

■ Case Highlights ■

Successful representation obtaining recognition for lawful contracting or delegation relationship on behalf of contractor in case involving issue of illegal dispatch of private firefighters hired by contractor

An automobile manufacturer delegated the operation of an internal firefighting division to a contractor, and the contractor subcontracted the operation to a subcontractor. In this case, the subcontractor's employees who were performing the services as the firefighters were the plaintiffs complaining of illegal dispatch against the automobile manufacturer as the principal. They sought verification of the employee status and compensatory damages.

Jipyong represented the contractor which intervened as a third party to support the principal to argue and prove that the contractor fulfilled its duties as a contractor for the principal and as a contractor for the subcontractor and that the subcontractor exercised the rights of instruction and personnel management as the employer for the employees.

The Seoul Central District Court accepted the arguments of the principal and the client, and determined that there was no illegal dispatch between the principal and the plaintiffs, thereby dismissing all the claims from the plaintiffs.

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