



# Young Hwan KWON

Korean Attorney

TEL +82-2-6200-1877  
FAX +82-2-6200-0811  
E-MAIL [yhkwon@jipyong.com](mailto:yhkwon@jipyong.com)

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Mr. Young Hwan Kwon mainly advises and represents clients on human resource management/labor, and industrial accidents and safety.

He is also one of the co-authors of “Commentary on the Trade Union and Labor Relations Adjustment Act” published by Korea Society of Labor Law of the Supreme Court of Korea, “Online Commentary on the Industrial Accident Compensation Insurance Act,” and “Commentary on the Occupational Safety and Health Act” published by LAWnB.

Mr. Kwon began his career as a certified public labor consultant in 2002, focusing on labor-related matters. From 2014 to 2016, Mr. Kwon served as a law clerk at the civil division (responsible for labor matters) and administrative division (responsible for labor and fair trade matters) of the Seoul High Court. During his time there, he worked on a number of significant labor cases, such as those involving employee’s status, ordinary wages, illegal dispatch, time-off system, and unfair labor practices.

After joining JIPYONG LLC, Mr. Kwon has shown himself to be a successful attorney in labor-related cases. He specifically obtained a victory in two Supreme Court cases. He argued for the legal principle in the interpretation of employment rules in a court case involving the client’s disciplinary measure, and for the legal principle regarding the Restriction of Special Taxation Act in another case where a taxi company’s wage payment in question, which resulted in the Supreme Court overturning the lower court’s decision. In addition, Mr. Kwon has successfully defended clients in criminal cases involving violations of the Labor Standards Act and the Act on the

Protection, etc. of Temporary Agency Workers, by obtaining non-indictment decisions or suspensions of sentencing.

Mr. Kwon obtained a master's degree in International Human Rights Law from the University of Leiden, the Netherlands, in 2021, with a research project on EU's proposed bill on corporate human rights due diligence, and is a lecturer in Civil Practice at University of Seoul Law School.

## Education

2021	Leiden University (LL.M., Advanced Studies Programme in European and International Human Rights Law)
2014	University of Seoul Law School (J.D.) (President's Scholar Award)
2010	Hanyang University (LL.M.)
2003	Korea University (B.A. in Political Science & International Relations)

## Experience

2016-Present	JIPYONG LLC (Partner)
2023-Present	Member, Human Rights Management Committee, Korea Development Bank
2023-Present	Adjunct Professor, University of Seoul Law School (Civil Practices)
2022-Present	Advisor, ESG Special Committee, Seoul Bar Association
2021-Present	Commentary Editor, a commentary on the Trade Union Act published by Society of Labor Law in Supreme Court
2017-Present	Online Commentary Editor, the Occupational Safety And Health Act and Industrial Accident Compensation Insurance Act, LawnB
2014-2016	Law Clerk, Seoul High Court (Civil, Administrative)
2009-2011	Research Assistant, Korea Labor Institute · Korean Society of Labor Law
2003-2005	Policy Director, Korea Power Plant Industry Union

## Notable Achievements

### [Litigation]

- Represented in litigation related to the employee status of outsourced contract workers
- Represented automotive companies, construction companies and public corporation, etc. in litigation related to illegal dispatch
- Represented in litigation related to refusal to renew terms of temporary workers/exclusion of an employee from conversion to non-fixed term employees

- Represented hospitals, financial institutions, shipbuilding companies, construction companies, steel companies, etc. in claim for payment of overtime allowances (ordinary wages)
- Represented in claim for payment of bonus and voluntary retirement allowances filed by retirees
- Represented in litigation seeking for confirmation of invalidation of wage peak system
- Represented in litigation involving various disciplinary actions and personnel appointments including placement on waiting list, transfer, demotion, suspension and dismissal
- Represented in injunction on labor disputes such as prohibition of strike, prohibition of obstruction of business, etc.
- Represented in cases involving violation of duty of fair representation and unfair labor practice
- Represented in cases relating to accident on duty including myocardial infarction, cerebral hemorrhage, disparity of knees, etc.
- Represented in criminal cases involving the violation of Labor Standards Act, Act on the Temporary Agency Workers, Labor Union Act, Occupational Safety and Health Act, Employment Insurance Act, etc./ represented in criminal cases, including business interference, violation of the Information and Communications Network Act, and defamation, etc.

#### [Consultation]

- Provided consulting service related to the method of operation of outsourced contract workers and subcontracts
- Advised on the investigation of bullying and sexual harassment in the workplace Advised on M&A and outsourcing and employment succession
- Advised on whether wage payment falls under the category of the average wage, prevailing wage, or minimum wage payment
- Advised on disciplinary procedures and disciplinary modalities
- Advised on procedures for amending employment rules
- Advised on responding to labor disputes
- Advised on criteria and methods for implementing obligations under the Occupational Safety and Health Act and the Serious Accidents Punishment Act

## Honors and Recognitions

2022                      Rising Star in Labor & Employment, Legal Times

## Speaking Engagements and Publications

#### [Books]

2023                      Lexology Getting the Deal Through: Labour & Employment 2023 - Korea Chapter, Law business Research

2023                      Commentary on the Trade Union and Labor Relations Adjustment Act by the Korea Society of

Labor Law of Supreme Court(co-author), Parkyoungsa  
 2023 Guide to Human Rights Management (co-author), The Korea Economic Daily  
 2021-2024 Administrative Interpretation of Major Labor Cases (Co-Author), JoongAng Economy  
 2020 Onju "Occupational Safety and Health Act" (Co-author), LAWnB  
 2020 Labor Rights, Human Rights Report 2019 Vol. 34, Korean Bar Association  
 2020 Major Labor Cases and Decisions & Labor Columns (Co-Author), JIPYONG LLC  
 2018-2023 Lexology Getting the Deal Through: Labour & Employment - Korea Chapter, Law business Research  
 2017 Onju Industrial Accident Compensation Insurance Act (co-author), LAWnB  
 2009, 2011 Medical Laws: Medical Technicians, etc. (Co-author), Soomoonsa  
 2009, 2010 Abridged Commentary on Health and Medical Laws: Medical Personnel (Co-author), Soomoonsa

**[Columns]**

2023 Violation of Collective Agreements and Criminal Punishment, Monthly Labor Brief. October 2023  
 2023 Access to the Workplace by Non-Employee Labor Union Members, Monthly Labor Brief. June 2023  
 2023 HR/Labor management issue regarding recording/filming without consent, Monthly Labor Brief. February 2023  
 2022 How Adidas earned "honors" in the Human Rights Management Assessment, The Korea Economic Daily  
 2022 Cautions for taking Disciplinary Action Against Workers Who Are Victims of Workplace Harassment, Monthly Labor Brief. August 2022  
 2022 EU Human Rights Due Diligence Laws: Why Korean Companies Are Not Immune, The Korea Economic Daily  
 2022 Need for Attention to the Implementation of the Employment Sex Discrimination Remedy Claims Filing System and the Mandatory Disclosure of ESG Information, Monthly Labor Brief. March 2022  
 2022 How to Properly Investigate Computers and E-mails at Workplace, Monthly Labor Brief. January 2022  
 2021 Trends in Mandatory Labor Rights Due Diligence for Suppliers and Supply Chains, Monthly Labor Brief. October 2021  
 2019 Legal Issues of Unfair Hiring Practices (2), Monthly Labor Brief. April 2019  
 2019 Legal Issues of Unfair Hiring Practices(1), Monthly Labor Brief. January 2019  
 2016 Effect of Public Entity Collective Bargaining Agreements Not Approved by the Board of Directors, Monthly Labor Brief. April 2016

**[Research Articles and thesis]**

2021 From Social Responsibility to Legal Obligation: Analysis on the EU Draft Directive on Corporate

- Due Diligence and Corporate Accountability, Leiden University LL.M.
- 2011 Review on “distinction between worker dispatch and subcontract”, Labor Law Review Vol. 30, The SNU Society of Labor Law
- 2010 Assignment of workers as regulatory authority over productive decentralization, Labor Law Review Vol. 28, The SNU Society of Labor Law
- 2010 The legal regulation of production decentralization in Spain (master’s thesis), Hanyang University

## Bar Admissions & Qualifications

- 2014 Korea
- 2002 Certified Public Labor Attorney (Korea)

## Languages

Korean / English