



Nils Neumann, LL.M.

Partner

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OVERVIEW

Nils Neumann is a partner in the firm's Labor, Employment, and Workplace Safety practice. He advises German and international companies on individual and collective employment law issues. In particular, he guides employers throughout the entire employment-related process, including market entry, staffing and management, drafting and implementation process of employment conditions, day-to-day work life challenges, and terminations of employment and discontinuation of business activities.

He regularly represents clients before German employment courts and accompanies negotiations with works councils. Additionally, Nils advises on complex employment aspects of corporate transactions, reorganizations, and restructuring measures.

PROFESSIONAL BACKGROUND

Nils joined the firm in June 2012 and has been seconded to the firm's London office in 2015. During his legal clerkship he worked for leading international law firms and the German Federal Ministry of the Interior. He studied law at the Justus-Liebig-University Gießen and King's College London, where he was awarded an LL.M. in International Business Law. In 2018, he qualified as a Specialist Lawyer for Labor and Employment Law (*Fachanwalt für Arbeitsrecht*). Nils is regularly publishing, giving lectures and holding workshops in his area of practice.

SPEAKING ENGAGEMENTS

- Key Legal Developments in Europe at HR Directors Summit Europe, Amsterdam, 23 May 2018.
- Legal Awareness in HR at the Gründerszene HR Day, 28 September 2017 and 26 April 2018.
- Minimum-wage lecture at the BER Business Club of the Unternehmerverband Brandenburg-Berlin e.V., 24 February 2016.
- Various start-up lectures and workshops, most recently for the MIT Enterprise Forum, Start Alliance Berlin and in the context of the intrapreneurship program of an international provider of mobility and logistics services.

- Webinars on dismissal protection, non-competes, visa and other current employment law developments.

EDUCATION

- LL.M., King's College, London, 2013
- Second Legal State Exam, Higher Regional Court of Berlin, 2012
- First Legal State Exam, University of Giessen, Germany, 2009

LANGUAGES

- English
- German

THOUGHT LEADERSHIP *POWERED BY HUB*

- 14 May 2024, Internal Investigations in Cases of Harassment
- 28 November 2023, Conducting Effective Workplace Investigations - Key Employment Law Considerations
- 11 July 2023, German Whistleblower Protection Act Enters into Force
- 30 January 2023, PEOs—The European Perspective
- November 2022, International Hiring: Managing Policies, Procedures, and More
- 19 September 2022, Recording of Working Time in Germany Legally Required – Open Questions for Employers Following New Decision of the German Federal Employment Court
- 14 July 2022, Employment Agreement Revisions Required in Germany – New Obligations for Employers in Relation to Transparent Working Conditions Effective 1 August 2022
- July 2022, The EU Whistleblowing Directive: Time to Prepare
- April 2022, April 2022 Accolades
- 23 November 2021, COVID-19: New German COVID-19 Workplace Restrictions: Mandatory Work From Home and Entry Restrictions for Office Access
- 22 November 2021, Entry Restrictions and Mandatory Vaccinations for Workplaces in Germany?
- 5 August 2021, Works Councils Modernisations Act
- 1 June 2021, Employment Law in Insolvency Proceedings
- 12 May 2021, Remote Working Abroad – What Employers Need to Know
- 13 April 2021, Tactics for Dismissal Protection Proceedings

- 3 March 2021, Measuring Working Time in Germany - Yes or No?
- 22 January 2021, COVID-19: New COVID-19 Workplace Regulation for Employers in Germany Brings Home Office and Further Health and Safety Obligations
- 1 June 2020, COVID-19: Return to Work Europe
- 7 April 2020, New Skilled Worker Immigration Act and Novelties for Labor Migration in Germany
- 1 April 2020, COVID-19: Employment Policies and Fact Sheets for Companies in Germany
- 17 October 2019, Key Labour Law Developments in EMEA
- 1 August 2019, New Employer Obligations to Ensure Forfeiture of Unused Vacation Entitlements in Germany
- 13 June 2019, Do Employers Now Need to Measure Daily Working Hours of All Workers?
- April 2018, Global Mobility in 2018: Are Things Tough All Over?
- 12 May 2016, German Coalition Leaders Agree on Reform of Temporary Agency Work Regulations
- 29 April 2014, EU Employment Webinar 2015 - April

OTHER PUBLICATIONS

- Incapacity to Work and Termination - Remarks on Terminations Due to the Incapacity to Work and Continued Remuneration, Blog Post in German Employment Law Expert Forum (*EFAR*), 15 June 2020, together with Leonie Abendroth
- Exclusion of the Employer's Obligation to Cooperate in Granting of Statutory Leave - Relevance of Vacation Lists, comment on German Federal Labor Court Ruling of 25 June 2019, *GWR* 2020, issue 2, p. 38, together with Leonie Abendroth (German article)
- Composition of the Supervisory Body of an SE in the Case of Initiated Status Proceedings Prior to the Registration of the Change of Legal Form, comment on (German) Federal Supreme Court ruling of 23 July 2019, *GWR* 2019, issue 21, p.383, together with Dr. Daniel Mössinger (German article)
- Consideration of Temporary Agency Workers in the Context of Employee Co-Determination: Case Law Clarifications, Blog Post in German Employment Law Expert Forum (*EFAR*), 1 October 2019; together with Leonie Abendroth (German article)
- Compensation Review Provision Does Not Oblige Employer to Adjust Payments at Equitable Discretion, comment on German Federal Labor Court Ruling of 27 February 2019, *GWR* 2019, issue 18, p. 330, together with Leonie Abendroth (German article)
- Separability of an Partial Operation and Mass Redundancy Notice, comment on Düsseldorf Regional Labor Court ruling of 10 January 2019, *GWR* 2019, issue 17, p. 315, together with Leonie Abendroth (German article)

- Scope of the Duty to Provide Information on Other Income in Post-Contractual Non-Compete Period and Time for Profit Generation, comment on German Federal Labor Court ruling of 27 February 2019, *GWR* 2019, issue 14, p. 256, together with Leonie Abendroth (German article)
- Breaks and the Working Time Act: Obligations for Employers and Recommendations for Action, Blog Post in German Employment Law Expert Forum (*EFAR*), 2 May 2019; together with Leonie Abendroth (German article)
- Invalidity of Post-Contractual Non-Compete Covenants with Executives in the Event of Excessive Material Scope, comment on German Federal Labor Court ruling of 2 August 2018, *GWR* 2019, issue 8, p. 146, together with Leonie Abendroth (German article)
- No Company Practice in Case of Presumed Legal Obligation, comment on German Federal Labor Court ruling of 11 July 2018, *GWR* 2019, issue 3, p. 54, together with Leonie Abendroth (German article)
- Employer Obligations Concerning Rejection of Applications of Severely Disabled Individuals, Blog Post in German Employment Law Expert Forum (*EFAR*), Articles, 14 February 2019, together with Leonie Abendroth (German article)
- Justifying the Rejection of a Severely Disabled Applicant, comment on German Federal Labor Court ruling of 28 September 2017, *GWR* 2019, issue 2, p. 35, together with Leonie Abendroth (German article)
- Employment Agreement with Age Limitation: Written Form Requirement Applies to Almost Every Employment Agreement!, Blog Post in German Employment Law Expert Forum (*EFAR*), 29 November 2018, together with Leonie Abendroth (German article)
- Delivering Termination Letters by Messenger: What You Need to Take into Account for the Validity of the Termination, Blog Post in German Employment Law Expert Forum (*EFAR*), 30 October 2018, together with Leonie Abendroth (German article)
- No Preferential Treatment of a Works Council Member by Termination Agreement, comment on German Federal Labor Court ruling of 21 March 2018, *GWR* 2018, issue 17, p. 340, together with Leonie Abendroth (German article)
- Case Law Shift Concerning Employee Misclassification Criminal Liability, comment on (German) Federal Supreme Court ruling of 24 January 2018, *AuA* 2018, issue 8, p. 491, together with Leonie Abendroth (German article)
- Requirement of Clarity on the Source of Law in Case of Multi-Party Works Agreements, comment on German Federal Labor Court ruling of 26 September 2017, *GWR* 2018, issue 15, p. 291, together with Leonie Abendroth (German article)
- Coalition Agreement between CDU/CSU and SPD for the 19th Legislative Term – Employment Law Outlook, *GWR* 2018, issue 4, p. 66 f. (German article)
- Works Council Election – Online Voting Process Results in the Invalidity of the Election, comment on Hamburg Employment Court ruling of 7 June 2017 – 13 BV 13/16, *GWR* 2017, issue 15, p. 307 (German article)

- Company Pension Adjustment – Calculation Based on Economic Situation of Controlling Entity in Case of Domination Agreement, comment on (German) Federal Supreme Court ruling of 27 September 2016 – II ZR 57/15, *GWR* 2016, issue 24, p. 510 (German article)
- Bonus Award in Accordance With Equitable Discretion – Bonus Determination by the Court Based on Parties' Pleadings in Case of Inequitable Determination by the Employer, comment on German Federal Labor Court ruling of 3 August 2016 – 10 AZR 710/14, *GWR* 2016, p. 466 (German article)
- Employment Agreement with Temporary Agency Worker Void in Case of Illegal Temporary Agency Work Only Upon Actual Transfer, comment on German Federal Labor Court ruling of 1 January 2016 – 7 AZR 535/13, *GWR* 2016, p. 390 (German article)
- Remuneration of Law Clerks During the Legal Traineeship – Companies do not Have to Pay Social Security Contributions, *Berliner Anwaltsblatt*, July/August 2015, p. 249 (German article)
- Duty of Cooperation in the Fight Against Terrorism? Employee Screenings – a Dilemma for Companies, *WIK* 2015/2, p. 20 f., 2015 (German article)
- Special Benefits and Clauses on Cut-Off Dates – Limits Provided by Case Law and Possibilities in Drafting, *Betriebs-Berater*, BB 32.2014, 4 August 2014, p. 1909 (German article)
- Minimum Wage to Come – and Along With It Additional Encumbrances for Employers, *Rechtsboard, Handelsblatt Blog*, 11 July 2014 (German article)
- Illness, Vacation, Irrational Tantrums – Who Pays for Canceled Work?, *Legal Tribune online*, 21 February, 2014 (German article)
- Law Clerks are Entitled to Substantial Subsequent Payments, *Legal Tribune online*, 2 October, 2013 (German article)
- The War on Terror Binds Companies, co-author Manfred Hack, *Legal Tribune online*, 3 September 2012 (German article)

NEWS & EVENTS

- 19 December 2023, K&L Gates Advises Balderton Capital on Investment in Scalable Capital
- 10 October 2023, K&L Gates Advises Mahr Holding on Sale of Shares in Mahr EDV GmbH to Private Equity Investor
- 2 August 2023, K&L Gates Advises Gorka Holding on Sale of Majority of Shares in DiaSys Diagnostics Systems GmbH
- 6 January 2021, K&L Gates Advises Tempus Capital on PostCon Acquisition
- 12 November 2020, K&L Gates Advises Sinch AB on Acquisition of SAP Digital Interconnect
- 14 May 2020, K&L Gates Advises Vintage Investment Partners on €27 Million Series-B Fundraising for Software Company Zeitgold

- 24 February 2020, K&L Gates Names 41 New Partners Across Global Platform
- 5 July 2018, K&L Gates Advises Mölnlycke on Acquisition of German Medical Technology Company SastoMed
- 26 July 2016, K&L Gates Advises Luye Pharma Group Ltd. on European Market Entry

AREAS OF FOCUS

- Labor, Employment, and Workplace Safety
- Collective Labor and Works Councils
- Employment Disputes and Investigations
- Employment Issues in Business Transactions
- Human Resource Advice and Compliance
- Wage and Hour
- Workplace Safety

REPRESENTATIVE EXPERIENCE

- Ipsos on the acquisition of GfK's Custom Research Business including the global management of the transfer of approximately 1,000 employees in 25 countries
- Global leader in engineered materials and optoelectronic components on employment aspects for USD 3.2 billion acquisition agreement with a leading optical communications developer.
- A U.S.-based imagery and footage licensing company on mass dismissals and works council negotiations.
- Microsoft on the acquisition of 6Wunderkinder GmbH from, among others, Sequoia Capital, Earlybird, and Atomico.
- A U.S.-based payment technology solutions company on the restructuring of an employee pension plan.
- Luye Pharma Group on its European market entry and the acquisition of Acino's transdermal drug delivery systems, consisting of patches and biodegradable subcutaneous implants.
- KAMAN on the acquisition of GRW Bearing, a German-based designer and manufacturer of bearings, as well as employment law counsel on day-to-day aspects.
- Avenue Capital Group in the context of an acquisition of the Schletter Group in an insolvency scenario including the transfer of employees and works council agreements.
- Verivox on various strategic acquisitions and restructurings.
- A U.S.-based university in setting up activities in Germany.

- A U.S.-based pharmaceutical company on general employment and immigration matters with a focus on cross-border issue.
- A U.S.-based global provider of comprehensive, on-site machining solutions, on establishing business in various European Union (“EU”) and non-EU countries, as well as comprehensive counsel in a broad range of employment law matters, including hiring scenarios, termination situations, data privacy, and VISA aspects.
- A German bank on the revision and implementation of employee data protection and IT policies as well as related works agreements.
- A U.S.-based e-commerce company in court proceedings concerning employee stock option entitlements.
- A U.S.-based energy company on post merger harmonization process and on data privacy aspects in connection with the transfer of employees’ data to the United States.
- EnerNOC, a U.S.-based leading provider of cloud-based energy intelligence software, on its takeover of the Germany-based Entelios AG.
- Chembio Systems on the acquisition of OpTricon and on establishing headquarter.