

# Matthias Stelzer

## Counsel



Counsel

Berlin

D +49 30 26 47 36 45

matthias.stelzer@dentons.com

## Overview

Matthias Stelzer is a counsel in Dentons' Berlin office. He is a certified specialized lawyer for employment law and advises primarily medium-sized businesses on all aspects of individual and collective employment law.

He focuses on the individual and collective employment law related conception and implementation of individual personnel measures (transfer, dismissal, pay scale grouping etc.) as well as complex staff reductions, including negotiations with employee representation bodies. He represents employers throughout Germany in lawsuits before labour courts, regional labour courts and the Federal Labour Court.

## Experience

- **Various medium-sized companies:** Providing ongoing employment law advice and advising on all issues of daily personnel work, representing in labour court proceedings, in particular in unfair dismissal lawsuits.
- **Various medium-sized companies under self-administration as well as (insolvency) administrators:** Providing employment law related advice in the context of insolvencies with regard to comprehensive personnel restructuring and investor processes, including the conception and the implementation of a transfer of undertakings within the meaning of Sec. 613a German Civil Code (Bürgerliches Gesetzbuch/BGB).
- **Various clients:** Providing employment law related advice in the context of company valuation resp. due diligences (buyer and vendor perspective).
- **Suppliers/staff agencies and other clients:** Providing advice on temporary employment, especially with regard to the amendments of the German Act on Temporary Work (Arbeitnehmerüberlassungsgesetz/AÜG) in 2011 and 2017 (drafting employee leasing agreements etc.; advising on setting up of alternative third party-related deployment of personnel (freelance contracts etc.)).

## Insights

### Articles

- Regular publications in the *Dentons Newsletter Arbeitsrecht*
- Co-author, “Entscheidungen kommentiert: Abfindung nach Entlassung während Elternzeit“, *Arbeit und Arbeitsrecht*, July 2019
- Co-author, “Betriebsvereinbarungsoffenheit – Arbeitsbedingungen durch Betriebsvereinbarungen regeln“, *Arbeit und Arbeitsrecht*, June 2019
- Co-author, “Vergütung von Arbeitszeit, Ungeahnte Gestaltungs- und Einsparpotenziale,“ *Arbeit und Arbeitsrecht*, 2013
- “Schadenersatz wegen nicht rechtzeitiger Annahme eines Altersteilzeitantrages, Urteilsbesprechung BAG, Urteil 27.1.2011 - 8 AZR 280/09,“ *Betriebs-Berater*, 2011
- Co-author, “Lebensarbeitszeit richtig regeln, Überblick. Wer langfristige Personalplanung betreibt, sollte auch die Möglichkeit prüfen, Arbeitszeitkonten bis zum Rentenalter durchzuplanen,“ *Personalmagazin*, 2010
- Co-author, “Zwischen Betriebsstilllegung und Betriebsfortführung in der Insolvenz,“ *Der Arbeitsrechtsberater*, 2006
- Co-author, “Auskunft über Arbeitnehmer,“ *Der Arbeitsrechtsberater*, 2005

## Books

- Co-author, “Arbeitsschutz und Gefährdungsbeurteilung (Strukturen, Pflichten, Rechtsfolgen, Beispiele), Huss / AuA, 2017

# Activities and Affiliations

## Prior and Present Employment

- Counsel, Dentons (formerly Salans), Berlin, 2009 to date
- Associate, Beiten Burkhardt Rechtsanwaltsgesellschaft mbH, Berlin, 2008-2009
- Associate, Göhmann Partnerschaftsgesellschaft, Braunschweig, 2004-2008
- Research Assistant, Göhmann Partnerschaftsgesellschaft, Magdeburg, 2002-2003

# Areas of focus

## Practices

- Employment and Labor
- Executive Employment and Severance Agreements
- Employment and Labor in Germany

## Industry sectors

- Automotive
- Cloud and Hosting Services
- Commercial Banks

- Industrial Equipment and Components
- Information Technology (IT)
- Luxury, Fashion and Beauty
- Software
- Automotive in Germany

## Education

- Legal clerkship, 2001-2003, Magdeburg
- Martin-Luther-University of Halle-Wittenberg, 2000, Legal studies

## Admissions and qualifications

- Specialized Lawyer for Employment Law, Germany, 2007
- Admitted to the bar, Germany, 2004

## Languages

- English
- German