

Employment Law

Work anywhere, together

What started as a “work anywhere” exception has become central to many organizations’ operating models with talent retention and employee wellbeing now at the forefront of business priorities. As remote work becomes the new reality, employers must assess and manage a variety of labor law issues associated with a far-flung workforce.



Employers who allow remote work face a broad range of questions such as how to ensure employee compliance with working time provisions and effective data protection across jurisdictions as well as how to establish compensation and expense reimbursement requirements for remote work.

Other legal concerns include how to:

- Deal with the impact of local laws and collective bargaining agreements associated with the remote workplace.
- Respond to an unwanted local place of jurisdiction at the remote workplace.
- Apply for and/or adjust work permits and employer licenses.
- Adjust internal rules and regulations around remote work to protect the employer from any inadvertent legal violation (e.g., working time, data protection, information security, health and safety protection, etc.).
- Balance mid- to long-term operational needs with remote work and legal implications.



Your challenges

Working anywhere, whether it’s cross-border or domestically, creates many unforeseen and significant legal consequences for both the employee and employer. Some compliance considerations include:

Identifying potential exposures

- Impact of labor law and risks related to working outside the habitual / contractual / primary place of work
- Compliance with labor and immigration laws such as working time and working time recording, health and safety, work permissions, etc.
- Requirements for local (minimum) wage and expenses in remote work locations
- Data protection, confidentiality and data security compliance
- Company-wide awareness and commitment to acting responsibly

Managing performance

- Balance between operational needs and flexible remote working
- Productivity monitoring and strategic employee communication
- Setup and maintenance of efficient policies and best practices such as “Employee Handbooks”; “HR Policies”; “Assignment and Business Traveler Policies”; “Work Time Policies”
- Watertight employment/assignment policies and contracts



How KPMG can help you

With our worldwide network, we're able to help you design and manage compliance solutions and policies that adhere to the labor law and regulations wherever your employees work. Our experts support you with:

Assessments

- Conducting employment and immigration law compliance "health-checks" while working remotely, whether the employee works in a domestic or cross-border location.
- Providing remote work risk assessment and support in identifying and implementing rules to facilitate compliant remote work tailored to your operational needs.

Compliance support

- Processing work permits and employer license applications (global and technology-based).
- Drafting watertight employment and assignment contracts as well as policies.

Policy development

- Drafting remote work policies around topics such as working time, recording working time, data protection and security, compensation and expenses.
- Aligning remote work policy with other regulations and employment contracts.

Practical advice

- Providing ad-hoc advice and hotline service on legal issues arising in the context of remote working.
- Tailoring professional training and workshops to your needs.

Your benefits

Together, we can give your organization a competitive edge by helping you assess and manage the legal risks associated with remote work.



- **Compliance** with local employment laws and regulations
- **Modern HR** policies for flexible domestic and cross-border remote work models
- **Clarity on** compensation and expense reimbursement requirements

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