

The value of our shared humanity

As part of our #LockdownLessons series, Bizcommunity is reaching out to South Africa's top industry players to share their experience of the current Covid-19 crisis, how their organisations are navigating these unusual times where the challenges and opportunities lie, and their industry outlook for the near future.

 By [Shan Radcliffe](#) 25 May 2020



Bruce Schubach



We chatted to Bruce Schubach, chief operating officer of Baker McKenzie Johannesburg, to get his take.

■ *How has the Covid-19 lockdown changed your typical working day?*

Bruce Schubach: Across Baker McKenzie globally, many of our people are rising to the challenge of not being in the office and not meeting clients face to face. As a firm, we have enjoyed and benefited from a smooth transition to working remotely with all of our offices globally having had nearly all of their teams working remotely for significant periods of time over the past few months.

In some ways, especially if you have a good technology set up, as we are lucky enough to have at Bakers, there are ever increasing efficiencies. At the same time, we are mindful of our responsibilities to our people to ensure a proper work-life balance.

Our Johannesburg office recently conducted an internal remote working survey and the results indicate that Johannesburg employees are generally happy working from home, for now. The survey pointed to a likelihood that after Covid-19, we will see a much greater uptake of our agile working programme. In the survey, the majority of our employees (35.62%) said they would be comfortable to work from home indefinitely, and just over 40% saw themselves working from home for at least a few days of every week, once the lockdown had ended.

■ *What measures have you had to implement to continue operating?*

Schubach: Our global agile working programme includes sophisticated technology and IT systems which enable remote working across our firm without impacting our operations. Our people are equipped to work from home or from alternate locations across our global network of 77 offices, to serve our clients' needs without interruption. Further, our Global IT solutions allow for work products to be accessed securely by other staff in other locations, if one office encounters loss of human capital. Our business continuity plans extend to our subcontractors. We have liaised closely with our subcontractors to assess their own business continuity plans and have ensured that they are robust to support our business operations.

The next logistical challenge globally will be as offices re-open - as ours are starting to do in Asia Pacific and parts of Europe - ensuring we do that in a measured, controlled and gradual way - always putting the safety of our people first. For

the short to medium term, how we work together will change.

The extended period of remote working has led us to rethink our global approach to business travel and meetings. We now have a far better appreciation of, and rapidly gaining experience and learnings in, how some business interactions can be solved virtually. We are conducting virtual hearings smoothly and effectively. We are closing multijurisdictional deals and engaging in complex client discussions and advice, across multiple time zones over our video conference systems. We are better connected within the global firm whether it is through town halls with thousands of participants, or regular, smaller team calls. Our firm has proved how adaptable we can be to a new challenge.

And while it's too early to know what parts of the remote work we will adopt as regular practices globally in the longer-term, it is important that the technology infrastructure and processes are in place to facilitate our work and client service, regardless of our location. As we move to a different balance of in-person and virtual business interactions, we will also keep in mind our target of reducing our carbon footprint.

■ How has the lockdown affected your staff? What temporary HR policies have you put in place regarding remote working, health & safety, etc.?

Schubach:

Temporary policies

Locally, we tested and implemented a remote working policy involving all employees before the official lockdown commenced and so our business was able to function as normal once the lockdown was announced by President Ramaphosa.

Employees took home all the necessary IT equipment and were trained to set up their equipment and operate the full suite of remote working and virtual meeting tools. Team and client meetings continue to take place via video and teleconferencing.

We Care

Maintaining employee health and cohesion at a time when no-one is in the same building is also difficult, and as such, we implemented the We Care initiative in our Johannesburg office. This includes guidance on staying healthy during the pandemic as well as team building initiatives via group video calls, quiz nights, dress-up days, competitions, challenges and activities to keep our teams focused, unified and motivated.

For example, as part of We Care, the firm has initiated Baker Backchat Talks during which people from the office speak about their hobbies, interests and passions. The firm also schedules regular TED Talk viewings followed by informal chats. Chats with wellness guru Richard Sutton are also on the agenda, as well as Masterchef classes with Baker's partners. As an example of a recent competition, teams had to compile their lockdown playlists and an impartial DJ lawyer chose the winner. Our eighth birthday was celebrated in May via a virtual office party!

We have also implemented weekly yoga classes via the Zoom online app, continuing on from the regular lessons that took place in the new office gym before the lockdown began. Our employees can also participate in online Zumba classes – aimed at keeping our teams connected, fit and healthy during the weeks of isolation.

Wellness programme

To further combat the detrimental effects of the stress caused by Covid-19 on employee health and wellbeing, we are using an innovative health and well-being programme developed by an internationally recognised health and performance education and consultant Richard Sutton.

Client Care

Our Johannesburg office's We Care initiative has been extended to include our clients. We are running a series of Client Care initiatives, starting with a practical and science-based workshop featuring Sutton. Sutton will share his insights and knowledge around ways that individuals can navigate the current Covid-19 and quarantine crisis, with a view to building his

performing teams in the months and years ahead.

■ ***What are some of the biggest challenges you're facing at this time?***

Schubach: Across the firm's global practice areas, our Employment, Banking & Finance, Dispute Resolution and increasingly Restructuring and Insolvency lawyers are all busier than usual. Even within our global M&A and Capital Markets teams there are still deals being done, but just not at the pace of recent years. Overall, our revenues are holding up pretty well in the circumstances across the global firm, with just over a month of our financial year remaining.

In our Johannesburg office, we have found that for many of our remote workers, the workload has increased as a result of the impact of Covid-19 and time is even more limited than before. For others, work has provided a welcome relief from the loneliness that comes from having to keep a social distance. For everyone, the stress of this pandemic can bubble to the surface, leaving us wondering about its personal implications and if life as we know it will return, sooner or later. For business and team leaders, managing this stress has become a business imperative. For all of us, it is a new way of working. Adapting to this requires effort from the firm in creating channels and forums for people to be heard and for implementing their suggestions. It is also helpful to involve staff in the evolution process - this way they have input into, and can help design and influence, the new way of working.

Globally, the firm is prioritising our people's health and safety and their physical and mental well-being, with the aim to ensure that we come through this period stronger together. To achieve this, the firm has been working with its managing partners around the world on exploring and rolling out a range of temporary potential solutions. These actions will be tailored for each market, given legal, employment and other requirements, and also varying business, financial and market conditions.

■ ***Now is the time to innovate and experiment. What is the company doing?***

Schubach: In order to close deals on the continent in a post Covid-19 environment, clients in Africa need access to the right information and data. The success of a transaction depends on having real knowledge instead of relying on market perception, particularly for markets where there is lack of reliable, industry-specific information and accessible data. Our clients have previously noted in our Johannesburg-based Design Thinking workshops that communication in multijurisdictional matters and deals, can be overwhelming in Africa, particularly where differing terms are used in different jurisdictions, making it difficult for them to understand the large volumes of communication coming in from varying advisors at the same time. Not only do clients want more information, but they also need better ways of streamlining this correspondence across various stakeholders on multijurisdictional transactions.

Globally, we have created a dedicated hub on our external website - *Beyond Covid-19 – Resilience, Recovery and Renewal* - where clients find a repository of our client insights and Guides on Covid-19, by both topic and region. Our Johannesburg office has provided information on the impact of Covid-19 across Africa and in South Africa, covering various factors including government relief schemes, changes to regulations, Covid-19 impacts, and recovery and renewal strategies. Similar information is available for a multitude of jurisdictions around the world.

Our global firm has a design thinking model for the delivery of its innovative legal services – by asking its clients what they need and then building solutions with them. This has led to the implementation of, for example, a global e-discovery and investigations platform which has dramatically reduced lawyer time on transactions, and employs document analytics tools which use machine learning and natural language processing to improve the accuracy of documents and extract relevant data from large sets of documents. Tools such as these can enable the effective implementation of multinational projects spanning 60 or 70 countries at a time at a surprisingly rapid pace – an incredibly useful tool in a continent with so many different legal systems. Having access to the latest legal innovation tools and platforms means we can increase the speed and efficiency of transactions in post Covid-19 Africa.

■ ***What ripple effects are you witnessing in the industry? Do you believe the Covid-19 pandemic has caused a fundamental shift in the industry that will outlast the lockdown, or do you see industry returning to its BC (before coronavirus) norm once all is over and done?***

Schubach: The aftermath of the lockdown will have lasting consequences and we will not return to a "Before Covid-19" state. Many businesses will be unable to continue and those that do will need specialist legal advisors who understand the specific

impacts of the pandemic on their businesses.

In addition, the entire legal landscape has undergone a number of changes and remains fluid as the crisis continues. Lawyers will have to be adaptable to keep up with constantly developing legal frameworks. To help businesses during this time of continued uncertainty, lawyers must provide accurate and reliable knowledge and advice in order to help clients deal with the challenges of recovering from the crisis.

The shift to agile working and the focus on workplace health and safety will take centre stage for many businesses and we can expect changes to HR policies and business strategies going forward. For us, agile working has enabled lawyers to move beyond the boundaries of traditional flexible working and we think this approach will become a key part of how all law firms operate in the future.

■ ***Give us your predictions for the next 6 months...***

Schubach: Hopefully within the next six months we will be over the worst of the pandemic and the focus will be on recovery and renewal, both in terms of the impacts on society and the economy.

The rapidly changing and uncertain environment will remain for some time and law firms will need to keep an eye on the horizon, constantly looking for new ways to support their clients. Dynamic law firms will respond to post-Covid-19 challenges by being adaptable; accessing real, on-the-ground knowledge and data; tapping into multijurisdictional expertise; collaborating in seamless global teams; and harnessing technologies to improve compliance and assist clients with their legal challenges.

At this unprecedented time in which innovative ideas are required to navigate a new world, characterised by overwhelming uncertainty, it has never been more important to foster and harness the power of diverse teams who are empowered to work together to find new solutions. Those businesses that have successful D&I programmes are expected to weather the time ahead with resilience, easing the process of recovery during times of crisis. D&I fosters innovative participation, which gives rise to a confluence of creative ideas arising from the richness of different backgrounds and experiences, all of which work together in the formulation of solutions to business challenges and idea-generation. Diverse spaces ultimately lead to better outcomes than homogenous spaces.

Law firms also have a responsibility to the communities in which they operate and pro bono assistance and support will be an integral component of our legal work in a post Covid-19 world. We are committed to providing legal aid to those that need it as we turn our focus to the recovery and renewal of our country and its people.

■ ***What has been your biggest lesson from all this?***

Schubach: There is an increased need to be versatile in their ways of thinking and working. Those that embrace change are more likely to survive, and thrive.

Most importantly, this global pandemic has taught us the value of our shared humanity and the importance of our collaboration - across the world, in all communities and cultures. We are only as strong as the weakest among us and in times of crisis, our support for each other matters most.

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