



Practice Group

Restructuring

The Restructuring Practice Group advises companies on the **employment law planning and implementation of restructuring projects**. In this context, PWWL determines the individual need for action and advises at an early stage on a possible restructuring/reorganization as well as the potential measures, such as staff reductions or (partial) transfers of operations or their avoidance.

The advice begins with an initial preparation and planning phase. It is crucial that a restructuring decision conceived from a **business perspective is translated into an entrepreneurial decision that is viable from an employment law perspective**, so that it can withstand possible negotiations with the works council in the context of a reconciliation of interests procedure and later dismissal protection proceedings. For this purpose, PWWL has developed a sample template and supports the management in the preparation and conceptualization of the entrepreneurial decision.

In the implementation phase, PWWL provides support **in negotiations with the works council** within the framework of a **reconciliation of interests procedure** and in drawing up a **social plan**. PWWL has developed a **tool** to sustainably reduce social plan costs (<https://pwwl-workplace-tech.de/restructuring-tools/>). With the help of this tool, the expected economic disadvantage can be quantified on the basis of labor market statistics. This usually leads to a substantial reduction of the volume of the social plan.

At the same time, we also provide support in optimizing social selection or the application of legal instruments for a reduction in personnel that deviates from social selection in order to realize the reduction in personnel desired by the company.

In the further implementation phase, we provide support in the preparation of **mass dismissal notices, works council hearings, the preparation and delivery of notices and the negotiation of termination or settlement agreements**. If required, we accompany and conduct the necessary on-site separation talks, organize outplacement consultations or advise on possible communication strategies.

In the final phase, PWWL provides support in any **proceedings for protection against dismissal** with employees who are taking action against the termination of their employment relationship. This includes both the preparation of the necessary pleadings and the attendance at **conciliation and chamber hearings** at the labor courts as well as the conduct of settlement negotiations.

We are aware that in the event of an economic crisis not every employer wants to react by reducing staff and that optimization potential should be exploited even in the absence of a crisis. PWWL therefore also advises on **alternative labor law solutions**, such as the use of existing employment contract provisions, the conclusion of works agreements or the issuance of notices of dismissal with the option of altered conditions of employment.

PWWL has extensive experience in providing employment law support for restructuring projects and advises you at the highest level every step of the way. In addition, with currently more than 60 professionals working in 6 locations in Germany, PWWL also has sufficient personnel capacities to be able to implement projects on any scale in a timely manner. We **regularly work with transfer companies, interim personnel managers, insolvency administrators and lawyers as well as restructuring consultants** and can establish all necessary contacts within the scope of a restructuring project and therefore set up a powerful team. As a founding member of the L&E Global Network, PWWL can quickly and unbureaucratically access the expertise of one of the network's partner law firms located around the world.

Your contact persons

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Thomas Wahlig
wahlig@pwwl.de
+49 (0) 30 20 62 95 3-0



Dr. Alexander Lorenz
lorenz@pwwl.de
+49 (0) 69 34 87 63 9-0

practicegroup-restructuring@pwwl.de



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