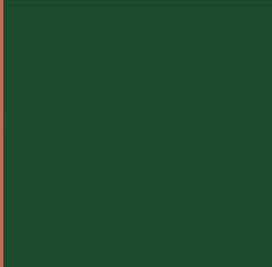


# Littler 2019 European Employer Survey Report

November 2019



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**This report summarises and analyses the results of Littler’s second annual survey of the legal and human resources issues having the greatest impact on European employers. It is based on survey responses from more than 550 in-house counsel and HR professionals across Europe.**

*Disclaimer: Survey questions and their resulting findings do not represent any specific political affiliation or preferences of Littler, nor do they constitute any legal, economic or political advice.*

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## Executive Summary

European employers — not unlike society as a whole — are increasingly navigating a variety of social and equality-related issues, including those related to fair pay, sexual harassment and diversity and inclusion. In its **2019 European Employer Survey**, global labour and employment law firm Littler found that companies across the continent are significantly boosting efforts to address these issues, channeling their concerns into concrete actions.

Of course, these are among the many issues keeping HR and legal departments busy. Workplace mental health has emerged as a top concern among European employers, as has Brexit. The United Kingdom’s looming exit from the European Union is causing the ground to shake throughout the continent, but a surprisingly high level of employers feel prepared. They are also hopeful (perhaps overly so) that conditions won’t change much for skilled employees working in the United Kingdom.

## Workplace Equality

Among various workplace equality issues, respondents are focusing the greatest amount of attention on equal pay. The vast majority of employers (85 percent) are [taking steps to address this issue](#), up slightly from 80 percent in the 2018 survey. This level of engagement is higher than in America, where 63 percent of respondents said they are taking action on pay equity, according to [Littler’s 2019 US Employer Survey](#). European employers are taking steps such as revising hiring practices and compensation policies, as well as working to facilitate the advancement of female and minority employees.

The survey data suggests that European employers are taking less action to address sexual harassment in the workplace than their US counterparts — a finding that aligns with reporting in such publications as [NPR](#) and the [New York Times](#) that the #MeToo movement has not reached the same level of intensity in some European countries as seen in the US. Still, European companies have [stepped up](#) efforts in this area in comparison to the 2018 survey on several fronts, including more proactively addressing complaints and implementing new procedures to manage them.

With increased awareness of the detrimental impact of unconscious bias on efforts to improve diversity and inclusion in the workplace, European employers are starting to [take steps](#) to address this issue. The most common actions are developing strategic plans to mitigate unconscious bias (30 percent) and partnering with organisations that can provide diverse candidates (28 percent).

## Workplace Mental Health

Employers are increasingly focused on workplace mental health, likely the result of such forces as an aging workforce, rapidly evolving technology and market pressures requiring employees to do more with less. In reflecting on a list of various HR issues creating concern in their workplaces, more respondents were “extremely concerned” about workplace mental health (17 percent) than any other issue, including sexual harassment (12 percent) and equal pay (12 percent).

The presence of mental illness in the workplace, of course, isn’t new. Estimates going back [almost two decades](#) show that 20 percent of the EU working population “has some type of mental health problem at any given time.” Even if it’s not yet a daily focus for HR departments, workplace mental health is now on the agenda of virtually every conference and discussion forum among employment lawyers and executives in Europe.

The stigma associated with mental health problems still exists, but those affected are increasingly willing to speak out. Workplace mental health has [made headlines](#) across the continent and around the world, moving from internal dialogue in factories and offices into the courts and other public forums. Simultaneously, colleagues, HR departments and even entire organisations have become more inclined to address the issue proactively and constructively.

Against this backdrop, nearly nine in 10 respondents (87 percent) say their organisations [are taking a variety of steps](#) to support the mental health of employees. And more than a quarter (28 percent) say their [organisations are effective](#) at reintegrating employees affected by mental health issues back into their workforces. However, the survey data also suggests that this area is still evolving. A plurality of respondents (38 percent) don’t know if their organisations are effective in this regard, and 29 percent say they have not reintegrated employees.

## Brexit

Since voters in the UK shocked the world and voted to leave the EU in 2016, dealing with the potential Brexit fallout has been a headache for many companies. For the past three years, there has been an ongoing lack of clarity on exactly how the UK will leave the EU, when it might do so, or even whether it will. This year’s survey was conducted in late summer 2019, as Prime Minister Boris Johnson took power, and it closed just over a month before October 31 — a Brexit deadline that had been set in April. Survey respondents were considering the likelihood of a no-deal Brexit, which some observers said [would be “calamitous”](#) for UK employers and the broader economy. In late October, the Brexit deadline was extended to January 31, 2020, and the UK Parliament voted to hold a general election on December 12.

Despite the fog of uncertainty, employers seemed to be [taking the matter in stride](#). Nearly half of survey respondents (48 percent) said they were somewhat or very prepared for the breakup, and just 12 percent said they were unprepared or somewhat unprepared. Others were “neutral” or said they would not be affected by the employment implications of Brexit. This confidence is likely bolstered by respondents’ optimism — perhaps unfounded — that the UK would enact a skills-based immigration system after Brexit eventually takes effect. Nearly two-thirds of UK-based respondents (59 percent) feel that such a system [will enable](#) the nation to remain a global hub for skilled workers, while only 8 percent express scepticism.

These and other issues — including a significant rise in [spending related to the EU’s General Data Protection Regulation](#), trends in [AI and robotics use](#) and the impact of the European Court of Justice’s decision on [employee working time monitoring](#) — are covered in detail in the analysis that follows.

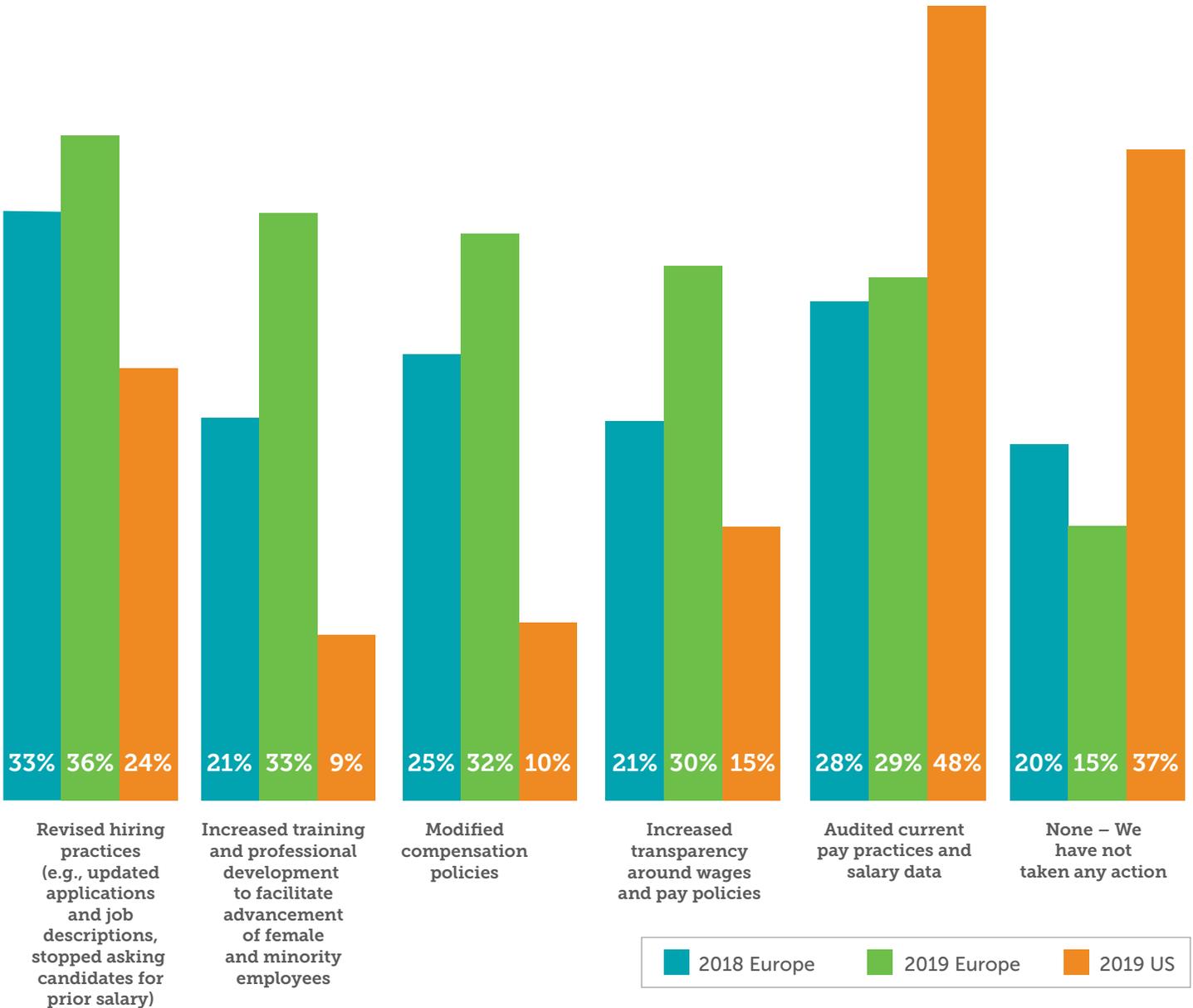
*In the charts that follow, some aggregate percentages do not equal 100 percent due to rounding or because respondents were invited to select more than one answer. Refer to [page 30](#) for more detail on the survey methodology and a breakdown of respondent demographics.*

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## Equal Pay

Which of the following actions has your company taken as concerns about equal pay in the workplace continue to intensify? (tick all that apply)



European employers have dedicated considerable energy to addressing equal pay in the workplace in 2019. Respondents were asked about five potential actions and reported at least some increase in engagement over 2018 levels for all of them. The greatest increases were in providing female and diverse employees with more training and opportunities for advancement (up 12 percentage points), improving transparency around wages and pay policies (up nine percentage points) and modifying compensation policies (up seven percentage points).

What's behind these actions? Several countries, including the UK, France, Germany, Ireland, Spain and Italy, have enacted or introduced legal measures related to pay gap reporting at a company-wide level. But employers appear to be taking actions beyond those required by law, perhaps driven by a desire to protect themselves from liability, negative publicity, worker actions and other risks.

By country, French respondents report taking greater action, particularly conducting audits (37 percent are doing so compared with 29 percent overall) and revising hiring practices (40 percent, compared with 36 percent overall). German companies report a higher rate of modifying compensation practices (39 percent, compared with 32 percent overall).

Comparing the results to Littler's 2019 US Employer Survey, more European employers (85 percent) are proactively combating pay inequity than US employers (63 percent), and Europeans were more active on all but one of the specific actions covered in the survey. The exception: nearly half of US respondents (48 percent) are conducting audits, compared to fewer than a third (29 percent) of European respondents. This difference may be due to the popularity of data-driven approaches to compliance in the US. It may also be possible that European employers are not taking this step because they already completed audits in years past.

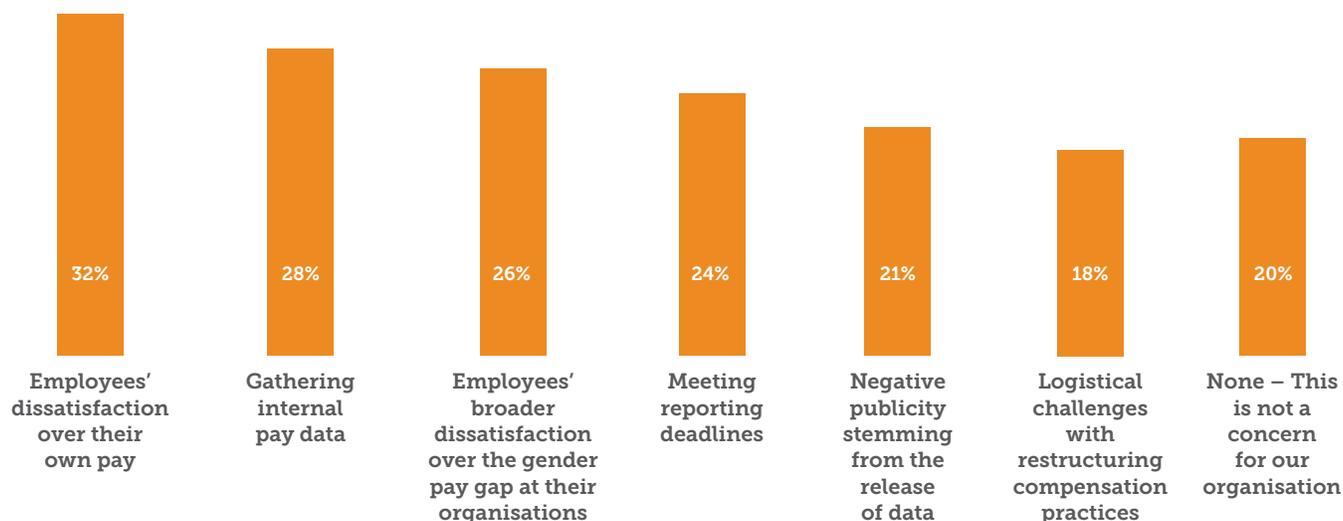


**In addition to legal liability, employers are worried that pay inequities in their workplaces could negatively impact their reputations, the satisfaction of employees and their ability to attract talent. Particularly as labour markets tighten, recruiting and retaining qualified employees is a challenge and it becomes more difficult if current and potential employees are concerned about being comparatively underpaid.**

**Thomas Griebe**, Littler Partner, Germany



**As European countries – including Britain, France and Ireland – institute or explore requirements for companies to conduct and report the results of gender pay gap audits, what are your organisation’s key concerns in complying with these laws? (tick all that apply)**



Employer concerns regarding mandated gender pay gap audits span a variety of issues. The biggest concern, expressed by 32 percent of respondents, is that this exercise will stir up employee discontent regarding their personal compensation. Pay grievances are frequently driven by individual employees' dissatisfaction with their own compensation, and data showing the degree to which companies are paying women less than men on average could stoke this discontent further. That being said, the data reported is aggregated and anonymised, making it difficult for individuals to make direct comparisons between their colleagues' salaries and their own.

A fifth of respondents had no concerns. Some of these organisations may have already implemented adequate measures. Others may be unaware of the degree to which they could be impacted. It's also possible that many companies believe that compliance in this area is relatively straightforward. If companies implement requirements and bring their practices in line with industry averages, the risk of claims or negative publicity is relatively low. Therefore, the self-assurance of those who have no concerns over pay inequity may in fact be justified.

By country, UK respondents expressed greater concern about the challenge of gathering internal pay data (36 percent, compared with 28 percent overall). French employers are somewhat more worried about meeting reporting deadlines (28 percent, compared with 24 percent overall) and employee dissatisfaction over their own pay (35 percent, compared with 32 percent overall).

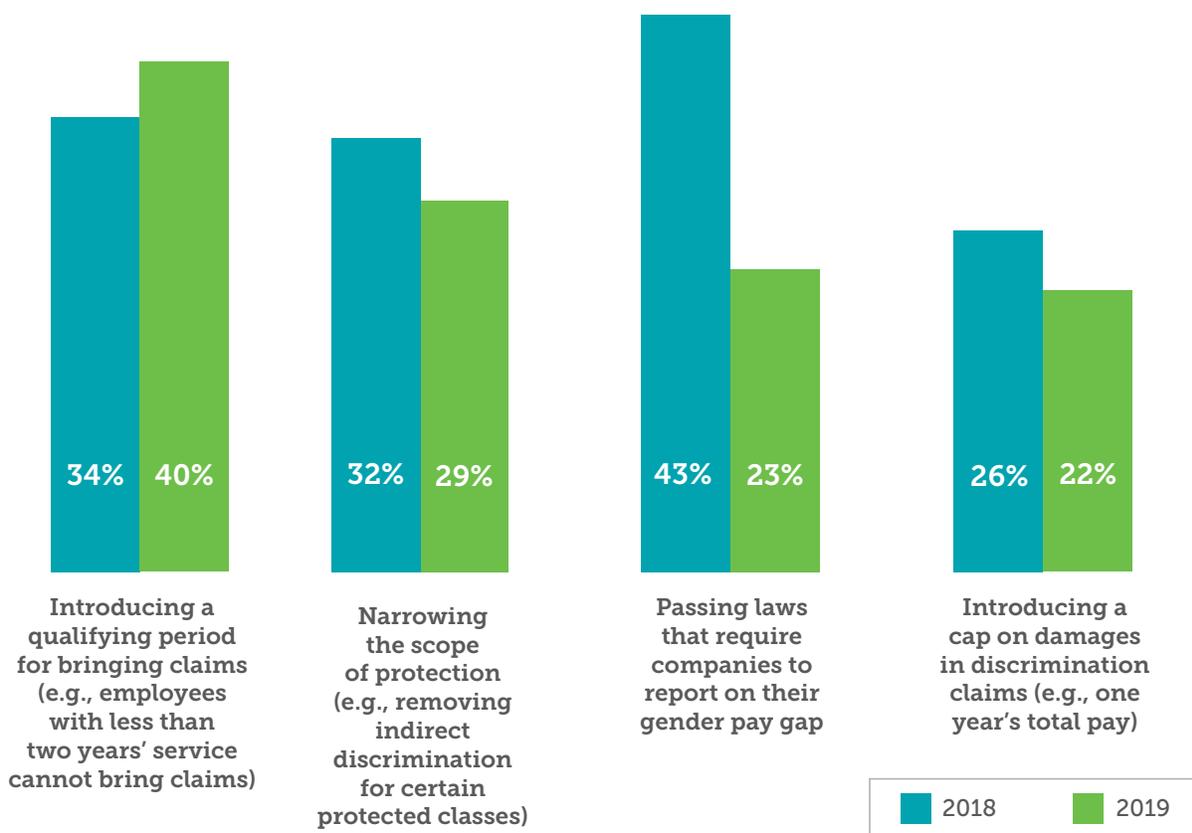


**European employers are under increased pressure from regulators, their internal workforces and the public at large to demonstrate that they are taking action to reduce their gender pay gaps. Employers who are committed to tackling this issue and making meaningful change are going beyond basic legal compliance and creating action plans, including close examination of their policies and practices related to recruiting, promotion and compensation, along with their overall culture.**

**[Raoul Parekh](#)**, Littler Partner, UK



**Which of the following adjustments to discrimination and equal pay law would you like to see implemented across the EU? (tick all that apply)**



Of the four potential modifications to discrimination and equal pay law included in the survey, three would benefit employers by limiting liability or making it more challenging for employees to file claims. Among these, only one — introducing a qualifying period for bringing claims — received stronger support this year than in the 2018 survey (up from 34 to 40 percent). This increase was largely driven by UK respondents, 54 percent of whom supported this adjustment and, in fact, the UK has a qualifying period of two years for some claims.

Surprisingly, employer support *decreased* for the two other measures that would protect employers. Only 22 percent (down from 26 percent in 2018) favor a cap on damages in discrimination claims, and 29 percent (down from 32 percent in 2018) support narrowing the scope of protection. This trend may stem from a desire to support individuals affected by pay inequity or from a belief that while addressing the problem head-on may be painful for employers in the near term, having a more diverse, equitable and productive workforce is worth the effort.

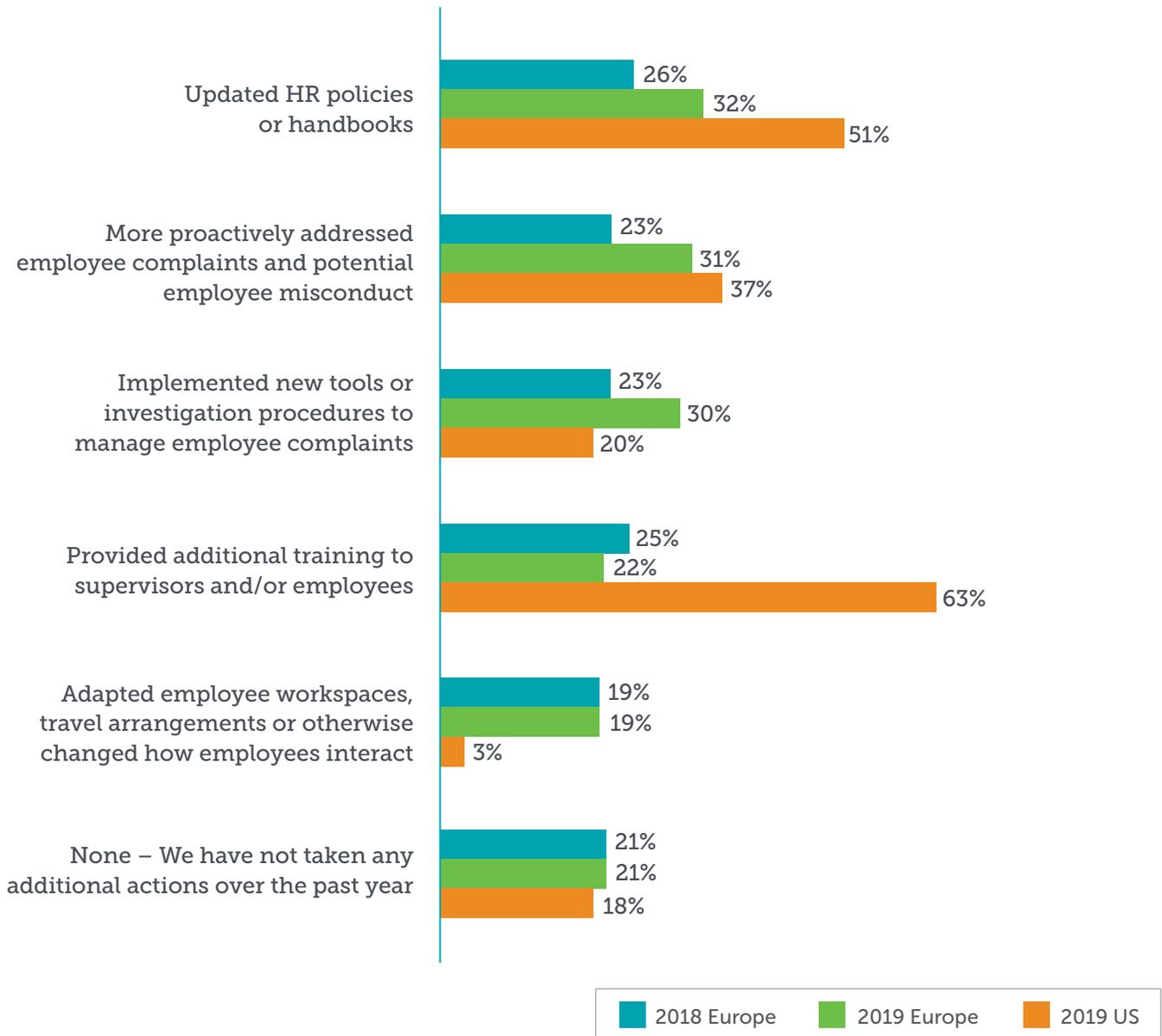
Nearly a quarter of employers (23 percent) favor laws requiring companies to report on the pay gap between the men and women who work for them. More progressive companies have been using strong gender-pay-equity performance to tout their record and bolster recruiting, and forcing less equitable competitors to disclose their pay gap would further help these strong performers.

Support for such a measure dropped significantly from 2018, however. This finding could signal that some organisations have learned they are not performing as well as they had previously believed. The decline in enthusiasm also may reflect the struggles employers faced in complying with pay gap reporting requirements, leaving them hoping for a lighter regulatory burden.



## Workplace Sexual Harassment

In response to the increase in sexual harassment accusations and the #MeToo movement, which of the following actions has your company taken over the past year? (tick all that apply)



While the #MeToo movement may not have reached US levels in Europe, employers are nonetheless taking workplace harassment seriously. Similar to the 2018 survey, 79 percent are taking action and, of the steps included in the survey, companies were more active by six to eight percentage points on three: updating HR policies (from 26 percent in 2018 to 32 percent in 2019), strengthening investigative procedures (from 23 to 30 percent) and proactively addressing complaints and misconduct (from 23 to 31 percent).

Surprisingly, only 22 percent of respondents said their companies are conducting *additional* training for employees and supervisors, down from 25 percent in 2018. This result is in stark contrast to Littler's survey of US employers, in which sexual harassment training was the top action taken by 63 percent of respondents – a finding perhaps driven by the increase in state laws requiring training. Since training is usually a first step, the lower percentage may signal that training has leveled off at European companies responding to the survey and that most are continuing to train their employees at the same level as they have in previous years. Given that training programmes can provide a defence to company liability in many countries, however, European employers may consider taking a proactive approach despite the lack of a formal requirement for training.

Comparing respondents from different countries, UK employers indicated taking the most action. Only 14 percent of UK respondents said they are not taking any additional steps to address sexual harassment in the workplace (compared to 21 percent overall), and they were more aggressive in adapting how their employees interact (24 percent in the UK, compared with 19 percent overall) and in proactively addressing complaints (35 percent, compared with 31 percent overall). German companies were most likely to be strengthening investigative procedures (39 percent, compared with 30 percent overall).



**Given that strict regulatory action has not been widespread in the countries surveyed, employers appear to be taking action to address sexual harassment in order to ensure a positive workplace for employees and help protect themselves from liability. Concern and attention to this issue have led European employers to take a range of concrete actions and boost their efforts to combat it.**

**Merete Furesund**, Littler Partner, Norway



**Which of the following measures being considered or implemented by European governments do you think will help combat sex-based harassment and discrimination in the workplace? (tick all that apply)**



Of all the measures being considered or implemented by European governments to combat sex-based harassment and discrimination, 42 percent believe it would be most effective to require companies to designate a point of contact for workers to bring allegations. This option may appeal in part because it is a relatively easy step for employers to take and could deliver a tangible benefit for those affected. But despite its perceived effectiveness, no EU country appears to be considering such a proposal at this time.

About a third of respondents back the next three steps, each of which is more burdensome for employers: requiring companies to report on the state of gender equality (35 percent), implementing a legal duty for employers to prevent sexual harassment (33 percent) and making anti-harassment training mandatory for all employees (30 percent). Mandatory anti-harassment training is the law in Belgium and is increasingly common in other regions around the world, but it is not yet required in many European countries.



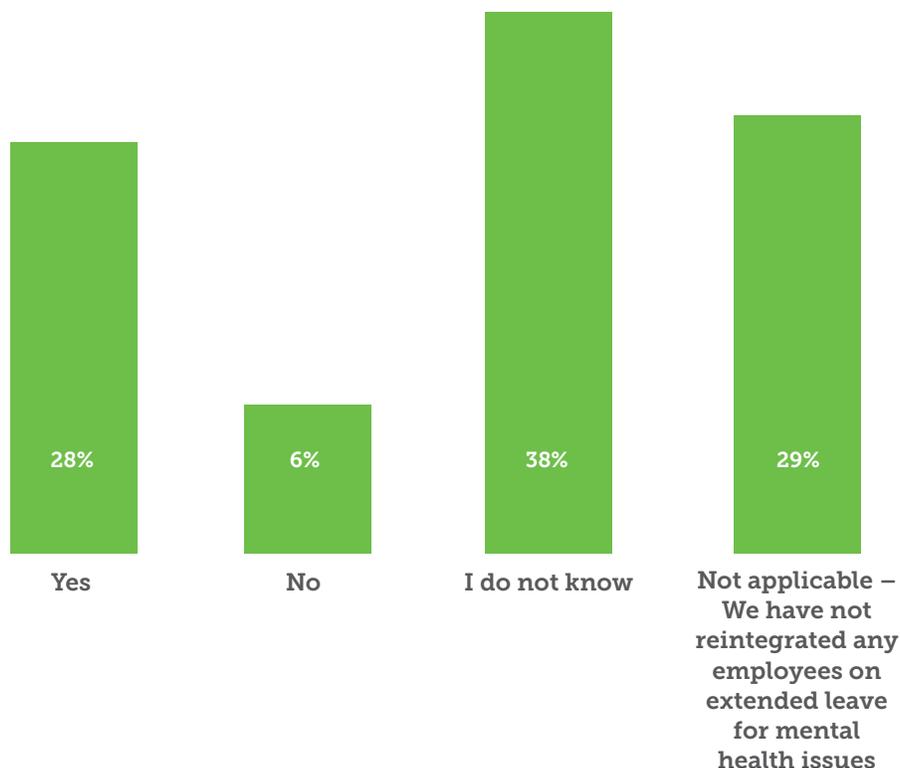
**It is interesting that a considerable percentage of HR professionals and in-house counsel responding to our survey support measures that would require additional time and resources for them to implement. This may reflect a recognition of what respondents believe is right for society as a whole and for individuals affected by workplace harassment, not necessarily what is best for their companies.**

**Carlo Majer**, Littler Partner, Italy



## Workplace Mental Health

Do you think your organisation is effective at reintegrating employees who have been on extended leave for mental health issues?

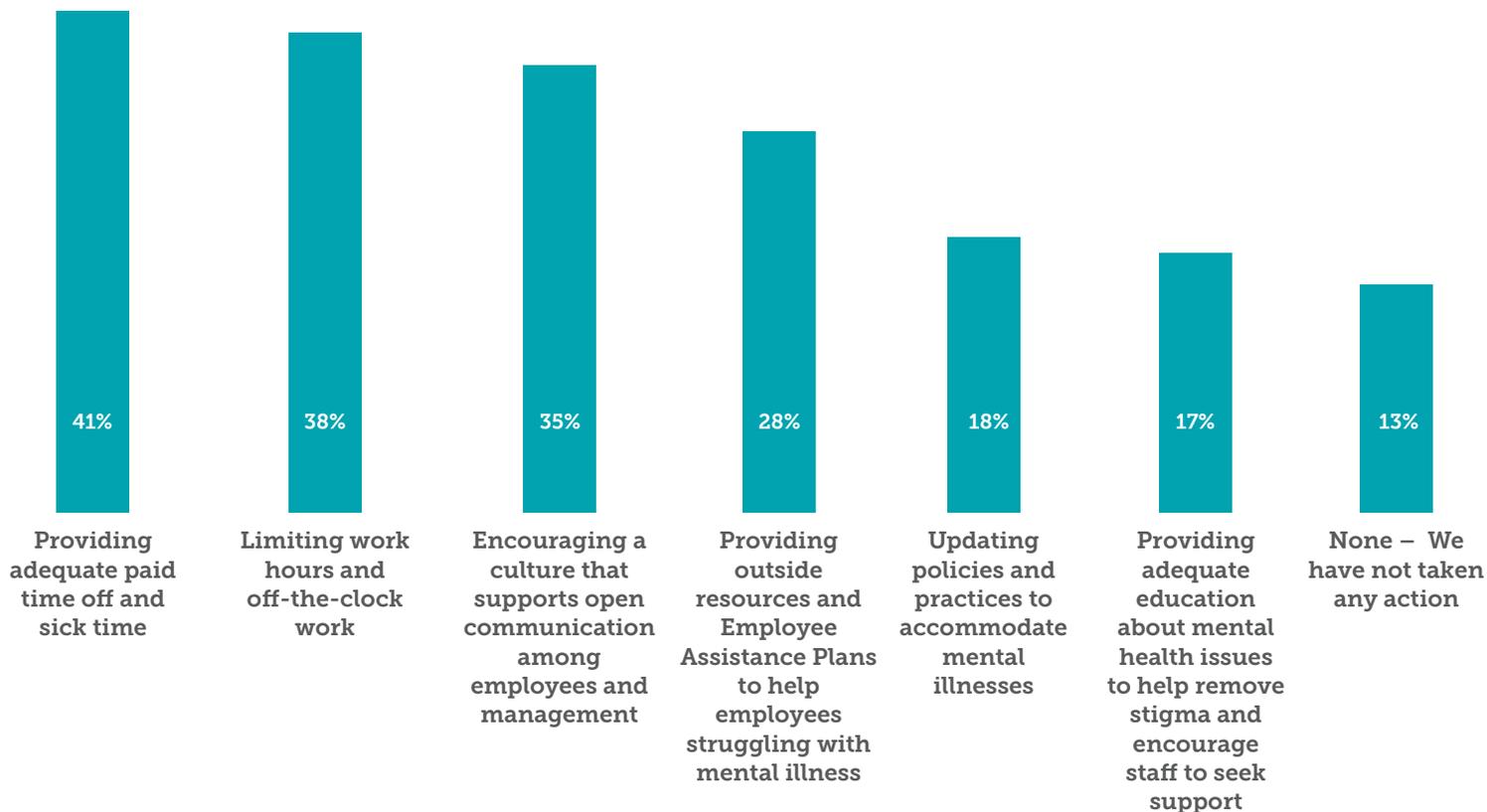


In the past, employees were often expected to deal with mental illness on their own. Today, employers increasingly believe they have a role to play, regardless of whether the problem emerged under their watch.

Companies are also putting greater emphasis on helping workers recover. More than one in four respondents (28 percent) said they have been successful in reintegrating workers who have suffered from mental health issues; only 6 percent indicated that they have been unsuccessful. In open-ended responses, the most frequently mentioned action taken to successfully reintegrate employees was providing flexibility to help them ease back into their roles, including providing a part-time staggered return, flexible work arrangements, reduced hours and adapted positions. Several others stressed the importance of regular and open communication, as well as the development of an ongoing reintegration plan that includes training and consultation with external health professionals.

In addition to altruistic motives, employers are likely addressing mental health to help their employees be most effective at work. Lost productivity due to mental illness costs Europe US\$140 billion per year, [according to the World Health Organization](#). In the UK, workplace mental illness [is estimated](#) to cost 2 percent of GDP. Given the shortage of high-performing employees with specialised skills, companies are eager to avoid sacrificing productivity or losing key people because of an unhealthy environment or excessively stressful practices.

**What steps has your organisation taken to foster a workplace that supports the mental health of employees? (tick all that apply)**



Effective solutions to workplace mental health problems can be difficult to come by, but companies are not letting that stop them from trying. The majority of respondents (87 percent) said they are actively addressing employee mental health, and on average, these companies are implementing at least two of the six measures mentioned in the survey.

The most common measures include providing adequate time off (41 percent), limiting work hours and off-the-clock work (38 percent) and encouraging a culture of open communication among employees and management (35 percent). The latter percentage in particular can be expected to continue to rise in the years ahead as more companies seek to develop an open, communicative culture to expose bullying, conflicts and similar social stress factors that contribute to workplace mental illness. Fostering an environment where employees feel comfortable speaking openly about mental health can help reduce the stigma and isolation that render mental illness difficult to address.



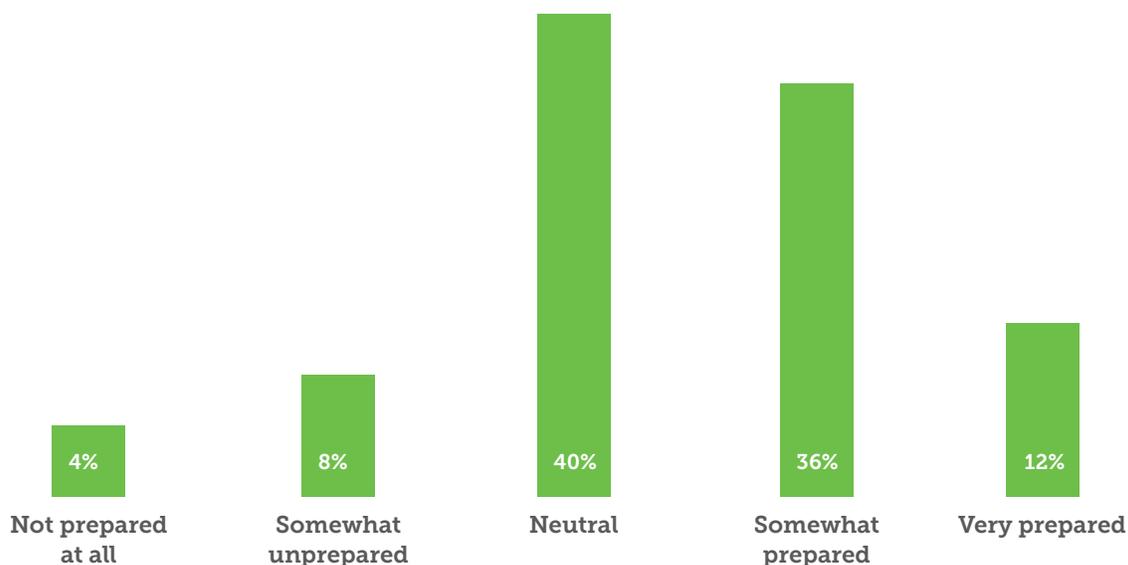
**Workplace mental illness is having its #MeToo moment. It's always been there, but now it's being acknowledged as a serious concern. Given the array of forces driving the issue, we can expect continued momentum as workers feel more comfortable speaking out and companies become more involved in order to retain talent, reduce workplace stress and promote productivity.**

**[Stephan Swinkels](#)**, Coordinating Partner International, Littler



## Brexit's Impact on Employment

How prepared do you think your organisation is for the employment-related impacts of Brexit?

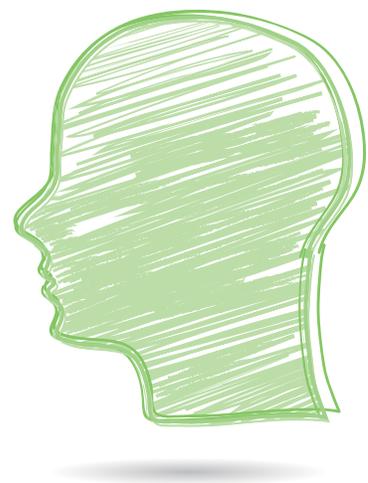


Only a small number of respondents (12 percent) said they are unprepared or somewhat unprepared for Brexit's employment impacts. This result perhaps reflects the long three years that have passed since the 2016 decision to leave, but is still surprising given the expected impact and continuing uncertainty surrounding the UK's planned exit from the EU.

A plurality of respondents (40 percent) said they were neutral, which likely comprises three groups: UK businesses without significant EU employees, EU businesses without significant UK employees and employers taking a wait-and-see approach. One respondent said, "We're just trying to carry on as normal until we have more info about Brexit." Another company adopting a wait-and-see policy said they "believe the problems have been overstated." In open-ended responses, some said they think Brexit might not happen at all, or that it won't happen soon. Companies that depend on such best-case scenarios, rather than planning for Brexit's potentially far-reaching effects, might find themselves unprepared for real business risks.

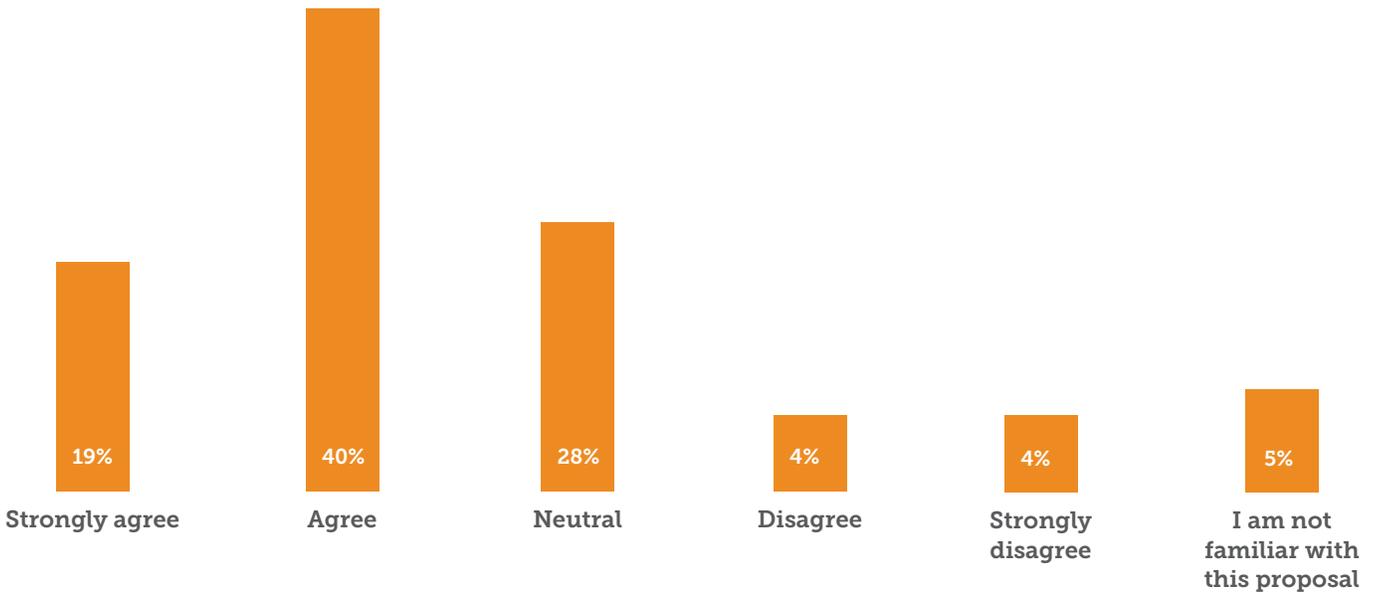
Nearly half of respondents said they are very prepared (12 percent) or somewhat prepared (36 percent). Respondents in the UK — who arguably face the greatest risks — expressed an even higher degree of preparedness. Eighteen percent said they are very prepared, 49 percent said somewhat prepared and no UK respondent indicated not being prepared at all. This contrasts with a [recent analysis](#) by the Confederation of British Industry (CBI) on *overall* preparedness, which concluded that “no one is ready” for a no-deal Brexit, an outcome that was increasingly likely at the time of the survey.

Why do so many HR officials believe their companies are prepared? In many cases, employers have taken proactive steps to protect themselves, despite the uncertainty. For instance, respondents told us they have moved their headquarters out of the UK, opened new offices on the mainland, boosted recruitment of UK graduates or identified employees who would be affected to plan for work permits or replacements. Another explanation is that employers are convinced that the UK will negotiate a robust cross-border deal for knowledge workers, alleviating the employment-related impacts of Brexit.



To what extent do you agree with this statement: The UK’s future skills-based immigration system – which the government plans to introduce when EU nationals can no longer freely work in the UK following Brexit – will allow the UK to remain a hub for skilled workers from around the world.

NOTE: This chart reflects feedback from respondents based in the UK



The UK government has said it wants to enact a skills-based immigration system after Brexit eventually takes effect. Without such a system, many high-end businesses that depend on a global talent pool, particularly in technology and financial services, would be forced to relocate. When asked if the “future skills-based immigration system will allow the UK to remain a hub for skilled workers from around the world,” more than half of UK respondents (59 percent) said they believe it would; 28 percent were neutral.

These positions may reflect an excess of optimism, however. Even before further delays in late October (which followed completion of the survey), policymakers had made little progress toward a workable deal for leaving the EU that also would protect the nation’s status as an international business hub – despite the fact that more than three years have passed since the initial vote in 2016. Meanwhile, facilitating immigration at any level is not politically popular in the UK, making it risky for businesses to rely on the eventual passage of a skills-based immigration system.

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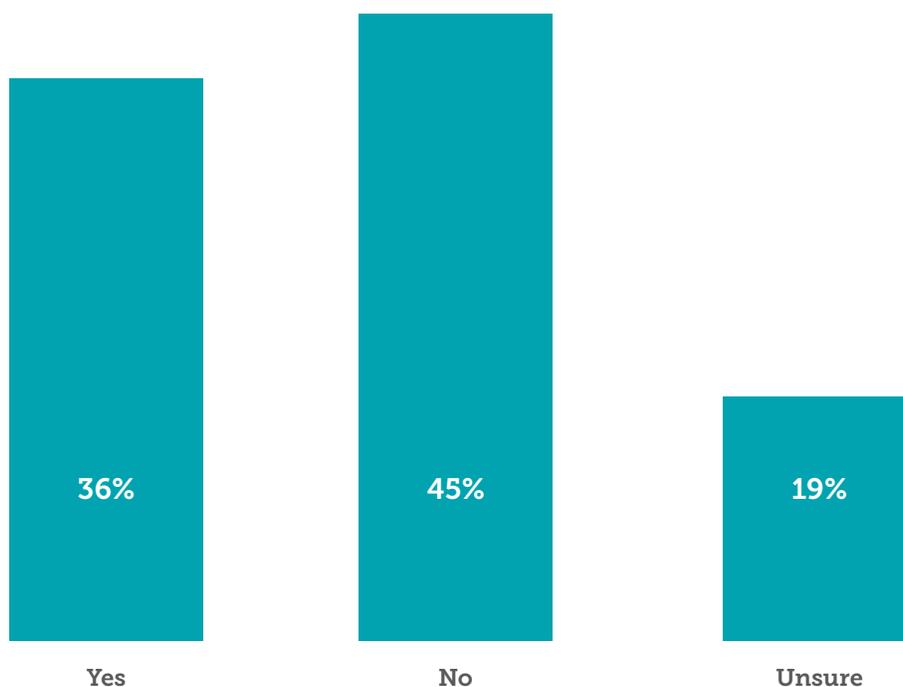
**For UK employers, having access to the skilled workers they need to run their businesses is absolutely critical. A general climate of uncertainty that makes preparation difficult as companies don't know what they are preparing for – combined with the anti-immigrant sentiment, including against non-British EU nationals, that has been a key driver behind Brexit – leaves a great deal of ambiguity around a post-Brexit skills-based immigration system.**

**Paul Quain**, Littler Partner, UK



**Is your organisation taking steps to move the base of its European Works Council (EWC) from the UK in case the UK leaves the EU with 'no deal'?**

*NOTE: This chart reflects feedback from respondents whose EWC is based in the UK*



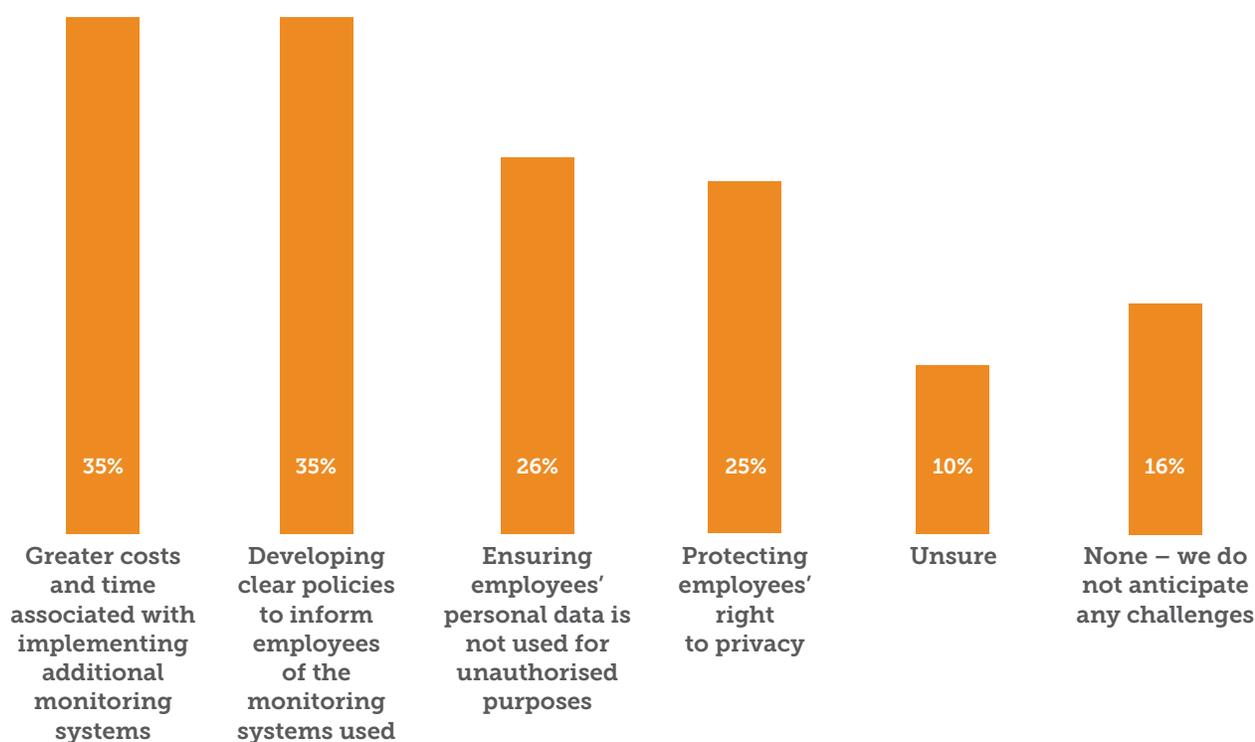
Brexit will affect existing and new EWCs, especially those based in the UK. One issue companies are facing is whether to relocate their EWCs outside the UK in the event of a no-deal Brexit. Not only will no new EWCs be able to be established in the UK after a no-deal Brexit, but UK- or non-EU-based businesses that chose the UK as the home of their EWCs via the appointment of a “representative agent” will need to relocate.

Many companies are proactively appointing representative agents in states other than the UK to protect their position, with Ireland a popular choice (as an English-speaking common law jurisdiction). Many US companies perceive the UK as a receptive industrial relations environment compared to other places in Europe, with UK representatives proving a positive influence on their European colleagues (at least from management’s perspective).

Of the respondents whose EWCs are UK-based, 36 percent said they are taking steps to leave the UK in case Brexit occurs without a deal, while 45 percent have no such plans. It’s possible that the 45 percent are waiting to see the terms of the UK’s agreement with the EU, in the hope of keeping UK representatives and unions involved so they can have an influence on their counterparts elsewhere in Europe. Alternatively, it may simply be that companies are not going to invest in significant changes until they get more clarity on what is likely to happen.

## Working Time Regulations

Which of the following challenges do you anticipate your organisation will face as a result of the decision by the European Court of Justice in *Confederación Sindical de Comisiones Obreras v Deutsche Bank SAE*, which obligates governments to require employers to take more steps to monitor employee working time? (tick all that apply)



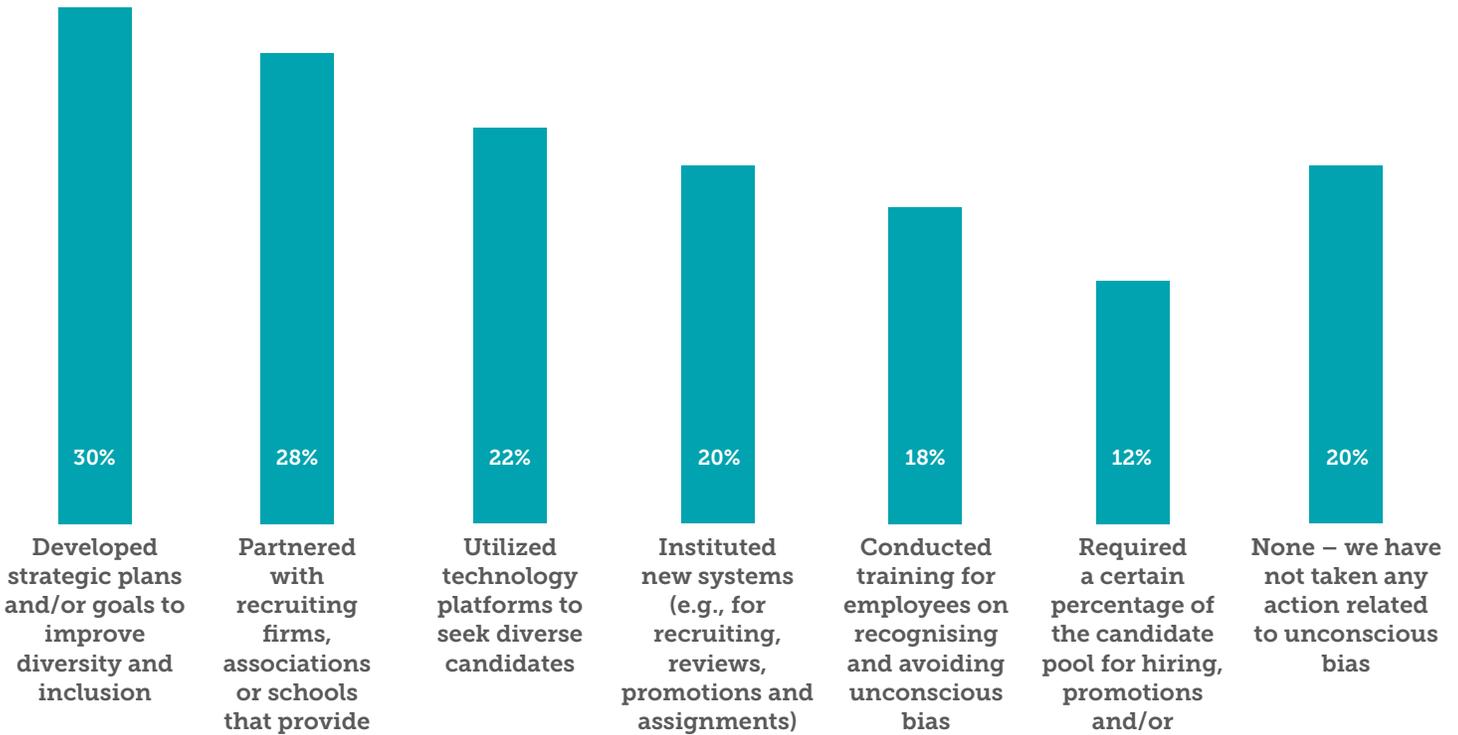
In *Confederación Sindical de Comisiones Obreras (CCOO) v. Deutsche Bank SAE*, the European Court of Justice effectively ruled that, in accordance with the [European Working Time Directive](#), European governments must mandate that employers keep a record of the actual hours each employee works. In the near term, the ruling obligates only the Spanish government to mandate this duty. Employers outside Spain will not be required to keep such records until their national governments pass similar measures. Given the bureaucratic burden this ruling puts on employers, governments may not adopt any such measures until they are required by the court.

Nonetheless, in contemplating this requirement's eventual implications, employers are concerned about a variety of challenges. The two biggest involve the greater costs and time associated with implementing additional monitoring systems (35 percent) and developing clear policies to inform employees of the monitoring systems used (35 percent). About a quarter of respondents are concerned about ensuring employees' data is not used for unauthorised purposes (26 percent) and protecting employees' right to privacy (25 percent).

## Diversity and Inclusion

Which of the following actions, if any, has your organisation taken to mitigate unconscious or implicit bias (i.e., subconscious attitudes that influence our decisions) in the workplace?

(tick all that apply)



In recent years, unconscious bias has become a more common discussion topic, driven not only by fear of discrimination lawsuits and liability, but also by a recognition that diverse teams operate more effectively and drive better business results.

Attention to this issue has been picking up momentum and translating into action. The majority of respondents (80 percent) are taking steps to fight unconscious bias. The most common actions include developing strategic plans and/or goals to improve diversity and inclusion (30 percent) and partnering with organisations that can provide diverse candidates (28 percent).

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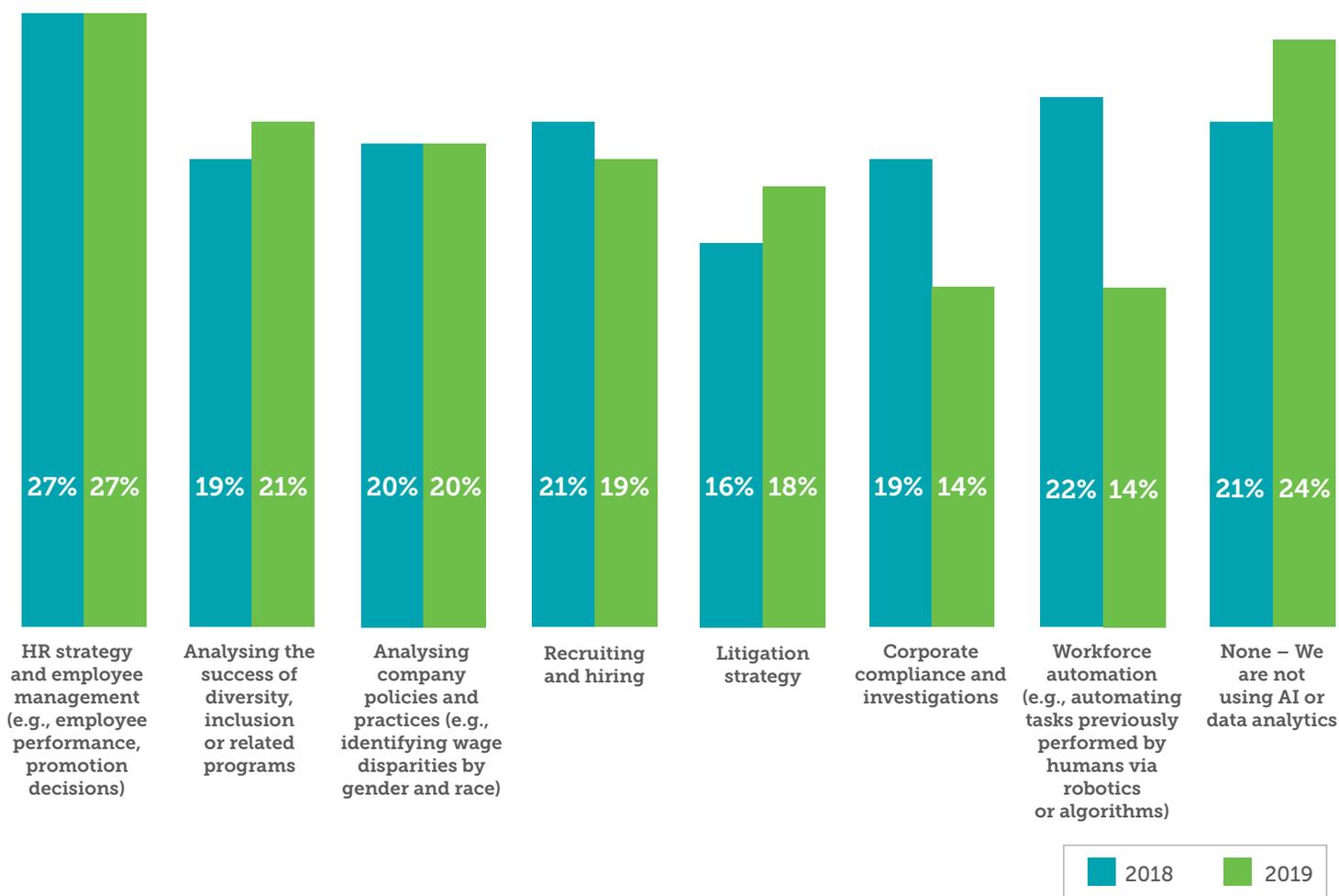
**European companies across industries are starting to recognise that having a diverse workforce with different backgrounds and perspectives contributes to their success. We expect companies to boost their efforts to combat unconscious bias as awareness of this issue grows and as they experience – or hear from other companies experiencing – the positive effects for talent retention and profitability.**

**Anne-Valérie Michaux**, Littler Partner, Belgium



## AI, Robotics and GDPR

In which of the following areas is your organisation using artificial intelligence or data analytics to improve workforce management decisions? *(tick all that apply)*



European employers' use of AI and robotics has not changed substantially in the past year. In fact, two applications dropped fairly significantly: use of these technologies in corporate compliance and investigations (19 percent in 2018 compared with 14 percent in 2019) and automation of tasks previously handled by humans (down from 22 to 14 percent).

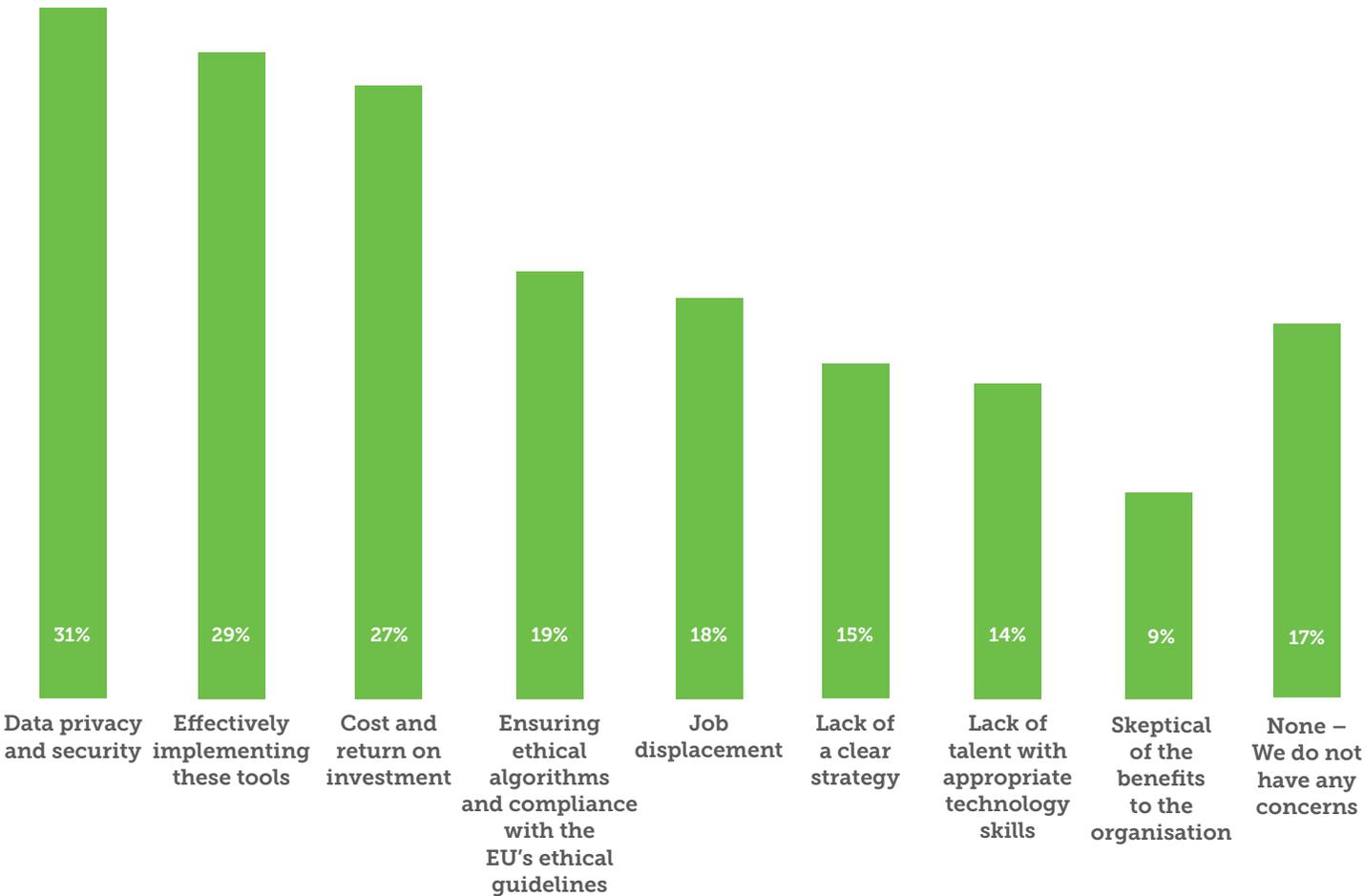


**While the impact varies by industry, on a whole, European employers are not yet aggressively embracing AI and robotics as they remain preoccupied with a range pressing issues impacting their workplaces. However, awareness is rising and adoption can be expected to increase as the pool of available technologies continues to grow and companies realise the many benefits, from streamlining recruiting and hiring to reducing unconscious bias and supporting diversity initiatives.**

**Dennis Veldhuizen**, Littler Partner, Netherlands

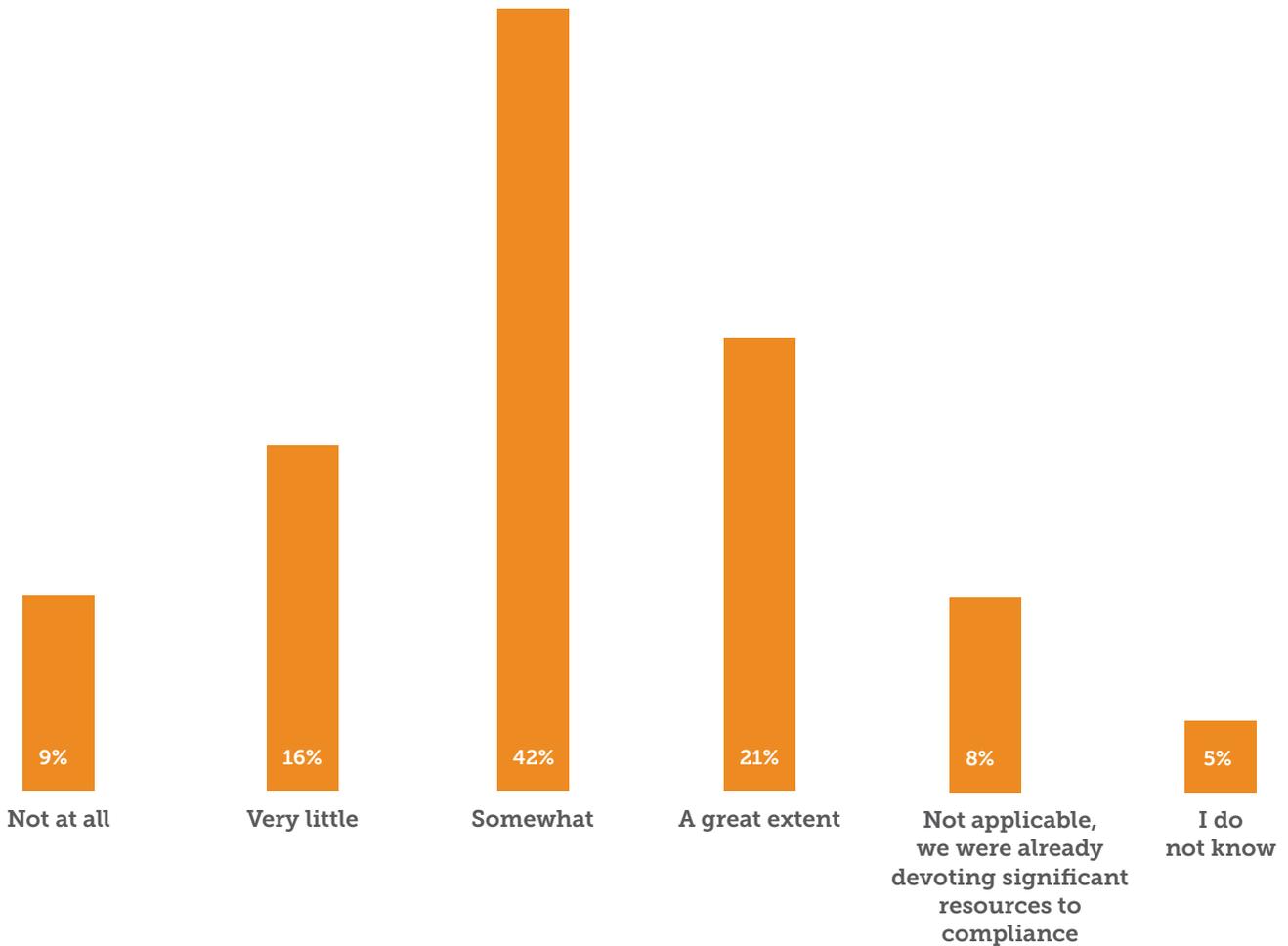


Which of the following represent concerns or barriers for your organisation in implementing artificial intelligence or analytical tools into your HR function? (tick all that apply)



It's been more than a year since the EU's General Data Protection Regulation (GDPR) took effect, and several large fines have been assessed for non-compliance. So it's perhaps not surprising that employers said the biggest barrier to implementing AI and analytical tools is data privacy and security. This rationale may partly explain the relatively slow uptake of AI and robotics, but employers are also concerned about whether they are effectively implementing these tools (29 percent) and whether their cost is justified (27 percent). Just 17 percent of respondents said they have no concerns over implementing AI or analytics in HR.

**To what extent is your organisation increasing resources devoted to compliance with the General Data Protection Regulation (GDPR) following the rise in enforcement and in fines levied against companies for violations. (tick all that apply)**



GDPR compliance – which involves continuously gathering and analysing data, ensuring appropriate documentation and assessing ongoing risks – is costing employers more than many expected. Nearly two-thirds of respondents (63 percent) said they are increasing resources either somewhat or to a great extent, and another eight percent have already devoted significant resources. UK respondents were allocating an even higher amount of resources to GDPR compliance, as 32 percent said they had boosted resources to a great extent and only 1 percent said they had not increased resources at all.

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**“Given the hype leading up to GDPR, it’s easy to forget that compliance is not a one-time exercise and that the stakes are higher with the rise in enforcement. However, in the process of complying with GDPR, employers also have to consider how new privacy practices and policies figure into the employment relationship. For instance, companies must balance compliance with limitations on the retention periods of personal data with the fact that such data can be necessary for their defence in a legal dispute.”**

**Sophie Pélacier-Loevenbruck**, Littler Partner, France



## Methodology and Demographic Profile of Respondents

In August and September of 2019, 572 professionals completed Littler's 2019 European Employer Survey via an online survey tool.

Respondents primarily comprised HR professionals (62 percent) and in-house lawyers (36 percent) and were from a range of countries across western Europe

- Belgium (4 percent)
- France (33 percent)
- Germany (19 percent)
- Italy (13 percent)
- Netherlands (6 percent)
- Norway (5 percent)
- United Kingdom (20 percent)

Companies represented were of a variety of sizes:

- More than 10,000 employees (9 percent)
- 5,001 to 10,000 employees (7 percent)
- 1,001 to 5,000 employees (17 percent)
- 501 to 1,000 employees (21 percent)
- 101 to 500 employees (23 percent)
- One to 100 employees (23 percent)



At Littler, we understand that workplace issues can't wait. With access to more than 1,500 employment attorneys in over 80 offices around the world, our clients don't have to. We aim to go beyond best practices, creating solutions that help clients navigate a complex business world. What's distinct about our approach? With deep experience and resources that are local, everywhere, we are fully focused on your business. With a diverse team of the brightest minds, we foster a culture that celebrates original thinking. And with powerful proprietary technology, we disrupt the status quo — delivering groundbreaking innovation that prepares employers not just for what's happening today, but for what's likely to happen tomorrow. For over 75 years, our firm has harnessed these strengths to offer fresh perspectives on each matter we advise, litigate, mediate, and negotiate. Because at Littler, we're fueled by ingenuity and inspired by you.

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