



**ANNUAL CONFERENCE**

# **Models for Work in the New Global World**

**to discuss the key cross-border challenges  
and opportunities currently facing the HR profession**

**Miami: 3–4 March 2016**



## Wednesday, 2 March 2016

6:30 pm - 9:00 pm

### Welcome Cocktails and Networking



Employment & Labor Law Solutions Worldwide<sup>®</sup>

Hosted by *Littler Mendelson PC*

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333 SE 2<sup>nd</sup> Avenue, Suite 2700

Miami, FL 33131

## Thursday, 3 March 2016

8:00 am Registration Opens

### The Banyan Room at the Miami Beach Botanical Garden

2000 Convention Center Drive, Miami Beach, Florida 33139

Informal Networking & Light Continental Breakfast

9:00 am Welcome by **Gerlind Wisskirchen**, CMS Haschle Sigle – Vice Chair of XBHR; **Johan Lubbe**, Littler Mendelson, P.C.; **Roselyn S. Sands**, Ernst & Young Société d'Avocats; and **Baba Zipkin** - 2016 Conference Co-Chairs.

9:15 am **The mobile workforce in the new global economy.**

*Discussion leaders:* **Jacqueline Bart**, BartLAW; **Els de Wind**, Van Doorne; **Claire Hennequin**, L'Oreal; **Gunda Niehaus**, Procter & Gamble; and **Baba Zipkin** (*Coordinator*).

Employees are traveling cross-border in growing numbers as globally-integrated business models are rapidly replacing single-country economies. This is true not only for the traditional assignments of high-level executives and managers, but also for the newer wave of workers who perform the day-to-day service delivery, product development and manufacturing functions generally held by mid and lower level workers. The cost of temporary assignments, restrictive immigration rules, and local laws which seek to regulate the terms and conditions applicable to "posted" workers will all increasingly impact what kinds of labor models and mobility structures are

developed by companies seeking to compete globally. HR and legal questions arising from these changes include:

- are traditional home-based assignment programs still viable?
- How does technology positively influence and improve global mobility?
- will employees be willing to relocate on a permanent basis rather than protect their right to return to their home countries?
- given the current wave of migration caused by terrorist or other dangerous home-country conditions, will local governments retaliate by further restricting employment-based immigration?
- is it foreseeable that cross-border travel will slowly lessen in the face of increasing legislation and cost, to be replaced by more flexible local work models?
- do cross-border work models offer the flexibility that may otherwise be easier to achieve with new models using a non-employee workforce?
- unique data privacy challenges?
- how can the HR and legal community best support their clients in this dynamic world of work?

10:45 am Break

11:00 am **The mobile workforce in the new global economy** (*continued*)

12:30pm **Annual General Meeting of XBHR**

1:00 pm Lunch

2:00 pm **The Impact of Robotics, Digitization and Other Technological Advances on the New World of Work**

*Discussion leaders:* **Janna Quitney Anderson**, Associate Professor and Director of the Imagining the Internet Center at School of Communications, Elon University, North Carolina; **Michael Burd**, Lewis Silkin (*Coordinator*); **Ulrich Bormann**, Evonik Industries;

**Beatrice von Brauchitsch**, Avaya; and **Gerlind Wisskirchen**, CMS Haschle Sigle.

Advances in technology affect the world of work. New technologies can enable people in the performance of their work tasks, facilitate managers to better manage their workforces (including in the monitoring of performance) and can, in some cases, lead to the displacement of human beings as the deliverers of the service. With the ever growing developments in the fields of artificial intelligence and robotics, this latter phenomenon looks set to increase as it moves from purely physical activities to more intellectual ones as well.

The issues we will discuss include the following:

- Enabling technology and its impact on HR management: is new technology that enables employees to perform physical tasks - such as repetitive lifting - a blessing or a curse for HR? Must employers offer such new technology as a reasonable accommodation?
- Flexible working: New technologies that facilitate flexible work arrangements, including remote work, may aid efficient performance delivery. But, are there new HR and legal challenges that come with it? New risks?
- Robots replacing humans: To what extent is this happening now and likely to happen in future? Should there be constraints on this? What new roles does robotics create? What is the impact on the remaining workers (including morale)?
- New technology, global work teams and monitoring employees across borders.
- New technology and multiskilling. New technology permits new ways of working which can necessitate changes to production platforms or work methods. This may require employees to learn new skills and place an emphasis on cross-training. What are the HR, compensation and legal challenges and risks

3:15 pm    Break

3:30 pm **The Impact of Robotics, Digitization and Other Technological Advances on the New World of Work** (continued)

5 pm Closing Remarks

7:00pm **Cocktail Reception and Gala Dinner**  
Tuyo - at the rooftop of Miami Culinary Institute  
415 N.E. Second Ave., Miami, FL 33132

### **Friday, 4 March 2016**

8:00 am Informal Networking & Light Continental Breakfast

9:00 am **Reducing Risk by Properly Managing International Labor and Human Rights**

*Discussion leaders:* **Robert Mignin**, Baker McKenzie (*Coordinator*); **Beth R. Moss**, United Rentals, Inc.; **Robert Powell**, Georgian American Alloys, Inc.; and **Gary Siniscalco**, Orrick Herrington.

Because of recent well-publicized labor disputes and safety violations, global businesses worldwide are facing increasing pressure to comply with international labor and human rights standards.

This session will explore from both an HR and a legal standpoint how and why failing to properly identify and manage labor and human rights issues can have a significant impact on a company's business strategies, legal risk and brand reputation. The role of the different "influencers" and stakeholders will be examined.

In particular, we will discuss:

- How various laws, regulations and treaties, including the UN Ruggie's *Guiding Principles on Business and Human Rights* and the UN *Global Compact*, are now requiring global businesses to align their operations with universal principles on human rights, labor, environment and anti-corruption.

- Examining who are the real influencers and what are their respective roles? What are management’s challenges in dealing with these “influencers”?
- How increasingly vocal stakeholders, including shareholders, trade unions and union federations, are applying greater pressure on global corporations to advance human rights protections.
- How the increased use and availability of the internet and social media can harm a company’s reputation and brand image with allegations of labor and human rights abuses and workplace safety violations.
- How the issue of labor and human rights is changing from a subject of voluntary compliance and CSR reporting to mandatory laws and regulations
- How proactive steps and measures taken to promote labor and human rights compliance into a company’s day-to-day business practices can minimize disruptions resulting from conflicts over issues such as wages, child labor, health and safety and poor working conditions.
- How companies that set aggressive global compliance targets or respect labor and human rights can create new value by building greater loyalty among key stakeholders including employees and customers which, in turn, increases profitability.

10:30 am Break

10:45 am **Reducing Risk by Properly Managing International Labor and Human Rights** (continued)

12:15 pm Lunch

1:15 pm **The On Demand Economy and the Contingent Workforce**

*Discussion leaders:* **Sandro Garofalo**, Target Corporation [*tentative*]; **Erin Kuzz**, Sherrard Kuzz; **Roselyn S. Sands**, Ernst & Young Société d’Avocats (*Coordinator*); **Blandine Thibault Biacabe**, L’Oréal France; and **Marie Waugh**, Suez North America.

In our "new world", organizations are now using diverse business models to fulfill their business needs. In fact, some economists say that 50% of the workforce will be composed of "non-employees" by 2020. More and more companies are utilizing an "external," or contingent, workforce through outsourcing, freelancers, temps and other non-employee workers.

Typically, HR/Legal has ownership of managing the internal workforce. However, the use of other forms of manpower often comes about through the business with limited involvement of HR.

Issues we will discuss include:

- What does this mean for HR/Legal?
- Should they/must they own this? What are the pros and cons?
- Risks-financial, legal, talent and culture?
- Confidentiality of employer information
- Protection against unfair competition – are non-competes recommended and enforceable?
- Data privacy issues – any unique challenges?
- Who is responsible for health and safety issues of the on demand workforce?
- What are the best practices for these new on demand workforce challenges?

2:30 pm Break

2:45 pm **The On Demand Economy and the Contingent Workforce** (continued)

4:30 pm **Closing Remarks**

4:45 pm **Business Meeting of XBHR Management Committee**

6:30 pm **Voluntary Post-Conference Dinner** – (Somewhere in Miami South Beach – Venue TBD)

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