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Connecting Leaders & Fresh Thinking
by Baker McKenzie

The Future of Work

Renewal Strategies for a Transformed Workforce

Insights from the 2021 FutureWorks Conversation Series

Companies are facing critical business challenges in regard to their most important asset – their people. While workforce transformation is not a new concept for global organizations, the pandemic has forced us to rapidly adapt our standard ways of working and how we engage with employees to ensure the long-term viability of the business. We have a new understanding of what's possible – from remote working to flexible employment models – and an opportunity to shape organizations for the future. **There has never been a more critical time to innovate and revolutionize working practices.**

In February through March 2021, we held our fifth FutureWorks conversation series, bringing together inspiring employment leaders from around the globe to analyze how organizations can embrace the large-scale trends changing the nature of work itself amid disruptive global events.

From our discussions, we have distilled the key messages and insights into an easy-to-digest summary to learn more about the key trends affecting the future of work and their impact on your multinational workforce.

- **Building a New Workforce Reality**
- **Integrating Resilience into the Workforce Strategy**
- **Workforce Wellbeing, Psychological Health, and Pandemic Times**
- **The Future is Diverse: Harnessing the Power of Inclusion**
- **Reconceptualizing the Important of Place**
- **Leading the Digital Workforce**
- **Beyond COVID-19: Guidance for Multinational Employers**

At Baker McKenzie, we want to be at the heart of meaningful workforce change. We encourage you to reach out to your Baker McKenzie relationship partner to further discuss how we can partner with your organization to create safe and agile workforce models and futureproof your organization.

We are honored to continue this journey with you.



Michael Brewer
Global Chair
Employment & Compensation
Baker McKenzie

Building a New Workforce Reality

Lessons learned during the pandemic and strategies for creating a future-ready workforce

“Forget normal... since the pandemic, everything is up for re-examination.”

Dr. Margaret Heffernan, Best-selling author and Professor of Practice at the University of Bath

In this era of disruption, anything can happen. “The idea that we can know the future is an idea well past its sell-by date, but this doesn’t have to leave us helpless. It means we have to ask different questions about how to make our organizations robust, well-protected against surprises, resilient and more capable of recovery.”

How can organizations be more capable of recovery, and what does this mean for their workforce and talent planning?

Below we outline key principles drawn from our FutureWorks keynote presentation, featuring Dr. Margaret Heffernan, esteemed author and entrepreneur, for organizations to embody to succeed in the current landscape.

“Trust, in business, is an absolute driver of productivity, legitimacy, and reputation – what we’ve found in the pandemic is that, the more we give, the more we get back.”

Dr. Margaret Heffernan, Best-selling author and Professor of Practice at the University of Bath

- **Earn trust from the workforce.**

Dr. Heffernan reminded us “what many leaders around the world have found is that when they were forced to give trust to their workforce, they earned trust in return.” As businesses re-examine ways of working in the wake of the pandemic, they can reap the rewards from the increase in trust and collaboration that has resulted from it.

- **Build a culture of collaboration.**

Dr. Heffernan highlighted “the need to integrate different perspectives, approaches, and to solve problems, and keep solving problems, of a kind that we’ve often not seen before.” How can organizations create a culture of collaboration to deal with today’s complexities? Emphasizing the need for relationships of trust within businesses. Dr. Heffernan noted, “the crucial thing about collaboration is how far it depends on the social capital of the people working together. **The heart and soul of collaboration is a trusted relationship.** It is building the social relationships of trust, generosity, and reciprocity, on which truly effective collaboration depends.”

As you lead your organizations through these transformative changes, explore our additional resources below to optimize the outcome of your future of work story.

- [Building a new workforce reality](#)
- [Managing business change and disruption](#)
- [Built to Last - ESG principles for enduring business success](#)

- **Embrace agility.** Many businesses quickly transformed their workforces to respond to the disruption brought about by the pandemic. Dr. Heffernan shared that, “since the pandemic, one of the main things we’ve learned is people really are good at change when they know why.” Organizations going through change will have better success if they engage their workforce in the planning stages – **“the plan that emerges from collective thinking is one that doesn’t have to be sold to the people who designed it.”** What sort of people does the current environment need? Dr. Heffernan told us, “in particular, I think it needs people who are capable of change, who embrace change, and who embrace lifelong learning.” Alternatively, organizations can enable the workforce to adapt to change through upskilling. “Increasing the knowledge and the skills base of a workforce is more efficient and more effective than constantly having to go out and recruit new people.”

- **Lead with purpose.** Business leaders have been under scrutiny over the treatment of their workforces during the pandemic, and we have seen new standards and themes emerging by which organizations are judged. Mental health, wellbeing, diversity and inclusion, and other issues impacting the

workforce have increasingly been in the spotlight over the past 12 months. Attracting the right talent, particularly younger talent, requires responsible leadership and increasing transparency. Dr. Heffernan identified an emerging challenge for leaders in this regard: **“People look to their organizations, their firms, their leaders, to be able to demonstrate in their actions, not just their words, that the firm to which they are committing their precious time, their careers, their livelihoods, is acting in interests that they share.** This is going to put a huge demand on leadership, which it cannot be seen to shirk.”

- **Sustainability at the top of the agenda.**

What’s the next challenge for businesses as they emerge from the crisis of the pandemic? As the world faces continuing economic, climate and inequality crises, the sustainability mandate is now more pressing than ever. The COVID-19 pandemic has put a renewed spotlight on corporate citizenship, redefining business success as the focus shifts to a greater purpose beyond profit. In seeking to build a regenerative organization, business must identify sustainability risks and opportunities in every part of their strategy, including workforce planning.

Integrating Resilience into the Workforce Strategy

How a resilient workforce can carry an organization beyond present obstacles into future success

“The world of work completely changed. Everything was reset due to the pandemic, so the priorities of talent and companies changed quite a bit and quickly...We are looking for talent capable to adapt to continuous change and able to manage uncertainty.”

Monica Flores, President of Latin America ManpowerGroup

Today's businesses are not foreign to crises. When business disruptions occur (pandemic-related or otherwise), companies can show resilience by remaining agile, retooling their workforce and resources to meet new needs and demands, maintaining courageous leadership through setbacks and reassuring the workforce of their importance not only to the company but also to the global economy.

What is resilience in the workforce, how do we foster it, and how can resilience become integrated into the company culture?

- **Resilience requires flexibility and focus.** The COVID-19 pandemic caused companies to reassess what they value most. Flexible and adaptable workers will be key for companies looking to be resilient now and in the future. Eva Perez, VP People & Organization Latin America, Sony Pictures Entertainment defined workforce resilience as “how successful are we as an organization at responding to challenges and problems. It's also how effective are we at remaining focused, as a leadership team, and as a company, to support our employees' wellbeing, and keep them motivated despite challenges.” A resilient workforce responds to business disruption with agility, focus, a commitment to purpose and wellbeing, and a renewed motivation even when navigating changing priorities.

- **Leadership and company culture set the tone for responding to business disruption.** Company leadership is of paramount importance in galvanizing a workforce to rebound from challenges. Company leaders should seek out the advantages of the difficult landscape and leverage them to overcome adversity. This means fostering a company culture that highlights the strength and perseverance of workers to encourage continued tenacity and to show appreciation for workers' determination. Leveraging the diversity of your workforce in both perspective and thought will cultivate creative problem solving.

Remaining transparent with workers will keep them aware of the current company climate and foster trust between workers and company leadership.

As you lead your organizations through these transformative changes, explore our additional resources below to optimize the outcome of your future of work story.

- [Watch the key takeaways from our “Integrating Resilience into the Workforce Strategy” session](#)
- [Baker McKenzie Resilience, Recovery & Renewal Hub](#)
- [Beyond COVID-19: Supply Chain Resilience Holds Key to Recovery](#)

- **Innovate through crisis by retooling, reskilling, and redistributing talent.** Companies should leverage existing talent, utilizing workers' unique skill sets in new ways to help the company reach new goals. As new skills are utilized, or workers are moved to different teams or departments, progress and productivity should be measured to assess, fine-tune, and make necessary changes. Offer and incentivize training for employees to help them upskill or reskill so they can better adapt to serve the company. Monica Flores, President of Latin America ManpowerGroup noted, “we need, as companies, to understand that we don't control all the variables and that we don't know all the variables that can impact our businesses, so the need of upskilling and reskilling, is an imperative.”

In the case of restructuring, develop a strong communication plan to introduce and integrate new team members and foster continued relationship building. Eva highlighted the importance of a strong communication plan, reminding us “it's very important for managers to dedicate time to a strong communication plan, to integrating, to introducing the new member of the team or new members properly and finding opportunities for them to connect, and then allowing them to continue to build those relationships is key.”

- **Ensure your company can respond to market demands.** As companies respond to crises, they should ensure they have the requisite talent to respond to market demands. Otherwise, consumer expectations will not be understood or met, causing the company's bottom-line to suffer. Diversified workforces (both in perspective and thought) will help companies keep up with the increasingly diverse and sophisticated market.

Workers themselves are increasingly sophisticated and constantly looking for new contingent and flexible work models that allow time for non-work-related personal fulfillment. As Monica noted, “**The most important statement is that the market is diverse. The market is a summary of different people. To understand your market, you need to have different people inside your company. If not, you can't set the expectations and fit the expectations of the consumers that are more sophisticated than ever.**”

54% out of 50,000 employers interviewed worldwide say they do not have the right talent in place at the speed that they need in a changing world.

Closing the Skills Gap: What Workers Want, ManpowerGroup Talent Shortage 2020 Report

Workforce wellbeing, psychological health, and pandemic times

Managing employee trust while navigating change

“62% of employees globally consider mental health issues to be a top challenge, but only 1 in 6 feel supported by their employer; it’s clear that there’s a lot more to be done in helping employees to survive and thrive both during the ongoing pandemic and into the future.”

Kim Sartin, Partner, Baker McKenzie referencing the McKinsey & Company report, “The Priority for Workplaces in the New Normal? Wellbeing”

How are employers managing the challenges to employee wellbeing in the wake of the pandemic to improve employee psychological health, engagement and performance in the workplace?

- **Education is key.** Dr. Brian Marien, Co-Founder and Director of the Positive Group set the stage by noting, “the innovation and the creativity that comes from the human brain is extraordinary. But the flip side of that gift is that you can use your mind to worry, to ruminate, to catastrophize – we need to help people understand that mechanism.” We need to understand the drivers of poor wellbeing, and to encourage openness in order to discuss and deal with it.

- **Foster trust.** As Dr. Marien explained, one-off rewards produce only a transient boost to wellbeing. Instead, “what nourishes the human spirit is collaborative, collegiate, supportive groups.” Trust is key; trust “is the currency of performance and reciprocity.”

- **Be bold.** The pandemic has required organizations to adapt and learn and confront the unique wellbeing challenges posed by the combination of health, lockdown and economic anxieties. Krista Pratt, Vice President and Chief Employment Counsel of Biogen championed experimentation and iteration – “organizations should not be afraid of getting things wrong. It is better to try to respond to wellbeing challenges and improve, than to be afraid of action.”

As Maria Casero, Ferrovial Airport’s International Asset Management, People and Communications Director noted, “while we nearly all could answer how do I get physically fit, we less so address how do I get mentally fit?”

As you lead your organizations through these transformative changes, explore our additional resources below to optimize the outcome of your future of work story.

- [Watch the key takeaways from our “Workforce Wellbeing” session](#)
- [COVID-19: Protecting Minds in Uncertain Times - An Employer’s Guide to Securing the Mental Health of Their Workforce](#)
- [BakerWellbeing: Workplace wellbeing: Improving resilience and preventing burnout](#)

- **Don’t leave anyone behind.**

The pandemic has highlighted the vulnerabilities of certain sections of society to imposed lockdowns. Women (who are shouldering the majority of childcare) and blue-collar workers (who may have lost jobs or been furloughed) have been particularly affected. Failing to recognize and address this risks poor wellbeing among these key groups.

- **Be culturally aware.** Krista reminded us that “in some regions of the world, asking about someone’s mental health directly will not be well received and may cause the opposite effect.” Wellbeing is vital for any employee, wherever they are in the world, but how you start those conversations must be attuned to local cultures, traditions and labor laws. It may not always be appropriate to ask something as simple as ‘how are you?’.

- **Lead with purpose.** All of our panelists agreed on the need for senior leadership to drive the wellbeing agenda, and the need to upskill them in how to have those conversations. As Dr. Marien noted, “it’s the tone from the top, the shadow of the leader, which is profound.” Psychological wellbeing in an organization depends on the right attitude from leadership, not just on having the right wellbeing program.

“Social learning is key. If a group is doing it, we are much more likely to do it. If we can introduce psychological education at an individual, team, and organizational level, this can have a profound impact and really start to shift the needle.”

Dr. Brian Marien, Co-Founder and Director of The Positive Group

The Future is Diverse: Harnessing the Power of Inclusion

Why cultivating a diverse and inclusive workforce is a business imperative for global employers

“COVID is providing us with an opportunity to spotlight the pre-existing social inequities that have been exacerbated by a health crisis. And so these inequities existed pre-COVID, but they’re amplified in this moment, and giving us reason to do more.”

Ritu Bhasin, Author and globally recognized expert on inclusion

2020 is the year that changed everything. It is the convergence of three crises: (1) the health crisis that has upended the way we work, how we engage with our customers and suppliers, and its disparate toll on diverse communities, (2) the ensuing economic crisis that’s changing business plans, and disproportionately impacting women and people of color, and (3) the racial injustice crisis that ignited a global awakening on race and privilege, brought to the fore by the murder of George Floyd and others last year. They’ve brought these conversations to the dinner table and to the office, including our virtual offices – not just in the US; this is a watershed moment for racial and social justice globally.

Businesses are harnessing the power of inclusion to reap the benefits of a diverse workforce. To expand initiatives to advance diversity and inclusion within your organization, keep in mind the following.

- **Diversity, equity, and inclusion don’t forget the “E”.** As acclaimed inclusion author Ritu Bhasin noted, “Equity is about recognizing the historical legacies and current realities of prejudice, discrimination, bias and more, that people experience from across communities that are marginalized.” It means identifying how

historical legacies and current realities have an adverse impact on people’s experiences within the workplace culture so that we can proactively address the gaps, close the gaps, and level the playing field. The concept of equity has an impact on everything we do, from how we treat someone on a video call, to how we interact with someone in a boardroom, to how we recruit, how we evaluate, and so much more. **“The most innovative and important takeaway for organizations that want to be at the cutting edge of inclusion is to start to work on applying the equity lens, the E lens, to all of the work that you’re doing going forward.”**

- **Go big on education and training.** Baker McKenzie partner Monica Kurnatowska commented that, diversity training truly is a best practice. Organizations should think beyond training to other types of measures like consulting with affinity groups for feedback and ideas on fostering inclusion. Ritu also underscored the importance of training as an essential part of an organization’s equity, diversity and inclusion infrastructure. But she cautioned against box-ticking exercises, emphasizing comprehensive, staggered training modules instituted as just part of a multi-pronged approach to equity, diversity and inclusion.

As you lead your organizations through these transformative changes, explore our additional resources below to optimize the outcome of your future of work story.

- [Watch the key takeaways from the “Future is Diverse” session](#)
- [Baker McKenzie Inclusion, Equity and Diversity in the Workplace Hub](#)
- [Inclusion and Diversity 2021 Virtual Series](#)

- **As leaders, cultivate authenticity.** “Authenticity is a magnet,” Ritu shared. The more that we share openly with our co-workers, vulnerably and courageously, the more that others are encouraged to do the same. This sharing is “ultimately what helps us to create cultures that are rooted in inclusion, and belonging, and psychological safety and trust.” This is what helps to unlock experiences of empowerment, which then unlocks innovation and creativity. This is the fundamental driver of organizational performance. For leaders, **authenticity is the essential ingredient to inclusion.**
- **Take a transparent approach to diversity data – and get buy-in.** Monica commented that questions about data are a hot topic for multinationals. She suggests, “Think what you want it for, and why. In most countries, the legal and data protection aspects are going to depend on who’s going to have access to the data, and what are you going to do with it? So, think that through first, because the answer to the legal question will depend very much on that. Flowing from that, [put] limits on access – usually, it’s only a

small group of people within HR analytics teams who should have access. Set rules on how you’re going to use it. It may be you’re going to use it to analyze what happens to people at particular stages, like recruitment, promotion, performance evaluation. You might want to share anonymized data with managers so that you can raise awareness about what’s happening in the demographics of their team to help better decision-making. And then be transparent. Legally, you have to tell people what you’re collecting and why, but we also recommend involving your networks in understanding why you’re collecting data and really getting their support for that.”

- **It starts at the top.** The most effective I&D programs integrate I&D goals with strategic corporate goals from the top down. Leadership teams must demonstrate commitment to I&D. To increase commitment, Ritu pushes the envelope and suggests tying leader compensation to inclusion efforts. “Money matters, and is like the stick that prods people into being accountable.”

Women’s jobs are 1.8 times more vulnerable to the gender equality crisis than men’s jobs: women make up 39% of global employment, but account for 54% of overall job losses.

“Don’t let the pandemic set back gender equality,” McKinsey & Company, September 18, 2020

Reconceptualizing the Importance of Place

How to instill company values, culture and maintain the employee experience operating remotely

“COVID has caused the world to adapt to a new way of working and some people believe that it may be hard, or even undesirable, to put the genie back in the bottle.”

Susan Eandi, Partner, Baker McKenzie

While forecasts differ, as much as a quarter of the workforce is expected to stay fully remote for the long term, and many more are likely to work remotely a significant part of the time. There are a number of legal compliance issues triggered when a large segment of the workforce is suddenly working in a different state, territory, or country.

Advice from the trenches on how best to make the shift to a distributed workforce includes the following key takeaways.

- **Hybrid work is here to stay.** Shella Neba, Head of Global Employment Law at Slack understands, “people want flexibility above all, very few people want to be tied to working from home only, or working from the office only...” At Slack, they default to yes and embrace the change. Shella explained their journey, “We used to, like most companies, make individuals or managers have to build a case for why they wanted to work from home, and we would take them through a list of criteria about that decision. But during the pandemic, we saw first-hand the power of the kind of digital-first, work-from-anywhere model that Slack’s product helps facilitate. And so we shifted the burden from individual employees on to ourselves, as a company, and people managers, to say, ‘Hey, if we think a particular role cannot work from

home, we’ve got to identify pretty strong reasons as to why that is. Otherwise, the default will be yes, everyone can work from home.” Similarly, at Western Digital, Erin Heller, Vice President of Legal noted when they surveyed the company, they found that most people want the hybrid model. It’s the “wave of the future.”

- **Set guardrails in distributed work policies and programs.** Figure out which roles need to be onsite and which might be hybrid or remote; create policies for these two separate and distinct models. Think through where it makes the most sense from employment, tax and corporate perspectives to allow people to move. Shella noted, “We couldn’t just open the floodgates to people being able to work from Bora Bora, and Tahiti, and France, for a little bit of time—we needed to be more intentional than that. For example, working remotely in California vs. France has vastly different implications from a legal and HR perspective.” Erin elaborated, “when you’re thinking about people moving around, working from home, or working in the office, really, you need to think through things like do they have a visa? Are they going to create a tax permanent establishment issue for you? Do you have the ability to payroll them?”

As you lead your organizations through these transformative changes, explore our additional resources below to optimize the outcome of your future of work story.

- [Watch the key takeaways from the “Reconceptualizing the Importance of Place” session](#)
- [Baker McKenzie Future of Work Hub](#)
- [HR Trend Watch: Sustained Remote Working](#)
- [Podcast: The Reopening Playbook - Building a New Workforce Reality](#)
- [US - How to Think About Moving to a Permanently Remote Workforce](#)
- [EMEA: Post-COVID-19 cross-border remote working: managing tax risks](#)
- [Asia Pacific - Future of Remote Work Webinar / Placemat](#)

Put a process in place, including an application procedure, prepare and formalize remote work agreements and aim to give employees the information they need early on. Shella shared how Slack tried to automate the process of applying as far as possible, aiming to “give employees the information that they need to make the decision, so that there are very few human touchpoints to facilitate information sharing, and then we really rely on the employees and the managers to have a robust set of discussions about what this will mean for their team.”

- **Reserve the opportunity to pivot; allow for room to adapt to this new form of working.** Remember, distributed work is new – it’s a far more complex version of the old days of telecommuting. Shella explained, “I always wanted to give our teams flexibility to iterate. And so we reserve the right, wherever legally possible, to change the plan, and the policy, and the documents. There are going to be lessons learned, and you’re going to want to be able to pivot.”

- **Focus on effective communication and recognize the humanity of the situation.** Strong communication is key to keeping employees engaged. Erin shared, “increased communication among the team has been something that we’ve been very intentional about at our company, to try to make people feel like, you might not all be in the same space, together in the office, but you’re still part of a team.” There’s also the importance of showing empathy – remember we’re all human. As Erin noted, “it does enable us to get to know people on a much different level when we’re all working out of our homes, and maybe having a little bit more grace than you ordinarily would have, for life getting in the way.”

- **Recognize the I&D benefits of distributed work.** A wider talent pool means companies are drawing in talent that is more diverse than before. However, there needs to be real intent behind how, once a more diverse candidate pool is accessed, companies will really retain these employees for the long term.

More than 20 percent of the workforce could work remotely 3 to 5 days a week as effectively as they could if working from an office. If remote work took hold at that level, that would mean 3 to 4 times as many people working from home than pre-pandemic.

“What’s Next for Remote Work,” McKinsey & Company, November 23, 2020

Leading the Digital Workforce

Mastering connectional intelligence skills to lead the workforce into a digital future

“How will we use the lessons from the last year to unlock the power of our digital shift, to be less geographically biased, to be more inclusive of the collective power of our organizations, of our client networks, and to master new ways of collaborating in a modern age?”

Erica Dhawan, Leading expert on digital teamwork and connectional intelligence

Increased disruption combined with an increase in innovation in the past year has caused a seismic shift in public scrutiny of employers as many employers continue to struggle with this rapid workplace revolution and how to reimagine collaboration in the workplace. Erica Dhawan, the world’s leading authority on connectional intelligence, discussed how employers can encourage collaboration and productivity across digital silos and build a culture of trust – no matter the distance.

Erica defined connectional intelligence as the “capability to unlock new and unrealized value by fully harnessing the power of our networks and our relationships.”

When we think about collaboration, “the answer is not *more* connection, in a burnt-out, screen-fatigued world; we know the answer is *more intelligent* connection.”

Erica shared with us five key principles to help us connect intelligently:

- **Brevity creates confusion.** The pressure to communicate quickly can lead many of us into taking shortcuts, to sometimes leaving out context altogether.
- **Have a “communicate your mind” mindset.** In all of our messages, we have to be thoughtful of ‘*What is the ask? What is the priority level? Why do you need this?*’. We need to understand that what used to be implicit in our traditional body language has to be explicit in digital body language.
- **Hold your horses.** Less haste equals more speed. The pressure to go fast can often cause us to take shortcuts and prioritize groupthink over thoughtfulness. We need to ask ourselves, “*Are we making sure we’re not rewarding the fastest person to respond, and instead the most thoughtful individuals?*”

As you lead your organizations through these transformative changes, explore our additional resources below to optimize the outcome of your future of work story.

- [Baker McKenzie Digital Transformation Hub](#)
- [Modern Workforce: A SMART Approach to Digital Transformation](#)

- **Assume the best intent.** We have to understand when to give others the benefit of the doubt, check if our interpretations were correct, and know when to substitute the virtual medium, as well.
- **Find your voice.** Erica reminded us that in our world of digital communication, what has really been unlocked is the power to deepen our voice. “To not be so geographically biased, or biased to

the majority voice in the room, the most common accent, or the tallest person, or the majority. But to reignite different ways for people to engage, whether in writing if you’re an introvert, and you thrive in email or in chat tools, or if you’re able to really effectively share more when you don’t have to verbally speak, where people misread your accent, and you’re able to showcase yourself, not only visually, but in written form, and through slides.”

“We need to be thinking about how we can break silos, not just our traditional silos of work, but leveraging the power of peer networks, and leveraging the power of diverse groups, to come up with problem-solving in faster and better ways.”

Erica Dhawan, Leading expert on digital teamwork and connectional intelligence

Beyond COVID-19: Guidance for Multinational Employers

Legal guardrails to futureproof the workforce

In order to succeed, global employers need to embrace a holistic approach to optimize the outcome of their future of work story.

During our FutureWorks conversation series, we heard the compelling business case for companies to embrace change across five key areas: resiliency strategies, workforce wellbeing, inclusion, diversity and equity, agile workforce models, and digital leadership.

As we all lead our organizations through these transformative changes, we can build a bright future by keeping in mind the following key takeaways.

1. The mutual benefits of wellbeing to both the workforce and the employer are clear. In commercial terms, it enhances productivity, efficiency and, ultimately, revenue. But the wellbeing agenda sits on a bedrock of legal obligations and constraints. Ignoring wellbeing could cross the line from a malcontent employee to one with a valid legal claim. Getting the wellbeing agenda right includes navigating health and safety, working time, rights to disconnect, time off work, flexible and part-time working, discrimination, and employee benefits. The levels of entitlement vary across the world, as well as between different industries and sectors.
2. To reap the benefits of a diverse workforce, company initiatives must focus on inclusion and equity. Equity means recognizing how historical legacies and current realities have an adverse impact on employee experience to proactively address gaps and level the playing field.
3. A key element of any diversity strategy is to understand the workforce demographics, to measure changes and the impact of I&D programs over time, and to monitor pay equity. Remember that in some jurisdictions, organizations are legally obliged to collect diversity data, while in others, the collection of diversity data is very restricted. It is therefore essential to understand the legal landscape.

4. According to a large-scale global survey in 190 countries by BCG, 89% of people expect their jobs to be partly remote after the pandemic ends. Post-pandemic, many workers want and will look for flexibility in their jobs. There is a wide variety of legal issues to navigate with a permanently remote workforce, including employment, benefits, share-based awards, immigration, corporate tax, general corporate matters, data privacy and trade (import and export control laws) issues. The main areas for legal compliance can all come into play at different degrees, depending on the facts and locations involved.
5. Remote working has resulted in many benefits for organizations such as the ability to tap into global talent pools more readily and to retain existing talent. At the same time, managing a virtual workforce comes with its own, unique challenges and legal risks for employers.

For example:

- There may be an increased likelihood of misinterpretation when communicating digitally in the absence of traditional body language cues.
- Employees may be more prone to feeling isolated and detached from colleagues and managers in a remote work environment.
- Training managers and staff on how to connect, communicate and collaborate more effectively in a digital world can help minimize such risks.

For more information on how Baker McKenzie can help you to futureproof your organization, visit bakermckenzie.com/FutureWorks

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