

■ Case Highlights ■

Successful representation of a company against a female employee who was dismissed on account of assault and abuse of authority, etc.

A complaint against a female employee was filed through an internal reporting channel of a company on account of her assault, abuse of authority and inappropriate behavior. The company subjected her to disciplinary dismissal after internal investigation and disciplinary committee. The employee filed an application for remedies against unfair dismissal, arguing that considerable part of the charges were not true, which had been accepted contrary to her intention. JIPYONG represented the company from the proceedings at the level of the local labor relations commission, which accepted the company's assertion and found the disciplinary dismissal to be reasonable. The employee then filed for review of the decision made by the local labor relations commission.

JIPYONG pointed out that (i) the employee's conduct constituted serious violation, (ii) the people affected by her conducts were subordinate to her, and thus such conducts shall be taken more seriously, and (ii) dismissal in question was unavoidable in order to protect the victims, to prevent further damage, and to restore order in the workplace, given the corporate culture of the company. JIPYONG also effectively rebutted the issues newly raised by the employee during the decision review proceeding and pointed out the relevant problems. As a result, the review proceeding was closed through settlement, which was virtually a win for the company.

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