SHIN&KIM
법무법인(유) 세종

Monthly Labor Brief

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Greetings from the Labor and Employment Practice Group of Shin & Kim LLC.

Drawing on extensive experience and a deep understanding of labor and employment law, we advise clients on a broad range of workplace matters, from day-to-day HR and labor management to complex labor disputes and union-related issues.

In this issue of our **Monthly Labor Brief**, we highlight the following:

- **Major Cases Represented by Shin & Kim**: Notable labor and employment cases successfully handled by Shin & Kim.
- **Labor & Employment Column**: An analysis of whether different umbrella organization affiliations alone can justify separating bargaining units in collective bargaining between principal contractors and subcontractor labor unions.
- **Recent Case Law**: Supreme Court decisions addressing compensation for unused annual leave, the prohibition on replacement work, ordinary wages, and the right to expect reemployment.

We hope this issue serves as a valuable resource to help you navigate the rapidly changing labor and employment landscape and respond to important legal developments and workplace challenges.

Should you have any questions or require further assistance regarding these updates, please do not hesitate to contact us.

Major Cases Represented by Shin & Kim

- Court Upholds Termination of Employment Following the Probationary Period
- Court Finds Layoffs Implemented Without the Union's Consent Lawful
- National Labor Relations Commission's Decision Finding an Unfair Transfer Does Not Necessarily Mean the Existence of a Tortious Act
- Correction of an Error in a Severance Pay Calculation Formula in the Internal System Does Not Constitute a Change

to the Retirement Benefit Scheme

- Court Upholds Disciplinary Dismissal Despite Full Repayment of Improperly Granted Loan

Labor & Employment Column

- Can Bargaining Units Be Separated Solely on the Grounds that the Labor Unions Belong to Different Umbrella Organizations?

Recent Case Law

- Supreme Court Overturns Appellate Decision That Failed to Determine Whether Annual Leave Entitlement Arose on the Retirement Date
- Supreme Court Holds That a Parcel Delivery Company Not Subject to the Obligation of Collective Bargaining under the Trade Union Act Prior to Its Amendment is Not Subject to the Prohibition of the Use of Replacement Workers
- Supreme Court Vacates Appellate Decision for Failing to Examine Whether a Comprehensive Wage Agreement Existed
- Supreme Court Recognizes a Right to Expect Reemployment Based on an Established Reemployment Practice

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