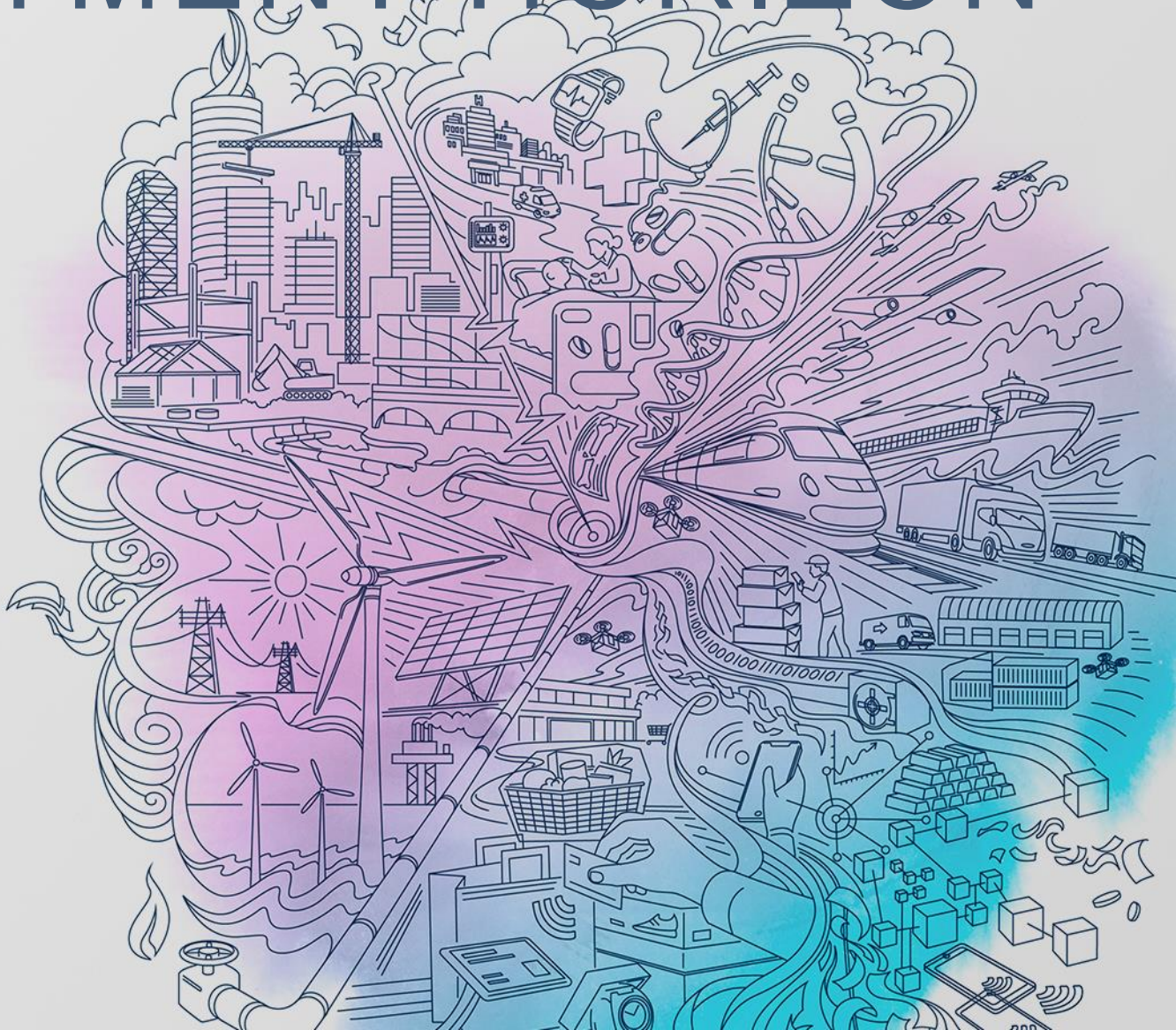


EU EMPLOYMENT HORIZON SCANNER

For Ireland, France, Germany, Spain
and Poland

September 2025



FUTURE KEY LEGISLATION DEVELOPMENTS IN IRELAND, FRANCE, GERMANY, SPAIN AND POLAND

JURISDICTION	ACT OR STATUTORY INSTRUMENT	SUMMARY AND IMPACTS	IMPACT DATE
Ireland	Employment (Contractual Retirement Ages) Bill 2025	<p>Contractual Retirement Ages</p> <p>The Employment (Contractual Retirement Ages) Bill was published on 1 April 2025. Under the Bill it is proposed that if there is a mandatory retirement age in a contract of employment an employee can notify their employers if they do not agree to retire at the mandatory age. Under Irish law mandatory retirement ages can be included in contracts of employment provided the employer has objective reasons for this requirement.</p> <p>Under the Bill the employee can request to continue to work until the employee is the age at which he/she is eligible to receive the State Pension which is currently set at 66 years of age. Under the Bill the employer cannot enforce the mandatory retirement age without first responding to the request from the employee within one month and providing reasons in the response including any justifications for requiring the employee to retire as per the contract of employment. If an employee is unhappy with the response from the employer, the employee can bring the claim to the Workplace Relations Commission for adjudication.</p>	tba
Ireland	Sectoral Employment Order (Construction Sector) 2024	<p>Changes in rates of pay for the construction sector</p> <p>The Sectoral Employment Order (Construction Sector) 2024 will come into effect on 1 August 2025 to reflect higher rates of pay for craft and general constructions workers. Pay will increase by 3.4% in August 2025 and again by 3.2% in August 2026. The details of this Sectoral Employment Order have been discussed by colleagues here.</p>	1 August 2025
Ireland	The Automatic Enrolment Retirement Savings Systems Act 2024	<p>Pension auto-enrolment</p> <p>The introduction of the new auto-enrolment pension savings scheme under the Automatic Enrolment Retirement Savings Systems Act 2024 has been delayed slightly and is now due to come into force in Ireland in January 2026. Under the new system employees aged between 23-60, who are not currently part of a pension scheme and who earn €20,000 or more per year</p>	January 2026

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		<p>will be automatically enrolled in a pension scheme.</p> <p>Under the new scheme the employer, employee and the Government will all be required to pay a certain amount into the pension fund. The employee and employer are required to contribute 1.5% of the employee's annual salary in the first year. The rates will increase on an annual basis up to 6% of the annual salary by year 10.</p>	
Ireland	Gender Pay Gap Reporting and the EU Pay Transparency Directive	<p>Expansion of gender pay gap reporting requirements and the EU Pay Transparency Directive</p> <p>The obligation to carry out gender pay gap reporting extended to employers of 50 employees in 2025. Organisations who have 50 employees or more are required to take a snapshot on a date in June 2025 and report the corresponding data before 30 November 2025.</p> <p>In addition to this change on reporting, Ireland will also be required to work towards implementing the EU Pay Transparency Directive by the deadline of 7 June 2026.</p> <p>The implementation of the directive may require significant changes to Ireland's current reporting regime including the reporting of pay gaps based on categories of employees and providing employees and potential new hires with an oversight in relation to information in relation to ensure transparency. The General Scheme of the Equality (Miscellaneous Provisions) Bill 2025 (the "Bill") has been published and includes a proposal to transpose Article 5 of the Directive, but the Bill does not deal with pay progression, pay secrecy and the right to information in relation to pay levels for employees carrying out the same work.</p> <p>However, the Government's Legislative Programme for Summer 2025 includes reference to the preparation of the outline for legislation for the Pay Transparency Bill which is a "<i>bill to transpose the EU Pay Transparency Directive</i>". It is unclear at present whether this will address the balance of the Directive or whether it will incorporate the proposals set out in the General Scheme of the Equality (Miscellaneous Provisions) Bill 2025.</p>	<p>For gender pay gap reporting, organisations who have 50 employees or more will be required to take a snapshot on a date in June 2025 and report the corresponding data before 30 November 2025.</p> <p>EU Pay Transparency Directive to be implemented by 7 June 2026 and the outline for legislation is in preparation as noted in the Government's Legislative Programme for Summer 2025.</p>
Ireland	National Minimum Wage and New Living Wage	<p>National Minimum Wage and New Living Wage</p> <p>The living wage is set to be introduced in Ireland in 2026 which will replace the national minimum wage. It is intended that the living wage will be set at 60% of the median wage in any</p>	2026

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		given year. The Living Wage Technical Group (the "Group") have suggested the living wage to be €14.75 per hour.							
France	Accident prevention	<p>New joint instruction from the Ministry for Justice and the Minister for Labour on accident prevention on July 10, 2025</p> <p>The Labour Inspection's role in accident prevention in the workplace does not change but its powers in doing so are improved. The new joint instruction will enable more cooperation with the judicial police officers in charge of the criminal investigation and encourage plea bargaining.</p> <p>The instruction encourages Labour Inspectors to make greater use of their power to impose penalties in cases of serious breaches of health and safety at work legislation. The increased power to impose penalties, even in the absence of a workplace accident, is part of a strengthened preventative approach and a graduated response.</p> <p>It also invites the French Administration to make greater use of criminal settlements where possible. This mechanism allows for the sanctioning of violations while offering the employer the opportunity to regularise the situation through additional measures.</p>	July 2025						
France	Pay Transparency Directive (Directive 2023/970 of 10 May 2023)	<p>Transposition of the Pay Transparency Directive (Directive 2023/970 of 10 May 2023)</p> <p>The Directive must be transposed into French law by 7 June 2026. A bill is expected in autumn 2025 following consultation with social partners.</p> <p>Key Provisions of the Upcoming Reform:</p> <p>1 Revision of the Gender Equality Index for companies with more than 100 employees (increase from 5 to 7 indicators) with specific phased entry into force:</p> <table><tr><th>COMPANY SIZE</th><th>FIRST DECLARATION (7 INDICATORS)</th><th>FREQUENCY</th></tr><tr><td>≥ 250 employees</td><td>7 June 2027</td><td>Annual</td></tr></table>	COMPANY SIZE	FIRST DECLARATION (7 INDICATORS)	FREQUENCY	≥ 250 employees	7 June 2027	Annual	June 2026
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≥ 250 employees	7 June 2027	Annual							

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		150–249 employees	7 June 2027	Every 3 years	
		100–149 employees	7 June 2031	Every 3 years	
		2	Mandatory Pay Transparency at every stage of the relationship (pre-employment and during employment) and for companies with ≥ 50 employees, disclosure of objective remuneration criteria is mandatory.		
		3	Equal Pay for Work of Equal Value: Employers must apply objective and gender-neutral classification criteria (skills, effort, responsibility).		
		4	Strengthened Rights and Remedies: Complaint mechanisms and fines are provided for non-compliant companies.		
Germany	Coalition Agreement	What the Coalition Agreement means for HR The coalition agreement between the SPD and CDU/CSU has now received the official signing and it brings significant changes for HR. The agreement entitled "Responsibility for Germany" outlines the key policy priorities on the new coalition. Key proposals include: <ul style="list-style-type: none"> • Minimum Wage: To raise the minimum wage further. A minimum wage of up to €15 by 2026 is considered to be realistic. • Working Time: To introduce weekly rather than daily maximum working hours and to make overtime bonuses tax-free when they exceed collectively agreed or standard full-time hours. To introduce tax relief for part time employees to increase their hours. • Digital recording of working hours: To implement the obligation for reliable digital systems to track daily working hours. Trust-based working time ("Vertrauensarbeitszeit") may remain exempt. • Strengthening of unions: To increase collective bargaining coverage by tying the awarding of Federal contracts to paying tariff standard. To allow digital workplace access for unions and tax incentives for membership. • Digitisation and AI: To introduce various measures to reduce bureaucracy for companies, to allow works councils to become more digital as well as an expectation for businesses to 			May 2025

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		<p>train employees in the use of AI and ensure fair data practices in the workplace. A digital "Work-and-Stay Agency" will streamline skilled immigration.</p> <ul style="list-style-type: none"> • Pensions and older workers: To strengthen occupational pensions, provide incentives to continue working rather than opting for early retirement and making fixed-term returns to a former employer possible after reaching retirement age. • Occupational Health and Safety: To improve mental health in the workplace and evaluate the current occupational safety legislation. 	
Germany	Pay Transparency Act	<p>Update of the Pay Transparency Act (<i>Entgeltgleichheitsgesetz</i>)</p> <p>Germany is preparing to update its Pay Transparency Act in line with the EU Pay Transparency Directive, aiming to enhance salary transparency and address wage disparities. While the exact implementation date is pending (expected in 2026), employers should proactively assess their remuneration systems to ensure alignment with forthcoming requirements.</p>	Expected 2026
Germany	German Maternity Protection Act	<p>Amendment to German Maternity Protection Act (MuSchG): New statutory protection in case of miscarriage</p> <p>As of 1 June 2025, a new amendment to the German Maternity Protection Act (MuSchG) grants statutory protection periods to women who experience a miscarriage from the 13th week of pregnancy onward. These women are now entitled to a mandatory rest period, a temporary employment ban (unless waived), and maternity benefits, depending on the pregnancy week. Employers must ensure no work is assigned during these periods unless the employee explicitly opts to return — and even then, she may revoke that decision at any time. HR teams need to update internal maternity leave policies, ensure payroll processes include maternity pay, and respect the special four-month dismissal protection after a miscarriage.</p>	1 June 2025
Germany	Holiday entitlement in settlement agreements	<p>Federal Labour Court ruling (File no. 9 AZR 104/24): No waiver of holiday entitlement through settlement agreement</p> <p>The German Federal Labour Court (BAG) ruled on 3 June 2025 (9 AZR 104/24) that employees cannot validly waive their statutory minimum holiday entitlement during an ongoing employment relationship — even if the end of the employment is already scheduled or the holiday cannot be taken due to illness. Clauses in settlement or termination agreements stating that holiday has</p>	Judgment delivered on 3 June 2025.

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		<p>been “granted in natura” may be invalid if the employee was clearly unable to take the leave.</p> <p>The court emphasised that such holiday entitlements are not freely disposable like regular payment claims. So-called “factual settlements” (Tatsachenvergleiche) regarding holiday use are only valid if there is genuine uncertainty about the facts — which is not the case during long absences such as illness or parental leave. Employers must draft settlement and termination agreements with care and ensure clear, specific holiday clauses to avoid later claims.</p>	
Germany	Working Time recording	<p>Working time recording – still a state of uncertainty</p> <p>Under current German law, employers are obliged to record employees’ working hours based on a 2022 ruling by the Federal Labour Court (BAG), which confirmed that a general duty to track working time already exists under the Occupational Health and Safety Act. While there is no specific statutory framework yet detailing how time must be recorded, a legislative amendment to the Working Time Act is expected — likely by late 2025 or early 2026 — and will probably mandate electronic time recording.</p> <p>The changes are expected to provide for exemptions for employees on trust-based working time models (Vertrauensarbeitszeit), as outlined in the coalition agreement. However, these exemptions are not yet defined in detail, and employers are advised to wait for the final law before relying on such carve-outs. Importantly, the obligation to record working hours refers to working time within the meaning of the Working Time Act — i.e. from a health and safety perspective — and is not necessarily equivalent to time that must be remunerated.</p> <p>For employers, it remains challenging to navigate from potential interim solutions to a future legally compliant state that implements statutory requirements while also addressing the remuneration aspect or ensuring sufficient flexibility.</p>	Late 2025/early 2026
Spain	Working Time	<p>Working Time and the Right to Disconnect</p> <p>On 6 May 2025, the Council of Ministers of Spain approved a draft bill to reduce the maximum working time of the employees to 37.5 hours per week instead of the current maximum of 40 hours per week. This draft bill (and its measures) still needs to be debated and approved in the Spanish Parliament. If the measure is finally approved, it will have significant implications for employers. Employers can expect to see an increase in the number of overtime hours (with</p>	tba

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		<p>associated increases in costs in terms of salary and social security contributions) and the potential need to recruit additional employees to cover the shortfall in working time which, again, will have cost implications for businesses.</p> <p>Alongside the reduction of working hours, the draft bill (which is still pending approval) also regulates a mandatory digital register to monitor working hours to which the Labour Inspectorate will have direct access. This measure will facilitate the imposition of sanctions by enabling the Labour Inspectorate to identify any breaches by the companies of working time regulations.</p> <p>Furthermore, the draft bill also regulates the reinforcement of the right to disconnect, prohibiting employers from requiring work outside agreed hours (e.g., sending emails outside working hours).</p>	
Spain	Tribunal consolidated doctrine on disciplinary dismissal	<p>Tribunal consolidated doctrine on disciplinary dismissal</p> <p>The Spanish tribunals have recently changed their consolidated doctrine (from the 80`s) requiring employers to have a preliminary disciplinary file which must be given to the employee before notifying them of a disciplinary dismissal. Previously, an employer could notify the employee of their disciplinary dismissal by letter, effective the same date without the need for further explanation beyond the reason described in the letter.</p> <p>Following this change, an employer must communicate a statement of objections (<i>pliego de cargos</i>) to the employee explaining the reason for the dismissal. If the employee appeals against those objections, the employer will need to consider the employee's complaints to determine if the company continues with the dismissal.</p> <p>There is currently significant uncertainty for employers around these changes. For the time being, there are no regulations providing any details of how this process will work in practice or the consequences of failing to provide a preliminary disciplinary file. It is unclear whether a failure to have a preliminary disciplinary file could mean the dismissal is a null and void or whether it would be unlawful which would have different consequences for the employer or whether it would give rise to compensation.</p>	Already effective

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Spain	Severance compensation	<p>Severance compensation for unfair dismissal</p> <p>In September 2024, there was a non-binding resolution of the European Committee of Social Rights ("ECSR") declaring that, in Spain, the legal protection of severance compensation for dismissal for an employee was insufficient. Although a recent resolution of the Spanish Supreme Court held that Spain's system of compensation for dismissal is adequate, it did not analyse the resolution of the ECSR because the dismissal took place before the resolution was issued. Nevertheless, in a judgment issued in July 2025, the Supreme Court confirmed that the severance compensation established by the Workers' Statute is sufficient and no additional compensation for damages is required.</p>	No change
Spain	Permanent incapacity	<p>Termination of the employment contract due to permanent incapacity</p> <p>On 1 May 2025, Law 2/2025 came into force, removing the automatic termination of employment contracts following a declaration of permanent incapacity and introducing a new approach based on the adaptation and relocation of workers within the company. Under the new regulation, before terminating the contract, companies must assess the possibility of reasonable adjustments or relocation to other job positions, provided that these measures do not entail an excessive burden. Only if no alternative is feasible, or if the worker rejects a compatible position, may the contract be terminated, with the obligation to justify the decision. A suspension of the contract for up to two years with the job being kept is still possible in cases of possible improvement.</p>	1 May 2025
Spain	Pay Transparency	<p>EU Pay Transparency Directive</p> <p>In the case of Spain, the Directive has yet to be transposed. However, the Spanish legislator has already introduced obligations regarding pay transparency, such as the gender pay register for all companies and the gender pay audit for companies with 50 or more employees.</p> <p>That said, while Spain is ahead of the Directive in certain areas, the transposition of this Directive will require most organisations to review their pay models and define their remuneration policies in a much more precise manner.</p>	tba
Poland	State Labour Inspection – new	<p>Draft bill on amendments to the State Labour Inspection Act – authority of labour</p>	The draft Act is currently in the early legislative process. The proposed

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	powers	<p>inspectors to reclassify civil law contractors to fully protected employees</p> <p>On 1 September 2025, a draft bill amending the Act on the State Labour Inspection and certain other Acts was published. The most revolutionary change proposed is granting labour inspectors the competence to determine the existence of an employment relationship, that is empowering labour inspectors to issue administrative decisions under which apparent civil law contracts may be reclassified as employment contracts (to date such reclassification could be declared only by final labour court verdict). Such a decision is immediately enforceable with respect to the parties' rights and duties arising under the labour laws, as well as tax and social insurance obligations. Both newly reclassified employer and employee will have right to appeal against the reclassifying decision of the labour inspector to, first, the State (General) Labour Inspector (within 7 days) and then to the labour court. To this end, several other amendments to other provisions of Polish law (e.g., new court procedural provisions in the Civil Procedure Code, provisions enabling exchange of data between the State Labour Inspection, the Social Insurance Institution, and the tax authorities) have been proposed.</p> <p>Other than that, under the above draft bill, fines for the infringement of employees' rights will be increased (doubled) up to PLN 60,000 (approx. EUR 14,000).</p>	effective date is 1 January 2026.
Poland	Collective Labour Agreements	<p>New draft bill on collective labour agreements</p> <p>A draft Act on Collective Labour Agreements and Collective Agreements is currently being processed in the Polish parliament. The proposed new regulations aim to encourage the use of collective labour agreements (which are now rarely signed, mostly only in the former state owned entities or mining industry) by: (i) simplifying the registration procedure for collective labour agreements, (ii) introducing the institution of a mediator during negotiations, (iii) allowing for the conclusion of collective agreements for a fixed term with an extension (rolling out) option, (iv) permitting collective labour agreements to govern matters not regulated by mandatory labour law provisions, and (v) expressly admitting for the provisions of a collective labour agreements to apply to non-employee contractors.</p>	The draft Act is currently in the early legislative process. The Act is set to come into force 14 days after its publication in the Journal of Laws of the Republic of Poland.
Poland	The amount of the minimum wage for work and minimum	<p>New national minimum wage rates</p> <p>From 1 January 2026, the minimum wage would amount to PLN 4,806 gross per month (approx. EUR 1,130 gross per month), and the minimum hourly rate would be increased to PLN 31.40</p>	The new rates of national minimum wage will apply as of 1 January 2026.

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	hourly rate	gross (approx. EUR 7.40 gross).	
Poland	Reduced working hours – pilot programme announced by the government	<p>Enrolment to the pilot programme on reduced working hours is now closed</p> <p>On 15 September 2025, the application process for the pilot programme on reduced working hours organised by the Polish Ministry of Labour was closed. The initiative aims to test various models of reduced working hours, including the introduction of additional days off, shortening the working day, or reducing the number of working days per week. The programme provides that employers, both in the public and private sectors, meeting specific criteria, will be eligible to receive support for one pilot project of up to PLN 1 million (however the cost of the project per employee covered by the project may not exceed PLN 20,000). Almost 2,000 employers applied to participate in this pilot programme.</p> <p>The decision and publication of the list of qualified employers is expected by 15 October 2025.</p> <p>Outcomes of this pilot programme will be used as an argument in public discussion on introducing statutorily reduced working hours for all employees (currently, by law, full-time employee works 8 hours a day and on average 40 hours per, on average, 5-day working week).</p>	As part of the programme, the trial implementation of reduced working hours is scheduled to run from 1 January 2026 to 31 December 2026. Participating employers have until 15 May 2027 to submit their findings of the trial.
Poland	Pay Transparency	<p>Amendment to the Labour Code – partial implementation of the EU Pay Transparency Directive</p> <p>The Act of 4 June 2025 which amends the Labour Code partially implements the EU Pay Transparency Directive in Poland. It introduces provisions requiring employers to disclose to candidates the initial remuneration or its range (based on gender-neutral, objective and non-discriminatory criteria) for the given position, along with relevant provisions of the internal remuneration policies (collective labour agreements or remuneration regulations). Employers will be required to provide the information electronically or in paper form at a defined stage of the recruitment process, ensuring transparent and informed pay negotiations.</p> <p>Additionally, the Act mandates gender neutrality in job advertisements and position titles, as well as prohibits asking candidates about their current or past remuneration for work, reinforcing non-discriminatory hiring practices.</p> <p>Based on the unofficial information from the Polish Labour Ministry official, the draft bill to fully</p>	<p>The Act will take effect on 24 December 2025.</p> <p>Further draft legislation is expected.</p>

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		<p>implement the EU Pay Transparency Directive in Poland should be published in the second half of September 2025; however, as there are certain key issues to be internally agreed yet with other authorities, this deadline is rather unlikely to be met by the Ministry. According to this unofficial information (to be confirmed when the official draft implementing bill is published):</p> <p>(i) there will be a separate legal act to fully implement the Directive in Poland (it is not yet known whether the above-mentioned provisions on recruitment introduced in the Polish Labour Code will be further amended);</p> <p>(ii) no additional requirements or duties, beyond what is expressly required under the Directive, will be imposed on the employers under the Polish implementing legislation;</p> <p>(iii) the implementing legislation is expected to come in force on 1 June 2026; however, the first reporting will be only for the period after 1 June 2026 (not for the whole 2026);</p> <p>(iv) the Labour Ministry will share tools to calculate the gender pay gap, but there will be no new tool for the purpose of reporting gender pay gap under the Directive.</p>	

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