



Johnny Choi

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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

- Employment

Chinese (Cantonese)
Chinese (Mandarin)
English

- 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.

- 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

Active Investigation into Overworking Launched by Government Across Multiple Locations in China

1 April 2022

Local governments across multiple locations in China have issued notices announcing the launch of campaigns to rein in on the practices of overworking in companies. Relevant actions include active investigations into companies' policies and encouraging employees to report non-compliant working time and leave practices.

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27 Mar 2022

Update on Work Arrangements as COVID-19 Surges in China

22 March 2022

In order to help companies monitor and manage the workplace, in this article we have chosen three major cities in China to revisit how issues such as home working, COVID-19 testing and vaccination of the workforce may apply in light of the current situation and compare across these locations

Extension of Preferential Individual Income Tax (IIT) Policies for Employees in China

26 January 2022

At the end of 2021, the Ministry of Finance (MOF) and the State Administration of Taxation (STA) released two announcements extending several preferential policies on IIT, which are welcomed by employees.

Asia Pacific Employment Law Forecast 2022

20 January 2021

DLA Piper's APAC Employment Team has prepared their annual employment law forecast featuring a summary of the major legislative changes and key developments in 2021 that impacted the region and which also explores significant trends expected to shape the landscape for employers in 2022.

Multiple Provinces and Cities in China Implement New Changes to Parental Leave

10 January 2022

Following introduction of the three-child policy on 31 May 2021 and release of the amended national family planning regulations in August, more than 20 provinces and cities in China amended local family planning rules. These rules extended maternity leave and paternity leave and introduced a new type of leave, namely the childcare leave.

Greater Bay Area - Cross Border Employment and Tax Guide

9 December 2021

In this guide, we provide an overview of the recent regulations and preferential policies in Guangdong province and Hong Kong that facilitates the flow of business and talent.

3 Key Actions for Employers Ahead of Effective Date of the Personal Information Protection Law

26 October 2021

The Personal Information Protection Law (PIPL) passed by the Standing Committee of the National People's Congress will take effect on 1 November 2021. This article highlights the key principles in relation to the extra-territorial effect, employee consent and processing of personal data which will impact businesses doing business in China.

Anti-slavery and human rights obligations on corporations: impact on supply chains

5 August 2021

The past few years have seen rapid development in legislation targeting modern slavery and forced labor in various developed economies. This trend will only accelerate as multinationals increasingly focus on their sustainability and ESG goals.

Employment Law Health Check 2021 - Asia

29 April 2021

Earlier this year, at a time of unprecedented challenges for business, we offered employers the opportunity to complete our Employment Law Health Check surveys covering China, Hong Kong, Singapore and Thailand.

Landmark Decisions Against Former Employees' Unlawful Practices by PRC Courts

19 April 2021

In this article, we discussed the three cases which continue to show that courts are more ready and willing to award substantial damages for improper trade practices and breach of restrictive covenants by former employees in China.

Asia Pacific Employment Law Forecast 2021

16 February 2021

DLA Piper's APAC Employment Team has prepared their annual employment law forecast featuring a summary of the major legislative changes and key developments in 2020 that impacted the region and which also explores significant trends expected to shape the landscape for employers in 2021.

Travel Guidance during CNY 2021

5 February 2021

The holiday season in China or traveling period lasts 40 days in 2021, starting from January 28 and ending on March 8. Due to the COVID-19 resurgence in some parts of the country, Chinese governments are encouraging people to stay put during this year's approaching holiday season.

Protecting Your Company's Competitive and Technological Advantage through Enforcing Restrictive Covenants Against Former Employees in China: Update on Recent Cases and Legislative Developments

26 January 2021

In this article, we discuss whether and how companies may enforce restrictive covenants and protect their confidential information and trade secrets by looking at some recent cases and legislative developments.

China Enforces Tax Collection on Employees Working for Chinese-invested Enterprises Overseas

16 October 2020

With the recent IIT reform in 2019, and the introduction of a number of implementation rules (particularly the tax policy on overseas income), it appears the China tax authorities are taking a harder stance on how overseas income derived by China tax residents will be taxed in China, starting with Chinese expatriates working for Chinese state-owned enterprises.

Mass layoffs and collective redundancies guide

6 October 2020

As COVID-19 continues to impact the global economy in unprecedented ways, companies that have had to scale back or shut down operations are bracing for what the next few months will bring, and what this means for their workforces. In this guide, we examine key considerations for employers looking to make permanent reductions in force across APAC.

China lifts further travel restrictions for certain foreigners

28 September 2020

Effective from 28 September 2020, China will allow foreign nationals holding three categories of valid Chinese residence permits (work, personal matters, and reunion) to enter China with no need for applying for new visas. This is a further lifting of travel restrictions for foreigners who have the need to return to China.

Diversity and inclusion update: A landmark LGBT case and new laws on sexual harassment in China

22 September 2020

Diversity and inclusion ("D&I") are becoming increasingly important values in the management of today's multinational organisations. This article looks at a landmark case on transgender rights and recent changes on sexual harassment rules in China, which should be relevant to organisations seeking to address D&I issues in the country.

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.

Events

Previous

APAC Employment Webinar

24 February 2022

Webinar

Looking ahead: global changes and employment challenges

8 February 2022 | 3:00 - 5:00 pm

Webinar

APAC Employment Webinar

9 September 2021

Webinar

APAC Employment Year in Review Webinar

3 February 2021
Webinar

Workplace harassment – are you ready for compliance challenges coming in January?

3 December 2020
Webinar

APAC Employment Law Update

15 October 2020
Webinar

Challenging choices for businesses: Restructure, downsize or liquidate

14 October 2020
Webinar

Regional downsizings and redundancies in the time of coronavirus

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