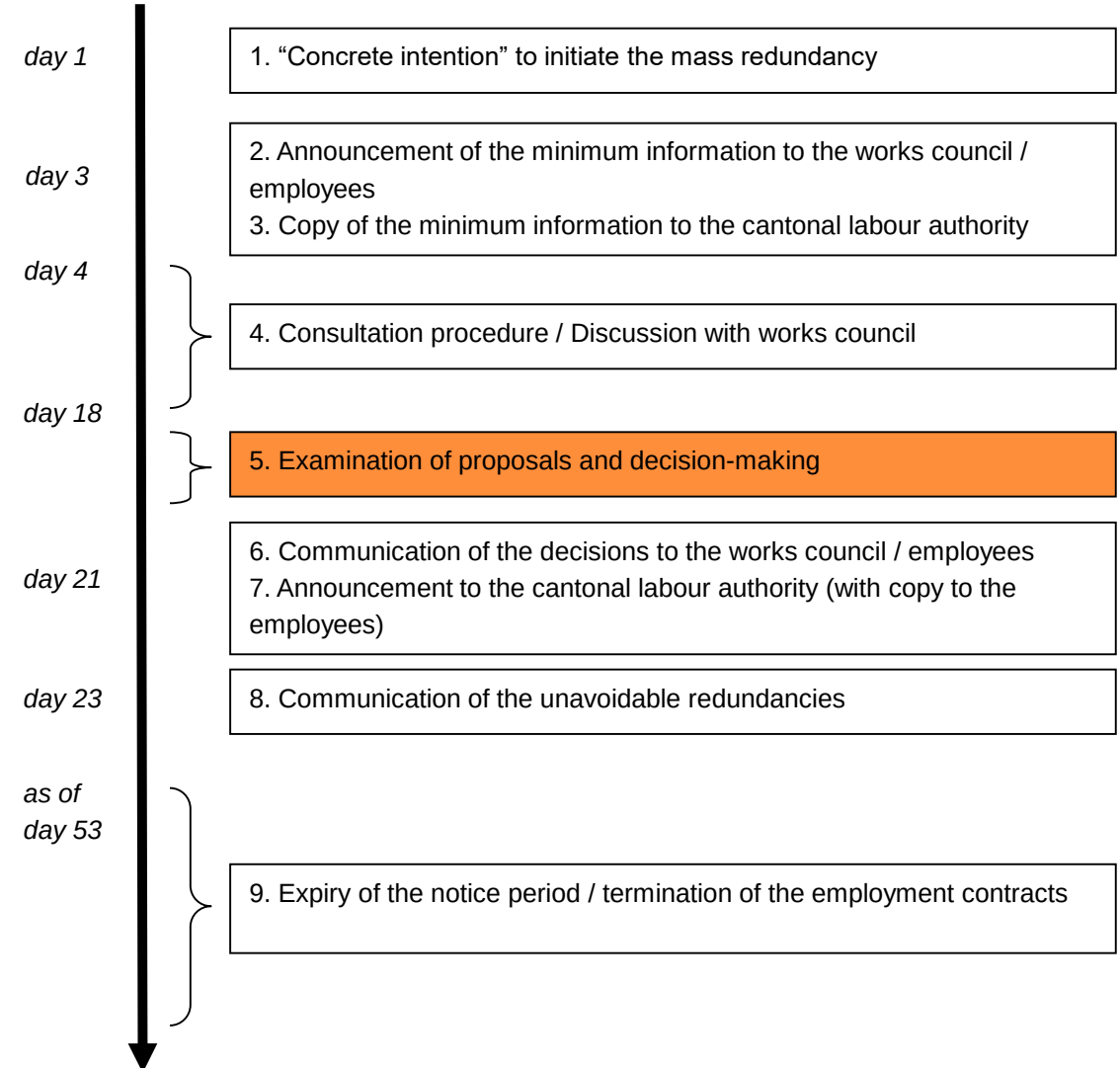
Procedure of Mass Redundancy

- Possibility for the employees to submit proposals on how the redundancies can be avoided, their number reduced and their consequences mitigated
- Swiss law does not prescribe a certain minimum period for the consultation



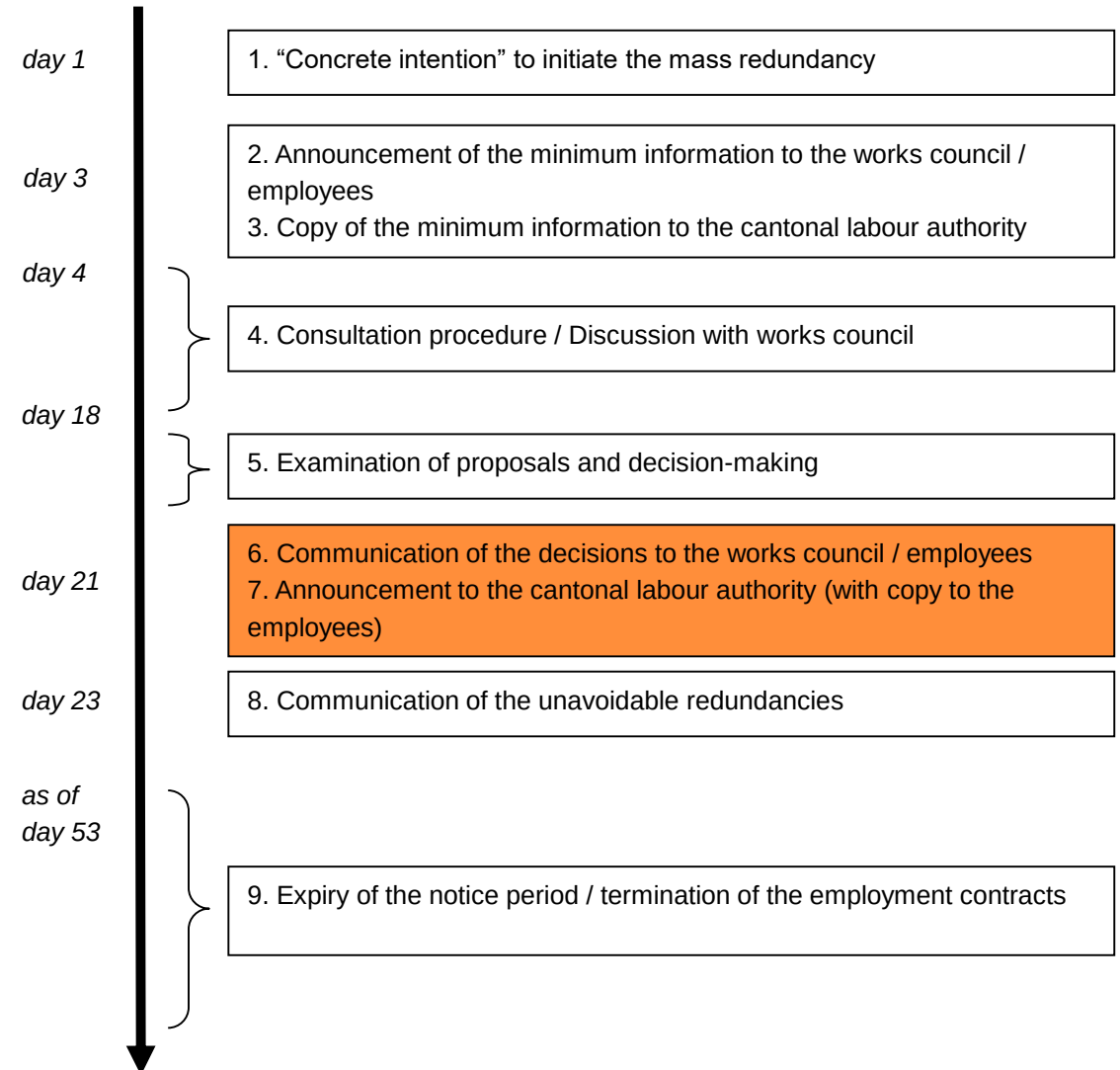
Procedure of Mass Redundancy

- No obligation to follow the proposals



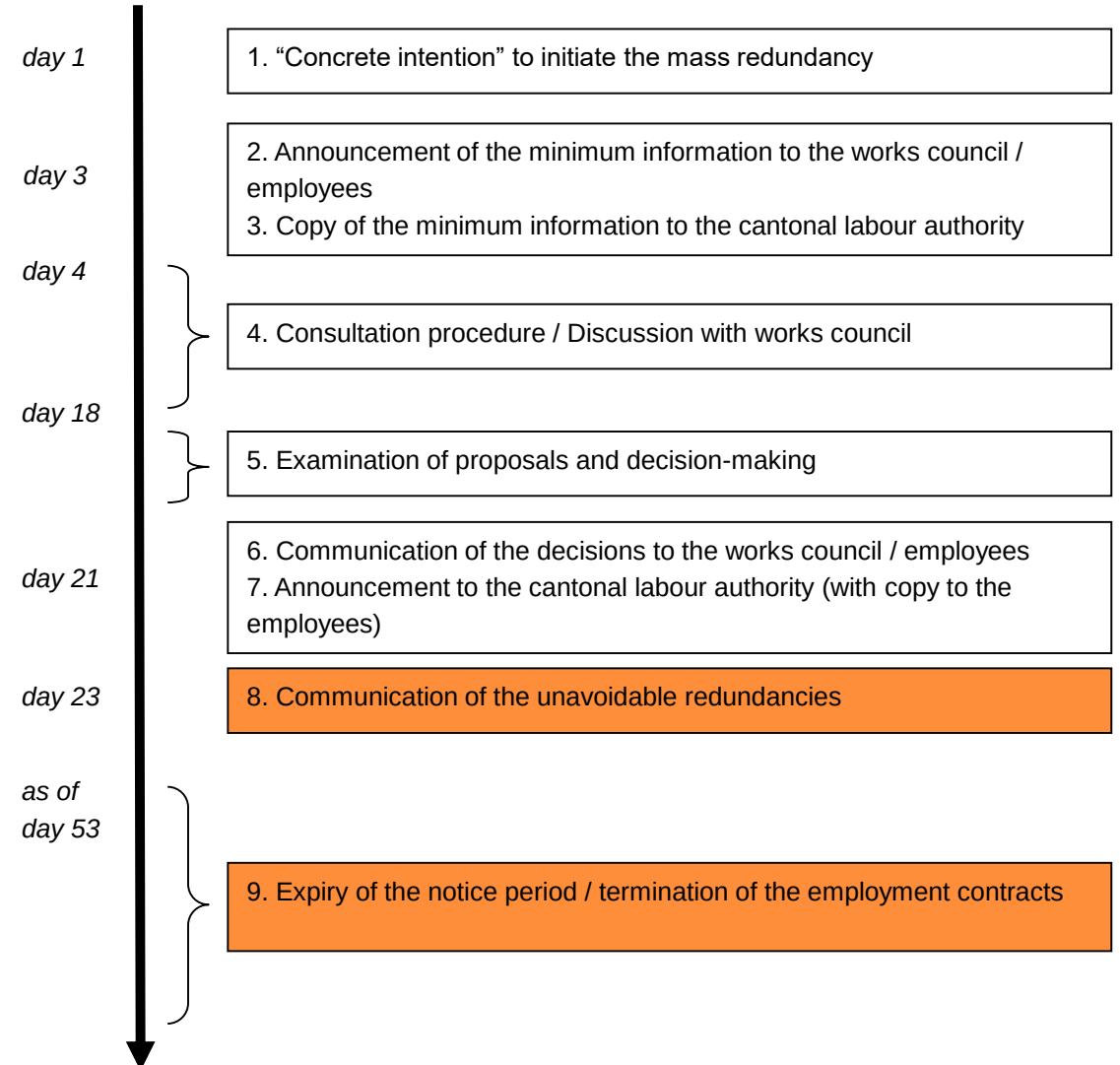
Procedure of Mass Redundancy

- Obligation to announce the results of the consultation procedure to the cantonal labour authority
- Employees must be informed of this announcement by means of a copy



Procedure of Mass Redundancy

- After completion of the consultation procedure and the announcement of its results to the cantonal labour authority, the employer may terminate the employment contracts



Consequences of Non-Compliance with the Mass Redundancy Procedure

- ▶ **The terminations are considered to be abusive (Art. 336 II lit. c CO)**
 - ▶ termination of the employment relationship is valid, i.e. legally effective
 - ▶ affected employee can claim against employer for a compensation payment
- ▶ **Compensation**
 - ▶ the competent court is free to determine the amount of the compensation payment
 - ▶ payment may not exceed the amount of two monthly salaries per employee

Social Plan

Art. 335i CO

¹ The employer must hold negotiations with the employees with the aim of preparing a social plan if he:

- a. normally employs at least 250 employees; and
- b. intends to make at least 30 employees redundant within 30 days for reasons that have no connection with their persons.

² Redundancies over a longer period of time that are based on the same operational decision are counted together.

³ The employer negotiates:

- a. with the employee associations that are party to the collective employment contract if he is a party to this collective employment contract;
- b. with the organisation representing the employees; or
- c. directly with the employees if there is no organisation representing the employees.

⁴ The employee associations, the organisation representing the employees or the employees may invite specialist advisers to the negotiations. These persons must preserve confidentiality in dealings with persons outside the company.

Q&A

Thank you!

We want to hear from you, please take the 1-min survey

Get in touch: ch.events@lhh.com

About us

Lee Hecht Harrison helps companies simplify the complexity associated with transforming their leadership and workforce so they can accelerate results, with less risk. We do this by helping their employees navigate change, become better leaders, develop better careers, and transition into new jobs.

As the world's leading integrated Talent Development and Transition company, we have the local expertise, global infrastructure, and industry leading technology required to simplify the complexity associated with executing critical talent and workforce initiatives, reducing brand and operational risk. Teams in more than 60 countries around the world leverage our proven programs and global experience to deliver tailored solutions to clients that align talent with the needs of their business.