



Johnny Choi

Partner

HEAD OF EMPLOYMENT, CHINA

johnny.choi@dlapiper.com

Beijing

T: +86 10 8520 0709

M: +86 1501 1373 534

Johnny Choi has vast experience in in complex and strategic employment advice for multinational clients at C-Suite level, such as international human resources projects, large scale layoffs and restructurings, cross-border secondments, employee data privacy, HR investigations, litigious employment disputes, and contentious removal of company executives.

Johnny supports international and regional clients across a range of industries, including technology, life sciences, financial and retail. He successfully defended a number of technology companies against IP theft by their staff.

Recently, Johnny has advised life science companies and airlines on investigations into serious misconduct or corruption by employees. He also advises financial institutions and retail companies on the design and implementation of employee compensation and incentive schemes.

Johnny has been recognised by *Chambers Asia Pacific* for his PRC employment expertise consistently since 2013. *Chambers Asia Pacific* (2019) highlight that Johnny is "widely respected", with one client saying "What I love about him is that he is incredibly available, incredibly client-centric and has very commercial and pragmatic views which help us to navigate the complexities of PRC law."

LANGUAGES SPOKEN

- Chinese (Cantonese)
- Chinese (Mandarin)
- English

EXPERIENCE

- Advising global technology companies and consulting firms on data privacy issues associated with monitoring of company premises, IT systems and devices, and transfer of employee data to third parties and overseas servers. Provide guidance on rolling out of IT and BYOD policies.

RELATED SERVICES

- Employment

LANGUAGES SPOKEN

Chinese (Cantonese)
Chinese (Mandarin)
English

- Leading investigations into alleged violations of conflict of interests policies and corrupt transactions with government entities valued at millions of USD each, in the China subsidiaries of leading multinational companies. Advising on related employment law implications.
- Advising international technology companies on strategies to defend against raw material and/or IP theft and outside competitive activities conducted by rogue employees.
- Advising investment banks, technology and media companies on strategies to manage the exit of employees in China (including senior executives) in various circumstances, including incompetence, misconduct and business shut down. Also advising on employment issues arising from the re-organisation of businesses, including transfer of employees.
- Leading a team in managing crisis situations involving labor unrest of hundreds or thousands of employees at manufacturing operations of multinational clients, including providing onsite support. The advice includes communication strategies with employees and contingency plans.
- Advising clients on a variety of employment matters in China, including: employee consultation and the roll out and implementation of employee handbooks, codes of business conduct, compliance manuals and other company policies and procedures; the enforcement of non-compete and non-solicitation obligations; cross border secondments; labor union issues; social security issues; and employee arbitration claims.

CREDENTIALS

Professional Qualifications

- Solicitor of the Supreme Court of New South Wales

Recognitions

Johnny has been recognised by *Chambers Asia Pacific* for his PRC employment expertise consistently since 2013.

Education

- University of New South Wales, B.Comm/LLB, 2005
- College of Law, NSW, 2006

INSIGHTS

Publications

Non-Beijing entities banned from paying social insurance in the city

3 August 2020

Companies registered outside of Beijing are not permitted to enroll employees in Beijing for social insurance. The indirect method of engaging staffing agencies or payroll companies in Beijing to enroll and pay social insurance for these employees on their behalf will come to an end soon.

Back to business guide - China

18 May 2020

The first edition of our China back to business guide was issued on April 10, two days after China lifted its nearly three-month lock-down of Wuhan, the last city in China to do so. A month later, businesses are resuming operations, schools are reopening, and life is returning to normal, albeit with caution.

China back to business guide - COVID-19

15 April 2020

On April 8, China lifted its two-and-half months' lock-down of Wuhan, the last city in China to do so. As the country emerges from its self-imposed isolation, it faces an economy that is profoundly damaged. Meanwhile, COVID-19 is continuing to spread globally, infecting millions and sending billions into lockdown.

Reviving the economy amid the global coronavirus pandemic

23 March 2020

On 12 March 2020, the National Health Commission of the People's Republic of China announced that the country has passed its peak of the coronavirus epidemic. This means that China has basically contained the virus spread, although it is now facing a growing threat from the increasing overseas infections. Coronavirus COVID-19 was declared a pandemic by the World Health Organization on 11 March 2020.

Coronavirus: Key employment legal issues for multinational employers (Europe, AsiaPac)

25 February 2020

As the number of coronavirus COVID-19 cases exceeds 40,000, and with the World Health Organisation having declared the virus as a "public health emergency of international concern," employers the world over are putting in place plans to prepare for the risk of an employee becoming exposed to or ill with the virus.

Balancing disease control and economic performance amid the coronavirus outbreak (AsiaPac)

24 February 2020

Coronavirus COVID-19 has now infected more than 75,000 people in China and over 1,000 in the rest of the world. Even after the extended holiday and work suspension period following Chinese New Year, many businesses continue to remain fully or partially closed for the past month to minimize the spread of the virus. What does this mean for employers?

How to resume business amid the coronavirus outbreak (China)

11 February 2020

As reported in our previous article, China has extended its Chinese New Year holiday and work suspension period as a result of the novel coronavirus outbreak which has now infected more than 40,000 people around the world.

This is a summary of the Back to Work Day and compensation for working before Back to Work Day in key cities and provinces across China.

APAC employment issues arising out of the Coronavirus (AsiaPac)

31 January 2020

On 29 January 2020, the number of confirmed cases of the rapidly spreading coronavirus in Mainland China officially surpassed the figure seen during the 2002/2003 SARS epidemic.

Multinationals with local operations around the APAC region have been significantly affected. As staff return to the office following the Chinese New Year holiday period, businesses are now considering what they can do to minimise any risk to health and safety and support staff through this challenging period where anxiety and uncertainty is rife, whilst at the same time complying with their employment obligations and maintaining business continuity. Putting in place detailed business and contingency plans and ensuring careful communications with staff to address key topics and concerns is key, as is keeping such plans and communications under frequent review given the fluidity of the current situation.

This alert considers some of the key issues that HR and business leaders should be considering across the APAC region.

China extends holidays for workers amid coronavirus outbreak (China)

28 January 2020

Learn about how the widely publicised corona virus outbreak affects business in Greater China.

Asia Pacific Employment Law Forecast 2020

23 January 2020

Teams of lawyers across 10 jurisdictions including Australia, China, Hong Kong, India, Indonesia, Japan, Malaysia, New Zealand, Philippines, Singapore, South Korea, Taiwan and Thailand have put together this year's 2020 employment law forecast.

Hong Kong, Macau and Taiwan Residents to join Mainland Social Insurance

20 December 2019

Learn about the Interim Measures for Hong Kong, Macau and Taiwan Residents published by the Chinese government.

China relaxes visa requirements for foreign talents amid trade conflicts

20 August 2019

This article highlights some key points of the new immigration rules that are relevant to multinational companies and individuals in China.

Employers face tougher penalties for sex discrimination in China

22 MAR 2019

On 18 February 2019, the Chinese government released the Circular on Further Regulating Recruitment Behaviours and Promoting Women's Employment (the Circular). The Circular was jointly released by nine ministries and took effect immediately.

Mainland and Hong Kong Courts will Enforce Each Other's Judgments on Labour and Employment Matters for the First Time

18 MAR 2019

On 18 January 2019, PRC Supreme People's Court and the Government of the Hong Kong Special Administrative Region signed the Arrangement on Reciprocal Recognition and Enforcement of Judgments in Civil and Commercial Matters by the Courts of the Mainland and of the Hong Kong Special Administrative Region

Locals or Expats? Impact of Latest Reforms on Hong Kong, Macao and Taiwan Residents Working in Mainland China

27 SEP 2018

On 3 August 2018, the State Council made an announcement (Announcement) to cancel several administrative permits, including the work permits for Hong Kong, Macao and Taiwan residents (HMT Residents). This was closely followed by a series of developments that changes how HMT Residents obtain employment, education and medical benefits in mainland China (China). However, various questions remain unresolved and employers should be alert about the heightened risks associated with having these individuals work in China in the meantime.

Changes to income tax law will have major impact on employers of foreign expats in China

26 SEP 2018

The Standing Committee of the National People's Congress have passed the amendments to the Individual Income Tax (IIT) Law on August 31, 2018 (Amendment). The Amendment will become effective on January 1, 2019, and will have major impact on foreigners working in mainland China (China).

Events

Previous

Regional downsizings and redundancies in the time of coronavirus

3 July 2020 | 12:30 PM - 2:00 PM (HKT)

Webinar

Global return-to-work issues for employers

13 May 2020 | 10:00 – 11:30 ET

Webinar

China: Coronavirus and International Employment Law - Future planning and preparation

7 May 2020

COVID-19: Important Issues for Israeli Companies to Consider

6 April 2020

Webinar

Coronavirus COVID-19: Webinar on the global employment law issues

11 March 2020

DLA Piper APAC Employment Workshop Hong Kong

11 OCT 2018
Hong Kong

2018 DLA Piper APAC employment workshop

9 OCT 2018
Singapore
