

Commercial | Corporate | Executive Compensation & Benefit Plans

Labor Law

Gornitzky's labor-law department provides legal advice and creative solutions relating to all facets of labor law. We have extensive experience in offering comprehensive legal advice to a wide range of Israeli and international clients. The labor-law team consists of senior lawyers, who have significant and wide-ranging experience in the labor field. Each team member has a unique specialization in a subject related to the world of labor.

Among our clients are significant organizations, including banks, financial entities, communication companies, companies in the hotel sector, companies in the transportation industry, high-tech companies, capital funds, pharmaceutical companies, government-owned companies and large and leading industrial companies in the Israeli economy.

The legal services that the department provides to its clients cover a wide range of issues including, among others:

- **Ongoing counseling**

On an ongoing and daily basis, the department accompanies the firm's clients in all aspects of human-resource management. This includes assistance in formulating employment agreements, management agreements and consulting agreements, drawing up and implementing work procedures and transversal conduct protocols, managing employment- termination procedures and retirement agreements, including advice regarding pension payments and severance pay, accompaniment and representation for the purpose of submitting requests for various permits from government offices (such as requests from the government entity overseeing women's labor, as well as work permits related to weekly rest and/or overtime), confidentiality and non-competition agreements, consulting in the employment of human-resources contractors and service contractors or outsourcing, accompaniment in disciplinary procedures and procedures subject to the law for preventing sexual harassment, responding and providing solutions to a wide variety of problems that arise during the working life of the firm's clients, and more.

- **Litigation**

Representation in all types of legal proceedings in the field of labor law, including complex litigation cases, class actions and injunctions. In addition, representation in mediation and arbitration procedures and drafting settlement arrangements, as needed, and in accordance with the nature of the matters at hand and the specific interests of the firm's clients.

- **Accompaniment in transactions**

The department regularly accompanies a significant part of the transactions that are handled by the firm: capital investments, mergers, acquisitions and issuances. Among other things, the department provides strategic advice regarding employees in the initial stages of employment, including employee mobility procedures, the lending and/or termination of employment as part of structural change, as well as carrying out due-diligence procedures, participating in negotiations related to the purchase/merger agreement, and assisting in implementing agreements and/or new work procedures in the receiving company.

- **Collective labor relations**

The department regularly accompanies its collectively organized clients, including with regard to collective negotiations and/or consultation procedures and discussions with representative workers' organizations, ongoing dealings with labor committees, as well as counseling during labor disputes and strikes (including some of the most highly publicized and complex ones in the market).

In addition, the department provides legal advice regarding initial employee collective organizing, drafting arrangements and collective agreements.

- **Executive employment and compensation**

The department has unique expertise when it comes to executive agreements, as a result of deep familiarity with the business market and with the benchmarks accepted in each industry. In this context, and going beyond the high-level legal professional services that are carried out without compromise, the department offers its clients a significant commercial advantage when it comes to the drafting of employment agreements and/or consulting for senior executives, as well as building executive compensation plans, bonus plans and options in accordance with market conditions, the industry and the individual needs of each client.

In addition, the department advises search committees for senior employees in public companies—providing legal and commercial advice regarding the employment terms of senior executives (for example: appointment of the CEO of Bank Hapoalim, replacement of the CEO at Peretz Bonei Hanegev).

- **Workers' mobility, relocation and work visas**

The department provides accompanying counseling to Israeli and international companies in all matters relating to requests for visas and work permits in Israel for managers, executives and foreign experts. In doing so, the department identifies the client's needs (including the length of stay in Israel, the nature of the work and the family composition of the foreign expert) and assists the client in submitting the application and dealing with the regulator until the employment permit is obtained. In addition, the department assists its clients with regard to the terms of employment of the foreign worker in Israel,

including the drafting of the employment agreement and assistance in understanding the applicable law as well as the unique rights to which the foreign worker is entitled.

The department also advises its clients regarding the relocation of Israeli workers abroad, including the drafting of appropriate employee lending/employment agreements, consulting agreements, etc.

- **Enforcement programs and accompaniment in administrative procedures with the Ministry of Labor**

The department provides its clients with advice and develops enforcement programs in the field of labor law and human-resource management, in order to reduce the exposure of the company and of its position holders to violations of labor laws, which may involve criminal or administrative risks.

Also, when necessary, the department assists and accompanies its clients who have received a warning and/or sanction from the regulator concerning the violation of labor laws.

- **International labor law**

Service and advice regarding international labor law, especially regarding Israeli workers abroad, dealing with foreign authorities, employee investigations by the World Bank, corruption cases, etc.

The unique multidisciplinary approach that characterizes the firm, along with the diverse legal knowledge of the legal team in the various branches of the law—including banking and finance, high-tech, antitrust, litigation, the hotel industry, the capital market, real estate, taxation, and more—allows the labor-law team to provide a comprehensive and in-depth legal service, adapted to all fields of activity in the Israeli economy.

Key Contacts



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