

BAKER & MCKENZIE

# Asia Pacific Employers' Forum 2016

The Westin Singapore | Thursday, 12 May



# About the Event

## Baker & McKenzie's 2016 Asia Pacific Employers' Forum

The Baker & McKenzie Asia Pacific Employers' Forum 2016 will bring together Labor and Human Resources experts and our specialist Employment partners from across Asia Pacific to discuss current employment issues and also provide clients with practical guidance and training on the application of employment laws across multiple jurisdictions.

This year we will focus on the following key areas:

- The future of work and the impact of technology on the workforce
- Demand workforce strategies: The pros and cons of flexible working arrangements (such as zero hours and casual arrangements) and the legality of such arrangements
- A regional review on restructuring, redundancy and transferring employees
- Practical issues in terminating employees on performance ground
- An update on HR and compliance issues which companies may face in 2016

In dealing with each of these topics, we will be examining the similarities and differences in the law across the Asia-Pac region and also highlighting common themes and best practices. You will also be given the opportunity to network with other professionals in the industry.

### Conference date and location:

Singapore | Thursday, 12 May  
The Westin Singapore  
12 Marina View, Asia Square Tower 2,  
Singapore 018961

### Continuing legal education

An application has been made for Hong Kong CPD points with the Law Society of Hong Kong.

Approved for 6.5 California general CLE credits, 6.5 Illinois general CLE credits, 8.0 New York areas of professional practice CLE credits, and 6.5 Texas general CLE credits. Florida and Virginia CLE applications can be made upon request. Participants requesting CLE for other states will receive Uniform CLE Certificates.

Baker & McKenzie LLP is a California and Illinois CLE approved provider. Baker & McKenzie LLP has been certified by the New York State CLE Board as an accredited provider in the state of New York for the period 12/12/15-12/11/18. This program may earn newly admitted New York attorneys credit under Areas of Professional Practice. Baker & McKenzie LLP is an accredited sponsor, approved by the State Bar of Texas, Committee on MCLE.



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# Agenda

Time	Meeting	Speakers
8:30 a.m. – 9:00 a.m.	Registration and Networking	
9:00 a.m. – 9:15 a.m.	Welcome note and Introduction	<b>Gil Zerrudo</b> Chair, Asia Pacific Employment Group, Baker & McKenzie
9:15 a.m. – 10:15 a.m.	<b>The Future of Work</b> <ul style="list-style-type: none"><li>• Role of technology in shaping the future: Automation and roboticisation, looking at a number of direct and indirect effects;</li><li>• Non-tech effects: Ageing population, with a particular focus on Asia's population; and</li><li>• Technology and its use in the legal professional, in enforcement and as a regulatory tool.</li></ul>	<b>Peter Gahan</b> Director, Centre for Workplace Leadership The University of Melbourne
10:15 a.m. – 10:30 a.m.	Coffee break	
10:30 a.m. – 12:00 p.m.	<b>Demand Workforce Strategies &amp; Flexible Working Hours</b> <ul style="list-style-type: none"><li>• Demand Workforce Structures</li><li>• How well do they work in an APAC context?</li><li>• What might work in an APAC context?</li></ul>	<b>Moderator:</b> <b>Bryony Binns</b> Partner, Australia <b>Panelists:</b> <b>Jonathan Isaacs</b> , China   <b>Rowan McKenzie</b> , Hong Kong <b>Susie Beaumont</b> , Indonesia   <b>Tomohisa Muranushi</b> , Japan <b>Wei Kwang Woo</b> , Malaysia   <b>Kenneth Chua</b> , Philippines <b>Celeste Ang</b> , Singapore   <b>Howard Shiu</b> , Taiwan <b>Suriyong Tungsuwan</b> , Thailand   <b>Thuy Hang Nguyen</b> , Vietnam
12:00 p.m. – 1:00 p.m.	Networking lunch	



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1:00 p.m. – 2:30 p.m.	<b>Restructuring, Redundancy and Transferring Employees</b> <ul style="list-style-type: none"><li>• Employment issues that arise when companies implement major restructurings in the APAC region with particular focus on lay-offs and employee transfers;</li><li>• Legal requirements to implement lay-offs in the various APAC jurisdictions; and</li><li>• Procedures to follow when transferring employees in asset sales and to affiliates</li></ul>	<b>Moderator:</b> <a href="#">Jonathan Isaacs</a> Partner, Hong Kong <b>Panelists:</b> <a href="#">Michael Michalandos</a> , Australia   <a href="#">Rowan McKenzie</a> , Hong Kong <a href="#">Susie Beaumont</a> , Indonesia   <a href="#">Tomohisa Muranushi</a> , Japan <a href="#">Wei Kwang Woo</a> , Malaysia   <a href="#">Kenneth Chua</a> , Philippines <a href="#">Celeste Ang</a> , Singapore   <a href="#">Howard Shiu</a> , Taiwan <a href="#">Suriyong Tungsuwan</a> , Thailand   <a href="#">Thuy Hang Nguyen</a> , Vietnam
2:30 p.m. – 2:45 p.m.	Coffee break	
2:45 p.m. – 4:00 p.m.	<b>Termination on Non-performance or Cause</b> <ul style="list-style-type: none"><li>• Ways to effect termination or dismissal<ul style="list-style-type: none"><li>- Legal grounds/reasons</li><li>- Considerations</li><li>- Risks</li></ul></li><li>• Process<ul style="list-style-type: none"><li>- Procedures (Due inquiry / disciplinary / others)</li><li>- Conduct of investigations (if required)</li></ul></li><li>• Escalation to litigation - what to expect</li></ul>	<b>Moderator:</b> <a href="#">Celeste Ang</a> Partner, Singapore <b>Panelists:</b> <a href="#">Paul Brown</a> , Australia   <a href="#">Jonathan Isaacs</a> , China <a href="#">Rowan McKenzie</a> , Hong Kong   <a href="#">Susie Beaumont</a> , Indonesia <a href="#">Tomohisa Maranushi</a> , Japan   <a href="#">Wei Kwang Woo</a> , Malaysia <a href="#">Eliseo Zuniga</a> , Philippines   <a href="#">Howard Shiu</a> , Taiwan <a href="#">Suriyong Tungsuwan</a> , Thailand   <a href="#">Thuy Hang Nguyen</a> , Vietnam
4:00 p.m. – 4:15 p.m.	Coffee break	



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4:15 p.m. – 5:45 p.m.	<b>Regional Update on HR Compliance: Key issues which you may face in 2016</b> Australia, China, Hong Kong, Indonesia, Japan, Korea, Malaysia, Philippines, Singapore, Taiwan, Thailand, Vietnam	<b>Moderator:</b> Michael Michalandos Partner, Australia <b>Panelists:</b> Jonathan Isaacs, China   Rowan McKenzie, Hong Kong Susie Beaumont, Indonesia   Tomohisa Muranushi, Japan Wei Kwang Woo, Malaysia   Kenneth Chua, Philippines Celeste Ang, Singapore   Howard Shiu, Taiwan Suriyong Tungsuwan, Thailand   Thuy Hang Nguyen, Vietnam
5:45 p.m. – 5:55 p.m.	Closing remarks	Gil Zerrudo Chair, Asia Pacific Employment Group, Baker & McKenzie
5:55 p.m. – 7:30 p.m.	Cocktails	



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## Peter Gahan

Director, Centre for Workplace Leadership, The University of Melbourne

Peter began his career with a Bachelor of Commerce (Hons) at the University of New South Wales and, since then, has held academic positions at UCLA, Monash, Deakin, UNSW and The European University Institute.

He has added extensive hands-on experience in business management training to his CV along the way, including four years as Director of Workplace Innovation in the Victorian Department of Industry, Innovation and Regional Development (DIIRD).

He has published over 70 journals, books and reports commissioned for both State and Commonwealth governments. Peter's expertise covers high performance work practices, managing conflict and negotiations, management and leadership, industry trends and labour markets, and employment relations.



## Gil Zerrudo

Chair, Baker & McKenzie, Asia Pacific Employment Group

**Gil Roberto Zerrudo** is a principal in Quisumbing Torres' Employment Practice Group in Manila. He heads Baker & McKenzie's Asia Pacific Regional Employment Practice Group. He is also a member of the Firm's Global Employment Practice Group Steering Committee, the Asia Pacific Regional Council, and the ASEAN Economic Community Focus Group. He has more than two decades of experience advising on various matters relating to employment and labor litigation. He has consistently been recognized as a leading lawyer in Labor and Employment by The Legal 500 Asia Pacific and Chambers Asia Pacific. He has been speaking on various ASEAN employment law-related topics. Gil regularly advises on employment contracts, employee benefits and compensation, employee terminations, and executive compensation, benefits, transfers and terminations. He also handles occupational health and safety matters, discrimination laws advice, trade unions recognition procedures and labor litigation. He has extensive experience representing clients engaged in business process outsourcing, IT/telecommunications, pharmaceuticals and healthcare, and manufacturing. Gil also handles transactions in banking and financial services, food and beverage, and oil and gas.



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**Michael Michalandos**  
Principal, Baker & McKenzie, Sydney

**Michael Michalandos** is a principal in the Sydney office of Baker & McKenzie and is regarded as a leading practitioner in his field with over 20 years' experience as an employment and human resources lawyer, acting for major global and regional clients. Michael advises on all aspects of employment and human resources law and practice, including employment and executive agreements, executive remuneration systems, policies and procedures, workplace flexibility, performance management and termination, employee fraud and investigations, whistle-blowing, independent contracting, outsourcing, bullying, harassment and anti-discrimination claims, work health and safety, confidentiality and post employment restrictions. Michael also regularly represents employers in litigation against employees. Michael operates across a diverse range of industries include banking and finance, insurance, professional services, pharmaceuticals, media and entertainment, information technology and manufacturing. Michael places a great emphasis on delivering legal services in a fresh and innovative way, and regularly conducts in-house training and role plays for clients and contributes articles and chapters to leading publications dealing with Australian employment law and practice.



**Bryony Binns**  
Partner, Baker & McKenzie, Sydney

**Bryony Binns** is a partner in Baker & McKenzie Sydney office and has over 13 years legal experience working in both the Sydney and Melbourne offices. Her work spans all areas of employment law, with a strong focus on anti-discrimination law and addressing labour risks in change management scenarios. Whilst Bryony operates across a number of key advisory areas within the labour law arena, her practice has a strong commercial and transactional bias. She regularly teams with corporate and major projects colleagues to deal with workforce issues in large, complex transactions and change scenarios. Bryony otherwise manages all areas of employment law for a number of key corporate clients, including in relation to contentious (litigious) matters. Bryony has been consistently ranked in the area of Employment Law in Chambers Asia guides from 2011 to 2016. Clients reported to Chambers that they like Bryony for being "*strategic and very current in understanding legal issues*" as well as being "*able to provide solutions that clients don't think of*".



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**Paul Brown**

Partner, Baker & McKenzie, Sydney

**Paul Brown** is a principal in the Sydney office of Baker & McKenzie where he advises on employment law. He acts for a wide range of local and international clients on advice and litigation matters and is a highly recommended lawyer in directories including PLC Which Lawyer? Paul's practice focuses on advising clients in connection with employment law contracts, awards, negotiations and disputes with trade unions, anti discrimination issues, outsourcing and occupational health and safety related matters. He represents clients in mediation hearings and regularly appears before the Australian Federal and State Industrial Tribunals, the Anti Discrimination Tribunals and the Conciliation and Industrial Commissions. Chambers Asia Pacific 2016 has ranked him band 2 for employment. Chambers has noted that Paul is valued by clients as *"a highly experienced strategic thinker with the ability to anticipate, who understands the impacts of his decisions."*

Paul has previously held the position of Regional Head of the Asia Pacific Employment practice for Baker & McKenzie.



**Jonathan Isaacs**

Partner, Baker & McKenzie, China/Hong Kong

**Jonathan Isaacs** heads the Firm's China Employment practice. He is experienced in providing advice to multi-national companies on labor unions, collective bargaining, overtime compliance, termination issues, data privacy issues, as well as employment aspects of M&A transactions in the PRC. Chambers Asia Pacific 2016 has ranked Jonathan as a Leading Lawyer for Employment: PRC Law (International Firms) – China. According to clients, *"He is not afraid to state an opinion which may be contradictory to how the company is currently managing practices. He has good first-hand knowledge of China, which makes him a good business partner. He will ensure that we consider all points of view and all risks associated with our options."* Jonathan has shared insights on China labor issues with various publications, including The Financial Times, the Wall Street Journal, Washington Post, LA Times, Reuters, and The Economist Intelligence Unit, and has been interviewed on Voice of America and RTHK.





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## Rowan McKenzie

Partner, Baker & McKenzie, Hong Kong

**Rowan McKenzie** is a partner in Baker & McKenzie's Employment Law Group in Hong Kong. He is consistently called upon to provide advice in relation to the challenges of implementing HR strategy, anticipating problems and reducing legal risks in Hong Kong and across the region. He has extensive experience in all aspects of employment law. His recent work includes advising on employment structures and mobility arrangements, policy creation and implementation, downsizing and redundancy programs, employment-related disputes involving discrimination and sexual harassment claims, enforcement of post-termination restrictions and bonus and equity entitlements on termination. He is consistently recognized as a leading lawyer for employment by Chambers Asia Pacific and Legal 500 Asia Pacific.

Rowan also has considerable experience in issues arising from share sales and business transfers and the design, drafting and implementation of all aspects of retention and incentives arrangements including relevant securities and labour law regulations.



## Susie Beaumont

Foreign Legal Consultant, Hadiputranto, Hadinoto & Partners\*, Jakarta

**Susie Beaumont** is the head of the Employment Group at Hadiputranto, Hadinoto and Partners (a member firm of Baker & McKenzie International) in Jakarta. She has been working in Asia since 2000 and worked in Hong Kong and Singapore before moving to Indonesia in 2003. Prior to 2000 Susie worked in Sydney.

Susie has many years of experience acting for foreign and Indonesian corporations in a wide range of employment matters. Susie advises clients on various matters including termination of employment, expatriate employment, immigration, discrimination and sexual harassment, strikes, leave policies, overtime and working hours, stock options, social security, wages and allowances, secondments and outsourcing. She has also assisted clients in the settlement of a number of employment related disputes.

From 2014 to 2016 Susie has been ranked as: a Leading Lawyer in Band 1 for Employment in Indonesia by Chambers Asia, a Leading Individual for Employment in Indonesia by Asia Pacific Legal 500, and one of the most highly acclaimed legal experts in Indonesia for Labor & Employment in Indonesia by AsiaLaw Leading Lawyers. According to Chambers Asia 2016: "Head of department Susan Beaumont is well respected by sources for her *ability to encapsulate the complexities of Indonesian labour law in simple and understandable terms.*" She is praised for her deep experience in this field, and counts an extensive list of leading multinationals among her clients. One impressed interviewee highlights: "*She's particularly good at providing advice from the foreign investor's point of view.*" Asia Pacific Legal 500 2016 also quoted "*Practice head Susie Beaumont's strength is removing the mysticism of the Indonesian legal and regulatory system.*"



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**Tomohisa Muranushi**  
Partner, Baker & McKenzie, Tokyo

**Tomohisa Muranushi** is a partner in Baker & McKenzie Tokyo office and has twelve years of legal experience working in Japan. Tomohisa has extensive experience on any matters relating to labor/employment laws including designing terms and conditions of employment, reduction in force, and labor disputes. Also, he has been involved in many mergers and acquisitions, including due diligence, structuring, documents drafting, negotiation, and integration, especially from employment and labor law perspective. He also handles internal investigation relating to compliance, litigation/disputes resolution and counsels on general corporate/commercial matters including matters relating to company act and regulations, unfair trade regulations and data privacy.



**Wei Kwang Woo**  
Partner, Wong & Partners\*, Kuala Lumpur

**Wei Kwang Woo** is the head of the employment team at Wong & Partners member firm of Baker & McKenzie International. He advises clients on a wide range of employment issues, as well as mergers, acquisitions and general commercial matters. Wei Kwang has advised and represented clients on a wide range of issues relating to employment and labor law, including employment contracts, compensation, workforce reductions, performance management / misconduct terminations, mutually negotiated exits, industrial relations, dual employment, regulatory employee stock option compliance, restraint of trade, confidentiality, data privacy, anti-corruption and employer reporting requirements. He also advises clients on employee migration and legal risk management issues arising from mergers, acquisitions and outsourcing transactions. Chambers Asia Pacific 2016 has ranked him band 3 for Employment & Industrial Relations – Malaysia. According to Chambers, clients appreciate that *"he is able to make you feel very comfortable and listens to things from your perspective."*



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## **Kenneth Chua**

Partner, Quisumbing Torres\*, Manila

**Kenneth Chua** is a partner in Quisumbing Torres, a member firm of Baker & McKenzie in the Philippines. Kenneth heads the employment practice group in Manila. He has 17 years of experience advising clients on various labor and employment issues, including compensation and benefits, employment contract and employee handbook. He sits in the Tripartite Executive Committee of the Philippine Department (Ministry) of Labor and Employment as representative of the employer sector. He participates in the Technical Working Group on Labor and Social Policy Issues of the Employers Confederation of the Philippines and is the Vice Chair for Labor Matters of the Legislative Committee of the Information Technology & Business Process Association of the Philippines. Kenneth's practice focuses on general employment advice, compensation and benefits, pension funds, global equity services, and executive compensation and movement. He has represented multinational corporations in labor and employment matters. Chambers Asia Pacific 2016 has ranked Kenneth band 1 for employment in the Philippines. According to Chambers, he is widely acknowledged for "*staying on top of all relevant labor legislation affecting the business process outsourcing sector.*"



## **Celeste Ang**

Principal, Baker & McKenzie.Wong & Leow\*, Singapore

**Celeste Ang** is a principal in Baker & McKenzie.Wong & Leow. Celeste's practice encompasses corporate litigation and arbitration, both domestic as well as cross-border. Celeste also specialises in cross-border compliance issues and investigations, and employment and labor law. On the employment and labor law front, she advises clients on a wide range of employment and employment-related issues, with a focus on contentious or potentially contentious issues including termination of employment, dismissal, retrenchment, breach of fiduciary duties and enforcement of restrictive covenants and confidentiality provisions. She has represented employers on employment and employment-related disputes in the Singapore courts as well as in arbitrations and mediations, including claims involving wrongful dismissal, breaches of fiduciary duties, restrictive covenant breaches.

Celeste is ranked by Chambers Asia Pacific in the areas of litigation and employment. She is described as "*having impressed sources with her employment litigation expertise*" and "*very smart, very innovative - a good example of someone who thinks outside the box*". She is commended for her impressive work ethic and responsiveness.



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**Howard Shiu**  
Partner, Baker & McKenzie, Taipei

**Howard Shiu** is a partner in Baker & McKenzie's Taipei office. Howard concentrates his practice on labor and employment laws, antitrust law and dispute resolution. He has considerable experience assisting and representing local and foreign corporations in labor and employment matters, including resolution of labor disputes, employment issues in merger and acquisition ("M&A") transactions, negotiation of collective bargaining agreements ("CBA") with unions, mass severance, and compliance of employment regulations. Recognized as a Notable Practitioner by Chambers Asia-Pacific 2016, he is described as possessing strong expertise in employment contracts for multinational corporations and that clients praise his responsiveness and *"really, really good understanding and knowledge of the labour market."*



**Suriyong Tungsuwan**  
Partner, Baker & McKenzie, Bangkok

Suriyong Tungsuwan is a partner in Baker & McKenzie's Bangkok office. Suriyong joined Baker & McKenzie in 1982 and became a Partner in 1993. He currently leads the Labor and Employment Practice Group of the Bangkok office of Baker & McKenzie and co-leads the Japan Desk as well as the Trade & Commerce and Tax Practice Group.

During his practice with the Firm, Suriyong has become well-recognized in advising and applying his expertise to serve a wide variety of multinational and local companies in a broad range of labor and employment matters and other commercial transactions and matters such as mergers and acquisitions, real estate, hotel/resort and property development as well as those involving customs and trade matters.

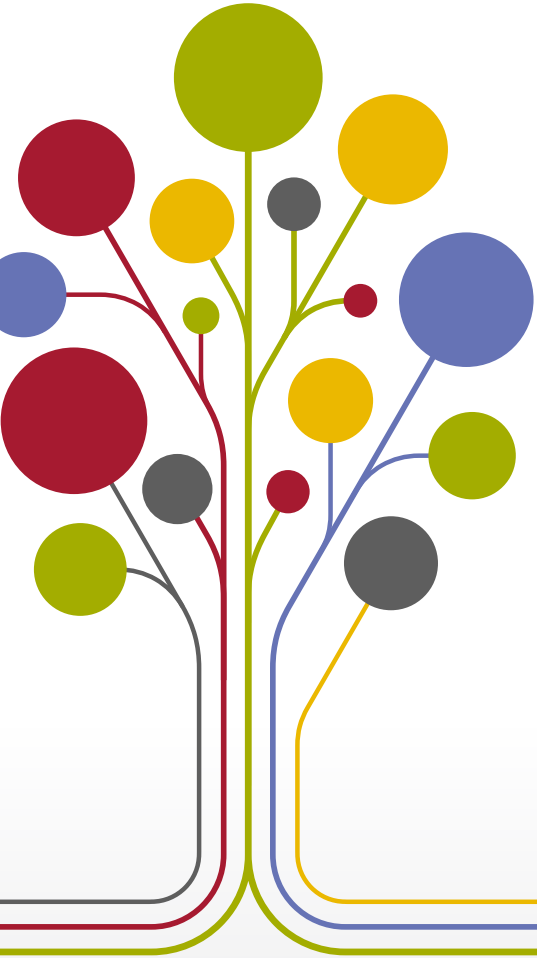


**Thuy Hang Nguyen**  
Principal, Baker & McKenzie, Ho Chi Minh City

**Thuy Hang Nguyen** is a partner in Baker & McKenzie's Ho Chi Minh City Office. Being among a few Vietnamese lawyers who qualifies in both Vietnam and New York, Hang heads the Firm's labor and employment law practice group in Vietnam. She advises on all types of employment and labor matters, in both contentious and non-contentious issues, but she particularly focuses on labor regulations compliance, employment aspects of major transactions and corporate restructurings, termination of high-ranked manager and executives, global migration and executive mobility, and labor dispute resolution. She is the Chairwoman of HR/Labor Committee of American Chamber of Commerce, Ho Chi Minh City Chapter, and is a leading authority and frequent speaker on Vietnam employment and labor law in Vietnam and the region.

\* Hadiputranto, Hadinoto & Partners, Wong & Partners, Quisumbing Torres and Baker & McKenzie. Wong & Leow are members of Baker & McKenzie International.

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