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EDITORIAL: Picking up the pieces

As thousands of disenchanted Americans swing the vote to make Donald Trump president of the United States stock prices plunge around the world and outside the USA only President Putin is left smiling.

But what does this result mean for HR – especially in multinational companies? The plight of 11 million undocumented Mexicans in the USA will hardly touch multinationals – as these are mainly employed in the informal economy and by smaller employers. What will have a much bigger impact will be the prospect for repatriation of jobs back to the USA. Trump will want to reel in the use of foreign outsourcing of manufacturing and customer service operations by American-owned corporations. A decision that will hit many economies in Asia, particularly China and India. What will be important, however, is how this will be achieved. One way that

could benefit American businesses would be to reduce the very high rates of US corporation tax for those companies that reduce their dependence on outsourced operations abroad.

Another key policy change will be the removal of the international trade embargo against Russia. Trump has massive personal real estate interests in Russia and has signaled his intention to cultivate better relations with Putin. He is also skeptical about NATO and will not want to aggravate his ‘charm’ offensive by doing anything that will displease his new ally. The lifting of the trade embargo would help the EU economy and be at least temporarily good for job creation in Europe too. It would indirectly also be a further signal for the EU not to erect any more barriers in the employment law field.

However, it is getting to look increasingly like the future world painted by George Orwell back in the 1940s in his book “1984”, with three huge power blocks changing allegiances so that two are always at war with the third block. Trump’s rhetoric has been frequently anti-Chinese and as the USA and Russia team up China may find itself increasingly isolated. Turning its attentions increasingly to the EU as its trading partner. This will have profound effects on the EU, with new competition from Chinese brands and an upsurge in mergers and takeovers. Chinese companies will have high expectations from their human resources, be less likely to be concerned with rigid legislative compliance and far more open to capital substitution for labour. The status of HRM is thus likely to decline, or be forced to transform to a broader base of “resource management”.

EUROPEAN UNION: ICTech trends

According to Labour Force Survey dated compiled by Eurostat, the growth of jobs in the field of information and communications technology (ICTech) across the European has been fairly constant at 3% per annum since 2006, in spite of huge swings in the EU economy.

The highest concentration last year in ICTech jobs was in northern Europe - Finland, Sweden, the UK, Netherlands and Estonia. The proportion of ICTech staff with tertiary education across the EU was 60.5%, although in Lithuania it was 79.7%, Spain 78.7% and Ireland 77.5%. The proportion of women in ICTech jobs across the EU fell from 22.2% in 2005 to 16.1% in 2015 and now only remains fairly high in former accession states such as Bulgaria (27.7%),

Romania (27.2%) and Latvia (24.7%). There is also a problem of an aging workforce. Back in 2005, 56.5% of ICTech staff were over 35, now the proportion is 63.6%, and in Italy it is 74.6% and Denmark 71.4%.

Although IT spending worldwide appears to remain fairly flat this year ICTech jobs will undoubtedly continue to grow across the EU at around 4% per annum, slightly above the longer-term trend. The greatest demand will be in IT architecture (especially in industry standards and frameworks), those with complex coding skills to deal with the emerging internet of things), crossover hardware/software capabilities, business intelligence analytics and the interpretation of “big data”.

GLOBAL: Monitoring Employees

In most companies, managers and colleagues often need to access the communications of fellow workers, especially when they are absent or if they work part-time. But in doing so there is the ever present threat that they may be breaching privacy rights.

In Europe, the constitutions of many countries include privacy clauses that apply to correspondence, whilst Article 8 of the European Human Rights Convention requires the respect for someone’s “private and family life, his home and his correspondence”. In the USA case law arising from the fourth amendment gives very extensive protection where there is a “reasonable expectation of privacy”.

But employers generally have a bone fide reason to look at correspondence that arises during working time, especially if it is generated on company equipment and sent

through its communications systems. In a recent case before the European Court of Human Rights (ECHR: *Bărbulescu v. Romania*) an Article 8 challenge was dismissed even where access was obtained to check whether an employee was performing tasks relevant their specified duties. In Japan, employers have a duty under the law on security of personal data to ensure that communication systems are utilized responsibly. However, the monitoring must be undertaken after due consultation with employee representatives and directly with the employees subject to surveillance. In Singapore, there is no statutory right to privacy, although its law of confidentiality does apply quite widely. Most large companies include monitoring clauses in employment contracts and undertake periodic checks of communications that are sent through their equipment.

Interception of telephone calls has always been a more precarious issue for employers with the possibility of a legal challenge even if the data intercepted is just a log of numbers called and their duration. In *Halford vs UK* (ECHR) it was even found unlawful for an employer to monitor calls from company equipment outside normal working hours. In India case law on recording of conversations one is a party to suggests that, on the whole, such acts are lawful. However, the recording of conversations where neither party has given their consent is generally unlawful unless there is a strong public interest case for doing so.

Finally, there is the sticky question about monitoring employee texts sent from company-owned or leased mobile phones. The most pertinent case law about this issue comes from a French Supreme Court finding

on February 10th 2015. The court found that not only is it lawful to search for records of calls received or sent from company mobiles, but for such data to be used in court.

The lesson of case law around the world is that employers should always have in place a detailed policy covering all means of communication and include monitoring clauses in individual employment contracts. This should forbid the use of company systems for personal messages of any kind. Where appropriate, they should have consulted with employee representatives on the nature of surveillance undertaken and the wording of company documents. Last but not least, they should have warned employees that access to their work-related communications may take place and only access communications on legitimate grounds.

GLOBAL: HR wake-up call

Companies that are well established in a particular market often call on strategic entry deterrence methods to maintain their dominance. These can go well beyond price cutting and extend into the HR sphere through an upper quartile pay policy to retain key staff, post compete and anti-poaching clauses in employment contracts and opening up new internal career paths.

Of course, rivalry can also end in a truce. But that is when the real problems for HR departments begin. In the USA concerns by rivals about stealing key staff have become so great that tacit - or even written agreements - between rivals not to poach each other's staff have emerged. To combat this the Department of Justice ("DOJ") and the *Federal Trade Commission* ("FTC") have

just jointly issued “Antitrust Guidance for Human Resource Professionals”. This explains how such practices amount to a cartel. Even the sharing of pay data between companies on a company-to-company or club basis can also amount to unfairly limiting competition – unless a company is seeking to perform due diligence prior to a possible takeover. Indeed, many HR practitioners will be happily unaware that their information sharing arrangements are in any way unlawful. They will not even attempt to cover their tracks and then find, to their amazement, that they are being called in to be interviewed by the FTC. But both the DOJ and FTC have made it very clear that they shall not hesitate to prosecute if they uncover any such antitrust HR practices.

In Europe, the practice is known as a “Labour Cartel”. So far national courts and the European Court of Justice have been loathing to pursue labour cartels because they are officially used by national governments – as in the case of France – to set wage levels across sectors. Yet if we review international cartel prosecutions across the last three decades Europe is the continent with the highest incidence of such crimes and imposes penalties nine times higher, on average, than in the USA. The collusion involved in the classical price fixing of goods and services can, and undoubtedly does, spill over into wider levels of collusion. In fact “pay clubs” and networking between HR professionals in the same sector are commonplace. How vulnerable are these to challenges under competition laws? In principle any sharing of current information that is not in the public domain which could help both parties in respect to any outside competitor would amount to collusion and be unlawful. The exchange does not have to be

even very substantive, as its strategic value is what really counts. However, for an offence to be prosecutable it would normally have to amount to an ongoing arrangement and give rise to at least a seven-figure commercial return.

Back in March, the European Court of Justice found (case C 413/13) that a collective agreement setting minimum fees was not subject to EU competition rules (Article 101) because it involved self-employed workers who may be sometimes “false self-employed”. For that reason alone it was not subject to scrutiny under EU competition rules. The court came close to thinking otherwise – particularly as the agreement did not arise through conventional wage bargaining. Therefore, this judgment indicates that although wage setting for de facto employees that is based on genuine bargaining cannot be subject to EU competition rules, the price of labour determined by other means probably could – especially in respect to independent contractors. Moreover, given the reach of cases across national borders those elsewhere in the world should heed the possibility of becoming embroiled in a US antitrust investigation aimed directly at anti-competitive HR practices.

GLOBAL: Drive against corporate crime

The growth of globalization and the increasing size of public contracts has encouraged a higher incidence of corporate crime, particularly fraud and bribery.

In Romania, one of the principal law firms involved in defending such cases, Musat & Asociatii, has recently reported that during the last 3-4 years growth has centred on

“white-collar criminality, mainly anti-corruption (active and passive bribery) and financial fraud (tax evasion and money laundering)”. Improved detection has arisen due mainly to the strengthening of the National Anticorruption Directorate (DNA). After decades of pursuing individuals, the DNA and other bodies still tend to identify individuals first and then consider if there is a broader corporate case. Their primary target also tends to be politicians and state officials – although this generally traces back to the involvement of private sector executives.

State-owned and semi-state-owned companies are also the most heavily involved in Swiss corruption cases – such as the alleged money laundering in over 60 cases pursued by the Swiss Attorney General concerning the semi-state-owned Brazilian company Petrobras and current criminal proceedings involving the Malaysian state-owned fund 1MDB, where misappropriated funds could amount to over \$3 bn.

African states suffer from the highest and most blatant forms of corporate crime. At a recent forum run by Afreximbank the Rwanda’s finance minister Amb Claver Gatete pointed out that such crimes have a huge “dampening effect on the global economic and financial space, undermining opportunities for sustainable economic development”. He stated “illicit financial flows have remained significantly high averaging around 40% of all financial transactions in the past two decades” and that “over the last 50 years, Africa is estimated to have lost in excess of \$1.7 trillion in illicit financial flows. This sum is roughly equivalent to all of the official development assistance received by Africa

over the same period”. Much of this loss has involved transactions with major international companies, particularly through “kick backs” for contracts undertaken.

In Asia, the long standing anti-graft clamp down on excesses in the system of Guan-xi I and personal sweeteners for business favours has seen over a million public officials sacked in China in the last three years. Whilst in South Korea, a new law - that came into force at the end of September - places a limit of 50,000 won (\$44) on meals or gifts given to any public employee.

In both the UK and USA there are official state incentives to report corporate crimes at the first opportunity wherever they take place (the deferred prosecution agreements – DPA - and FCPA pilot programme). But, as was found by the first UK company to seek DPA relief, there is no guarantee that the UK Serious Fraud Office (SFO) will accept the case under DPA rules – especially if the company is not cooperative enough.

In the latest case to surface, the aero engine company Rolls Royce has been accused of bribery via “middle men” in 12 different countries around the world. Investigations by the SFO are ongoing, but this case follows an earlier one in 2012. What all these cases illustrate only too well is how important it is not only for finance departments to be forever vigilant, but for staff – particularly those in senior sales and purchasing roles - to be trained and briefed fully about the increasing sophistication of corporate crimes, how to maintain the integrity of transactions, the risks and penalties involved and high likelihood of detection.

JERSEY: Tough line on discrimination

A recent judgement issued by the Employment and Discrimination Tribunal in the Channel isle bailiwick of Jersey attempts to clarify various aspects of the Discrimination (Jersey) Law 2013.

The case concerned an employee who had not disclosed to his colleagues that he was gay, and received negative comments that lead him to file a complaint against his co-workers. As a consequence, he was made redundant and had his working hours reduced during his termination notice period.

In its judgement, the Tribunal reported that if a characteristic protected by law leads to unfavourable treatment, such behaviour should be deemed as directly discriminatory. The court also observed that the employer failed to act on their employee's grievance. According to the ruling, the company had not established proper policies interpreting the discrimination law, nor had it trained its staff sufficiently in order to be able to avert such actions. Furthermore, the Tribunal clarified that the law does not limit damages to £10.000 (US\$ 12.300) per case, but that the cap is set at this amount for each proven element of a claim.

UNITED KINGDOM: Fool Britannia

The High court of justice's decision that the UK cannot leave the EU without a vote in parliament to do so has left the UK government in a constitutional mess. Especially as it comes hard on the heels of an equally confusing decision by a high court in Northern Ireland that consent from its Assembly will not be required because Brexit

involves foreign relations and such decisions are a non-devolved power.

The problem for the UK is that it has no written constitution and the "royal prerogative", that has allowed governments to enter into treaties with other countries in the past without parliamentary consent, does not fit happily in the case of the European Union. The decision to be a member of the EU was made through a parliamentary Act and ironically whatever the UK Supreme Court decides next month on an Appeal concerning the High Court decision, it still leaves the EU's European Court of justice as the court of last resort. Moreover, individual citizens could make claims in respect to The European Convention on Human Rights (nothing to do with the EU) if the departure from the EU without parliamentary consent leads to any diminution of their rights.

Of course, the UK Prime Minister - Teresa May - does not wish to seek parliamentary approval as this would put at risk the path that is currently being followed by the government and, in itself, would lead to a constitutional crisis if parliament overturned the directly declared will of the people manifest in the referendum result. Either way, the UK government is in a huge fix. As the first country to leave the EU the UK government is breaking new ground and even the referendum itself has a very uncertain status in the constitutional structure. It was first used in 1975 and has only been used nationally three times in the UK and at no point has its nature and impact been formally set out.

It would be very surprising if such a major decision as Brexit could constitutionally sidestep the national parliament. In the meantime, an increasing number of

companies – even outside financial services - are beginning to explore their own exits from Britain in order to continue the advantages of EU membership. Top of the list must be the three EU countries with the lowest corporation tax rates – Bulgaria (10%), Cyprus (12.5%) and Ireland (12.5%). As FedEE discovered when it was deciding where to locate its second European office earlier this year, by far the leading contender amongst these is Cyprus. This is not only because it offers zero tax on dividends for non-domiciled tax residents, but also because it is a largely English-speaking country that ironically is the only other UK commonwealth member in Europe. Thus, operating in Cyprus maintains an umbilical link back to the UK.

Pay, Tax and Benefit Trends

CHINA: The days when high net worth individuals in China could hide overseas income from their tax authorities will soon be over. From January 1st 2017 China will be sharing its tax data with 103 tax authorities worldwide. This initial exercise will be completed by the end of 2018 and from then on they will be able to know the overseas holdings of those worth over 6 million yuan (\$US 887,000) and companies with over 1.5 million yuan (\$US 221,000). They will then be able to levy accurate taxes on overseas assets. A dwindling number of countries now remain outside the OECD's ICS system, or have not signed an inter-governmental tax agreement. Tax authorities will also be able to trace sums entering tax havens from data sharing countries and thus charge estimated demands based on that data.

GERMANY: The German coalition government has agreed to put forward legislation that would increase women workers' rights to information about equal pay. Companies with 200 – 499 employees would have to receive anonymised data on the distribution of pay for equivalent positions, whereas companies with 500+ employers would have to issue regular reports to employees showing the distribution of people by gender across their entire pay structures. They would also have to introduce mechanisms to equalize pay.

IRELAND: Almost half of Ireland's employed population will not pay any income tax this year. According to the Central Statistics office, 2.1 million are currently employed. Over 400,000 employees are in low or middle income part-time employment and half million full-time employees do not exceed the annual income tax liability threshold, now set at €16,500 (US\$ 18,011).

SPAIN: The Spanish parliament has voted to increase parental leave for men to 16 weeks – thus making it equal to statutory maternity leave. Currently men may take 2 days off on the birth of their child and a further 13 days paternity leave (or a total of 20 days in some circumstances). The vote should not be taken too seriously, as two leading parties abstained in the vote, Spain does not have a government at present and can ill-afford this measure. Moreover, the most likely government will be a minority one led by the People's party – which is opposed to the equalization of male parental leave.

TURKEY: From January 1st 2017 a discount will apply to withholding taxes payable in respect to income received by certain employees based outside Turkey who

provide services into the country. To qualify, 85% of their income must come from sources outside Turkey and they must have supporting documents issued by bodies outside Turkey. The new law will largely apply to employees in the fields of architecture, design, software and engineering.

UNITED KINGDOM: Employers offering enhanced maternity pay, but only statutory shared parental pay could find themselves facing an employment tribunal. In a recent case Network Rail admitted to indirect discrimination because a male employee was paid less than his wife (also a Network Rail employee) when taking such leave. A tribunal decision does not set a legal precedent unless it is appealed, but it would be worth employers checking to see if they have a potential problem with their current policies. [Snell v Network Rail Infrastructure Ltd ETS/4100178/2016.]

USA: Flight attendants working for Southwest airlines have narrowly ratified a new two-year pay deal a year after they heavily rejected a previous deal. Under the latest agreement, the company's 14,500 flight attendants will each receive a 6% rise this month and 3% increases in 2017 and 2018. They will also receive a ratification bonus worth 15.9% of their annual salary to cover three years when they did not receive any annual uplift in salary scales.

Other Global HR News in Brief

CZECH REPUBLIC: An opening ban on stores with floor areas of 200 square meters or more will now apply on January 1st, Easter Monday, May 8th, September 28th, October 28th, December 24th (afternoons to

midnight), December 25th and December 26th. The ban will not apply to retail outlets in railway stations and airports.

CYPRUS: Cyprus is now moving quickly towards entry to the Schengen free movement area. This means that by next Spring those resident in Cyprus could move freely between most EU member states without passport formalities. The Cyprus government is also enhancing its residency permit scheme for non-EEA nationals, who may be granted a permit for themselves and dependants by making a property investment of at least 300,000 euros.

DENMARK: Following amendments to the Act on Auditors and Audit Firms (631/2016) in June 2016 Denmark's Data Protection Agency issued a new form (WB1) last month that must be completed by Auditing firms, that are now required to comply with new employee whistleblowing rules. The rules require such firms to establish channels for reporting possible, or actual, violations of the law that are distinct from their normal reporting structures. They also protect whistleblowers from retaliation due to their actions.

EUROPEAN UNION: Eurostat's most recent statistics on the profile of first and second generation immigrants indicates that although first generation immigrants from outside the EU were slightly less well qualified than the native population when they first arrive in the EU, they quickly make up for this through the education of their children. Second generation immigrants aged 25 to 54 generally have a higher level of educational attainment than native born individuals. This is also the case for first generation immigrants from other countries within the EU. In fact, there is a more than a

5 percentage point difference in attainment in favour of second generation immigrants to Cyprus, Hungary, Italy, Malta, Portugal and the UK.

GERMANY: The latest draft Employee Leasing Act (“AÜG”) currently before Germany’s lower house of parliament (Budesrat) requires all temporary workers to be employed directly by the lender. It places an 18-month cap on the use of temporary workers (unless a collective bargaining agreement applies a different cap) and a nine month period before a temporary employee must receive equal pay with permanent company employees. It will also remove the legality of “drawer licences” by requiring lenders and hirers to clearly specify that an assignment is subject to a temporary agency agreement from the outset. The draft now provides an implementation date of April 1st 2017.

INDONESIA: Employers operating in Indonesia’s semi-autonomous state of Aceh should take heed of the strict Islamic Criminal Code that operates there. This has given rise to numerous public floggings for trivial acts such as a woman standing too close to a man. Acts which are considered wholly private in the rest of the world are now criminalized in Aceh and, to a certain extent, elsewhere in the country as a whole.

MEXICO: The Mexican Senate has voted to amend Articles 107 and 123 of the country’s constitution. This will remove the power to deal with labour disputes away from highly corrupted tripartite conciliation and arbitration boards to an objective and fairer independent tribunal. The Senate has also approved measures that would end employer-dominated ‘protection contracts’ that are effectively collective agreements that can be

concluded without the knowledge of employees. The Senate reforms have still to be ratified by a two-thirds majority in the Chamber of Deputies and the majority of the individual states that make up the country. It will then take a federal law to implement the changes in line with the constitution.

NEW ZEALAND: Over Q3 2016 unemployment in New Zealand fell to below 5% for the first time in the last 8 years. Over the same period the number of people employed climbed by 1.4%. Over half of the employment growth was in the Auckland area, with particularly strong demand in the retailing, food services, construction and real estate sectors.

POLAND: Employers sending workers to Poland for temporary postings – including intra-company transfers and temporary work agencies – must now inform the Polish Labour Inspectorate of the posting and its duration no later than the day when it commences. They must also designate a responsible person in Poland to deal with the inspectorate concerning the posting.

TURKEY: Although the Turkish government has introduced a new-style passport containing a chip holding an individual’s fingerprint and facial image it has not led to visa free travel into the EU’s Schengen area. Earlier this year agreement was reached with the European Commission on visa-free travel, provided that the new passport was introduced. But since then the Commission has had second thoughts about the deal following the harsh post-coup attempt clamp down in recent months. Therefore the October 31st deadline specified in the deal has now come and gone and it will take a whole new set of negotiations to bring a new agreement into prospect.

UNITED KINGDOM: A number of financial services companies such as Goldman Sachs have made clear that they will move at least part of their operations from London to the European Continent if the UK loses its “banking passport” as a consequence of Brexit. The banking passport is the free movement right which allows banks, brokers and insurance companies to establish operations in one European Economic Area (EEA) country and then sell their services to customers in other EEA states. Any significant loss of financial services would throw the UK balance of payments heavily into deficit and drive its economy into a downward spiral.

UNITED KINGDOM: In spite of Brexit, the UK government has announced that it still plans to implement the EU’s General Data Protection Regulation (GDPR) by May 2018.

The first draft of FedEE’s Code of Practice which incorporates the GDPR and Privacy Shield requirements - whilst also going beyond them to deal with cloud computing and the virtual world - will be presented to our next HR Data Management Forum meeting in Nicosia on November 18th. A final draft will be further reviewed at our next Fellowship meeting in London next January.

USA: A US district court in Texas has issued a preliminary injunction blocking the national Fair Pay and Safe Workplaces Regulations (FPSW). The so-called “blacklisting rule” forces contractors bidding for substantial federal projects to disclose their previous labour law violations. It will now be up to the federal government to appeal to the U.S. Court of Appeals for the Fifth Circuit in the hope that the ban can be overturned.

Dates for your diary:

November 29th 2016: **Mozambique** introduces new immigration regulations. These will impose severe limitations on the use of foreign labour.

December 1st 2016: FLSA new overtime rules become effective in the **USA**.

December 4th 2016: **Italian** referendum on constitutional reform.

January 28th 2017: **Chinese** New Year

April 6th 2017: Introduction of apprenticeship levy for large **UK** employers.

April 23rd and May 7th 2017: **French** Presidential Election.

June 24-25 2017: **Muslim** Eid al Fitr

July 25th 2017: **Indian** Presidential elections

May 25th 2018: Final effective date for **EU** General Data Protection Regulations.

Travel Warnings

AUSTRALIA: A serious crime wave is affecting the southern city of Melbourne (especially the Greater Dandenong area). Visitors should be especially vigilant, especially when leaving things in hotel rooms or leaving cars in public places.

CHAD: There is ongoing terrorist activity throughout Chad, especially the Lake Chad region. Kidnapping for ransom and minefields along the borders with Libya and Sudan pose further threats.

GAMBIA: The forthcoming Presidential election on December 1st is likely to lead to widespread unrest against the long-standing incumbent President Yahya Jammeh.

HAITI: The U.S. government has warned against visits to the storm-ravaged southern peninsula of Haiti. Travelers run a high risk of robbery and should expect difficult travel conditions with roads made impassable by landslides and bridge failures.

INDIA: A high level of vigilance and security awareness should be adopted because of the threat of a terrorist attack at places in India frequented by foreigners, especially religious sites, markets and festival venues.

INDONESIA: The threat of violence has now spread to the capital city Jakarta where protests have led to one death and 12 injured policemen.

ITALY: Recent powerful earthquakes in central Italy have even affected buildings in Rome. It is anticipated that further earthquakes will occur in the next few weeks. When staying in hotels make sure that they are of modern construction as older buildings will not generally be seismic-proof. There is also the danger of street violence in many cities across Italy associated with recent protests against the government of Matteo Renzi.

RUSSIA: Early snow falls over Siberia and other parts of Russia have been heavy in places. Travel within the country is expected to be difficult for the next three to four months.

UNITED KINGDOM: Southern Rail commuters are to be hit by more delays and cancellations as The Rail, Maritime and Transport (RMT) union has given notice of additional strikes from 00:01 on 22nd December until 23:59 on Christmas Eve for three days and again three days from 00:01 on New Year's Eve until 23:59 on 2nd January 2017.

UK/USA: Norovirus incidents have been reported both in London, UK and Los Angeles, USA. The virus is easily spread, especially in public spaces. There have been more than 500 cases identified so far, hence caution is highly recommended. Symptoms include nausea, vomiting and abdominal pain.

USA: The busiest travel days around Thanksgiving are expected to be Sunday, November 27th, and Monday, November 28th, the lightest day will be November 24th. Los Angeles International Airport is expected to be the nation's second busiest airport, behind Hartsfield-Jackson Atlanta International Airport during Thanksgiving.

FedEE News

FedEE's New Code of Practice: FedEE has prepared a draft **Code of Practice on Privacy at Work in Multinational Enterprises**. This has been prepared under provisions in the EU's General Data Protection Regulations (GDPR) that allows for such codes. Access to the code will be limited to FedEE members and the text will be finalised following the meeting of FedEE's **HR Data Management Forum in Nicosia** on November 18th 2016. If you would like to gain access to the code to help your organisation prepare for the GDPR and Privacy Shield then **be sure to book your place for the Forum meeting**.

Second HR Data Management Forum Meeting: The next meeting of the Forum will take place in Nicosia on Friday, November 18th. This will consider a number of useful draft documents drawn up by FedEE – including a **model policy and associated checklist on the conduct of pre-employment background investigations** and a **draft code of practice on data protection in multinational enterprises**. Access to Cyprus is relatively easy from all parts of Europe and outside the main holiday system can cost as little as a domestic train fare. Please send an expression of interest by sending the words “booking DMF”, plus your contact telephone number to admin@fedee.com and we shall call you with further details.

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