SHIN&KIM 法務法人(有) 世宗



金鍾炫

Partner

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Jong-Hyun Kim is a partner at Shin & Kim, and his main practice area is HR-related legal affairs such as labor and employment and labor disputes.

Since joining the firm, Mr. Kim has been active as a founding member of the Labor and Employment Practice Group of Shin & Kim. He has extensive experience in various areas of HR-related legal affairs such as labor and employment and labor disputes. In addition to providing advice on HR compliance issues, such as wages, working hours, worker status, illegal dispatch, dismissal and disciplinary actions, and workplace harassment, Mr. Kim also provides various services related to collective labor law, such as responding to trade unions and consulting on collective bargaining. He has successfully handled numerous civil and criminal labor-related lawsuits and labor committee cases. Mr. Kim has been praised for providing tailored solutions that meet the specific circumstances of clients.

Mr. Kim graduated from Korea University College of Law, obtained a J.D. from Seoul National University School of Law, and completed Ph.D. coursework in Labor Law at Korea University Graduate School of Law. He also earned a master's degree (LL.M) from University of California, Berkeley School of Law and is qualified as an attorney in New York, USA.

Mr. Kim is an active commentator on various legal issues in the areas of labor and employment and labor disputes. He serves as a presenter or debater at a number of conferences and seminars. Mr. Kim was recently selected as the 2021 Rising Star by Legal Times.

経歴

2013-Present	Shin & Kim LLC

主な実績

- Represented Company S and Company E in lawsuit on the worker status of independent contractors such as apparel company store manager, meter reading staff, etc.
- Represented Company A, Company S, Company H, and Corporation K in lawsuit on ordinary wages and performance bonuses.
- Represented Company S in lawsuit related to low-performing individuals management system (Performance Improvement Program, PIP).
- Advised Company H, Company S, Company D, Company K, etc. on response to unfair labor practice cases.
- Represented Logistics Company S, Manufacturing Company B, Mining Company D, etc. in lawsuit on illegal dispatch.
- Advised Company G, Company M, etc. on response to trade secret infringement and non-compete disputes.
- Advised University S, University K, University M, University H, etc. on response to teacher dispute cases.
- Advised Group L, Group H, Company S, etc. on personnel restructuring.
- Advised Company S, Company G, Company K, etc. on union responses and collective bargaining.
- Advised Company A, Company K, Company M, Company I, etc. in investigation of workplace harassment cases.
- Advised Company K, Company H, etc. on wage peak system.
- Advised Company S, Company A, etc. on trade secret protection and employee invention system.
- Advised foreign firms and law firms including Company B, Company K, and Company S on the reform of the salary system and personnel system.
- Advised foreign firms including Company M, Company I, and Company A on the personnel evaluation system and management system for low-performing employees.
- Advised Company J, Company H, Company A, Company L, etc. on the Occupational Safety and Health Act and the Serious Accident Punishment Act.
- Advised Company B, Company S, etc. on ESG and conducted ESG training.

学歴

2018-2019	University of California, Berkeley (LL.M.)
2014-Present	Korea University Graduate School of Law (Ph.D., coursework)
2010-2013	Seoul National University School of Law (J.D.)
2002-2009	Korea University College of Law (LL.B.)

資格

2022	Admitted to bar, New York

2013 Admitted to bar, Korea

言語

English, Japanese, Korean, English, Japanese

主な活動

- Chambers In-Depth Overview – An Introduction to Employment 2024: South Korea
- A study on the reorganization of the judgment criteria with regard to whether Performance Incentives should be recognized as wages, Labor Law Forum, Vol. 39, The Society of Labor Law Theory and Profession (Co-author, 2023)
- Comparative law studies on damage claims for unlawful strikes: Focusing on the Yellow envelope law of 2022, Labor Law Journal (Dec. 2022)
- A Performance-based Compensation: paid in consideration of employee's labor?, Labor Law Journal (Sep. 2022)
- The Interpretation of Collective Bargaining Agreement: Focusing on the provisions on the treatment of time-off union members, Labor Law Journal (Jul. 2022)
- The Independence of Trade Union and Nullification of its Establishment : Supreme Court 2017 *Da* 51610 Judgment dated February 25, 2021, Labor Law Forum, Vol. 33, The Society of Labor Law Theory and Profession (2021)
- A Study on the Termination of Fixed-term Employment Contract – Focusing on the employee's resignation and unavoidable cause in the Article 661 of Civil Code, Labor Law Review, Vol. 50, The SNU Society of Labor Law (Co-author, 2021)
- The Changes in Restrictive Legislations to Supervise and Control the Trade Union: Focusing on the Political Functions of Trade Union, Labor Law Forum, The Society of Labor Law Theory and Profession (2018)
- Criteria to Approve the Right to Prohibit: Supreme Court 2008*Ma*1541 Judgment dated August 25, 2010, Law Review II (Co-author, 2011)

外部評価

- "Rising Star" for Labor, Legal Times, 2021 / "Leading Lawyer" for Labor, Legal Times, 2024-2026

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