

IRVING  
*Seminar & Training*

# Practical Labor Law Issues In Period of Crisis

29<sup>th</sup> March 2012,  
Pathumwan Princess Hotel Bangkok

Deloitte. 

 SCL  
THE CREDIT FOR GROWTH

Tilleke & Gibbins

Organized by:  
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## Introduction

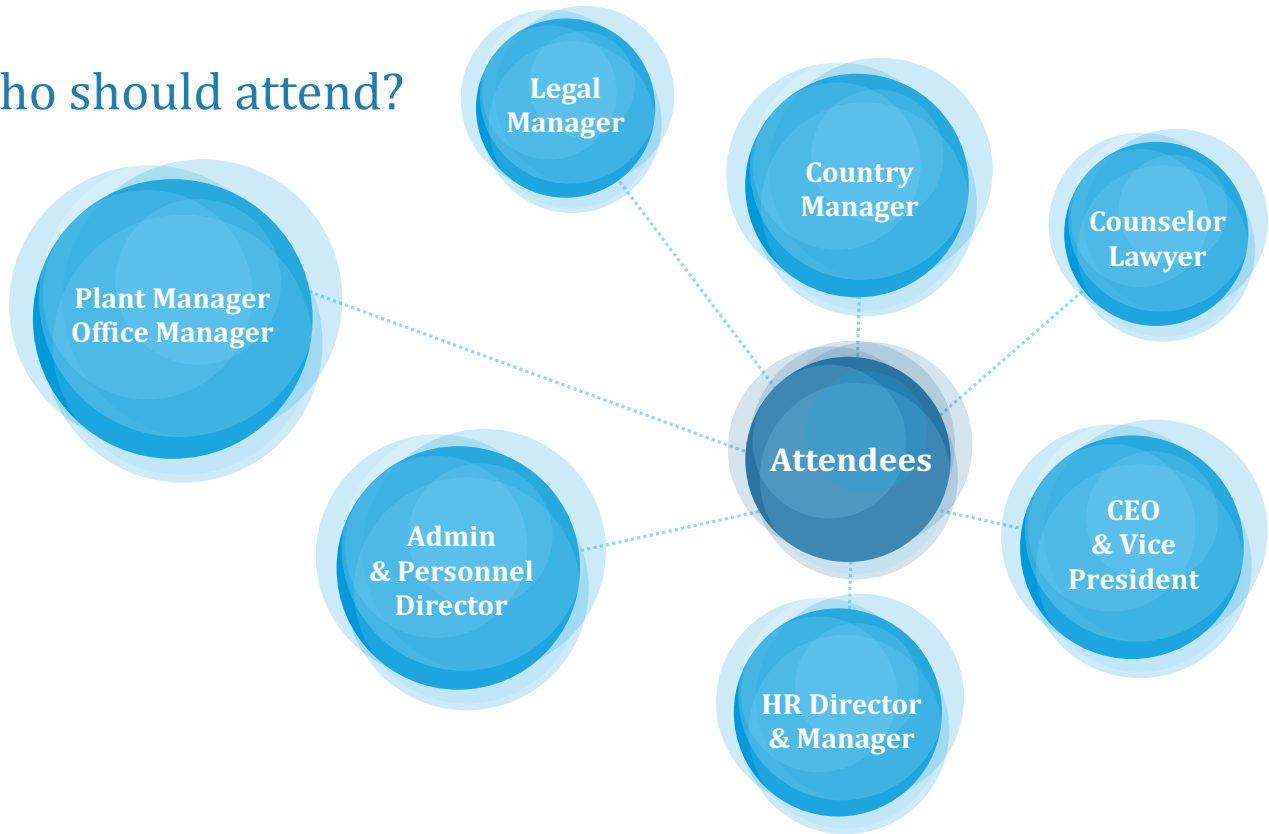
Thailand has recently faced one of its most serious flood crisis, creating significant direct and indirect impacts on the operational durability and financial standing of many enterprises. Several questions have arisen from companies and entrepreneurs due to such event, including particularly on consequent liability towards its personnel and legitimate actions that can be taken in order to reduce relevant costs while maintaining sustainability.

Virulence of the floods have awakened sudden concerns on labor issues, but such concerns will obviously persist in the current context of worldwide economic crisis. The highlight of this session will be therefore for the participants to better understand the legal measures enabled under labor law to adapt in period of crisis as well as to receive an update on legal requirements in connection with reorganization or termination of employment in Thailand.

### KEY POINTS

- *Temporary closure of business*
- *Termination of Employment due to economic constraints*
- *Liquidation or dissolution of company*
- *Transfer of Employment upon Merger & Acquisition*
- *Change of working location*
- *Outsourced employment and business operators*
- *Procurement of work*
- *Planned tax measures for 2012*
- *Assessable incomes and applicable personal income taxes*
- *Expiration of Fixed Employment Contract and potential severance liability*
- *Special provisions for Labor Court procedure*
- *Settlement of dispute and practical issues in case of employment termination*
- *Preliminary negotiation stage*
- *Recommendations for preparation of evidences*
- *Appeal procedure*

## Who should attend?



## 6 reasons to attend

1

### TARGETED CONTENT

This is not designed for every topic covered but specific to best practices, technical and practical pitfalls. It will prepare you to play your role perfectly in business.

2

### NETWORKING OPPORTUNITIES

It is an efficient way to meet business leaders. The comfortable, open and engaging atmosphere can forge your relationship.

3

### PROMINENT SPEAKER

Our speakers are industry practitioners who face the same day-to-day challenges that you do and can share their experiences. By hearing from a range of speakers, you will get the full, unbiased picture that provides maximum benefit and take-home value.

4

### PRACTICAL, APPLICABLE, TAKE-AWAYS

The seminar will address the issues and challenges that you are facing with supplement case studies, summarize the implication and provide solutions and strategies for 2012 and beyond.

5

### INTERACTION

The topics are presented in Q & A to encourage interaction between speakers and delegates to give you the discussing opportunities. That will break your problems down and consulted by experienced advisors and specialists.

6

### HOSTED BY IRVING SEMINAR & TRAINING

The professional organizer of business seminars, workshops and in-company training courses in Thailand, Vietnam and Cambodia with more than 80 events hosted.

# Program

08:45

## Introduction

09:00

## Circumstances of crisis under Labor Law

- Temporary closure of business (due to extraordinary event)
- Termination of Employment due to economic constraints
- Change of working location

**Tilleke & Gibbins**

Chusert Sapisitthumrong  
Attorney at law

10:00

## Specific Employment conditions and consequent liability

- Outsourced employment and business operators
- Procurement of work
- Fixed Employment contract and related conditions
- Secondment Agreement (adapted for expatriates)

**Deloitte**

Cameron Mc Cullough  
Partner

11:00

Coffee break

11:30

## Tax Liability involved with wages and benefits in Thailand

- Planned tax measures for 2012
- Assessable incomes and applicable personal income taxes
- Deductible allowances and tax reduction schemes and planning
- Taxes exemptions/reduction in case of termination of Employment

**KPMG**

Lynn Tastan  
Partner

12:30

Luncheon

14:00

## Termination of Employment

- Requirements upon Employment Termination (advance notice, referral letter)
- Evaluation of severance payment and extra allowance
- Exemption upon Employee's gross misconduct
- Expiration of Fixed Employment Contract and potential severance liability
- Potential Risks of Unfair Dismissal

\*TBC

15:00

Coffee break

15:30

## Labor Court procedure

- Special provisions for Labor Court procedure
- Settlement of dispute and practical issues in case of employment termination
- Preliminary negotiation stage
- Recommendations for preparation of evidences
- Appeal procedure

**Siam City Law**

Tada Sastarasatit  
Partner

## Speaker Profile

Tilleke & Gibbins

### **Chusert Supasitthumrong** Attorney-at-Law | TILLEKE & GIBBINS

Chusert Supasitthumrong is a trial and appellate lawyer specializing in labor and employment law. An expert in this field and the go-to lawyer for Thailand's largest employers, Chusert excels at solving critical employment disputes, from labor strikes to lay offs to contested for-cause terminations. A formidable advocate with extensive experience litigating complex employment matters before the Labor Court and the Supreme Court, Chusert is equally successful in securing favorable settlements and contract terms for his clients. His labor practice includes advising clients in multiple-party labor disputes and collective bargaining negotiations. Chusert also handles commercial disputes related to international trade, company reorganizations, tax, and white-collar crime. He is a regular speaker on these topics, presenting at regional legal conferences, for corporate clients at in-house seminars, and on televised programs. He is also a frequent contributor to the Bangkok Post and other leading periodicals.

Deloitte.

### **Cameron McCullough** Partner - Legal Service | DELOITTE THAILAND

Cameron is a Partner in the Deloitte Tax and Legal Services business unit and is based in the Bangkok office since 2003. Cameron has practiced as a general commercial lawyer, assisting multinational corporations with foreign direct investments in the Asia Pacific region. He has broad general experience within the region and has worked in Australia, Japan, Vietnam, Hong Kong and Thailand. In addition Cameron has significant experience in technology-related legal issues and has advised on establishing and operating Internet businesses, B2B and B2C e-commerce, including Internet banking and contractual, licensing, tax and privacy issues.

KPMG

### **Lynn Tastan** Partner | KPMG

Ms. Lynn Tastan joined KPMG Thailand in 2010. She worked previously in Vietnam for many years as a tax manager advising on Vietnam tax and involve in building a big four Vietnam's tax practice. Lynn was promoted there in July 2010 as Tax Partner base in HCMC. Lynn has been working in public accounting over 15 years. She has extensive experience in Canadian tax and now Vietnam and Thailand tax advising multinational clients in various industries. Her focuses is in Oil & Gas, manufacturing and services industries. Lynn is a Certified Public Accountant, New Hampshire, US. Lynn was educated and started her career in Toronto, Canada. She holds a Bachelor in Commerce from University of Toronto, Canada.

ISCL  
THE CHAIYI LAW GROUP

### **Tada Sastarasatit** Senior Partner | SIAM CITY LAW

Tada has previously been a judge in the ministry of Justice of Thailand and a partner at International Legal Counselors. He attained a LIB from Thammasat University and a Barrister at Law from both the Thai Bar Association and Gray's Inn, England. Familiar with various aspects of business laws and practice, he provides advice relating to labor law issues and merger and acquisition. He represents clients in complicated litigation as well as arbitration proceedings. He is a visiting lecture from Chulalongkorn University and many other universities and published more than a dozen of technical books and articles.

# Registration

Please register the following delegates for the conference:

## PRACTICAL LABOR LAW ISSUES IN PERIOD OF CRISIS

1. Name: ..... Position: .....  
Email: ..... Handphone: .....

2. Name: ..... Position: .....  
Email: ..... Handphone: .....

3. Name: ..... Position: .....  
Email: ..... Handphone: .....

Company: .....

Address: .....

Company's email: ..... Tel: ..... Fax: .....

Contact person: ..... Position: .....

Email: ..... Handphone: .....

Name & Title of Approving Manager:

Signature of Approving Manager:

## REGISTRATION FEES

Fee for one delegate including a binder with all presentation material and a CR-ROM, lunch and refreshment			
Package <i>(Price / Delegate)</i>	Price before 9 March, 2012	Price before 19 March, 2012	Normal Price
01 Delegate	11,500 THB	12,500 THB	15,000 THB
03 or more Delegates	9,900 THB	11,500 THB	12,500 THB

## 3 EASY WAYS TO REGISTER OR ENQUIRE

<b>PHONE</b> Tel TH: +66 (0) 2651 2703
<b>Email:</b> irving@irvingseminar.com or visit our website: <a href="http://www.irvingseminar.com">http://www.irvingseminar.com</a>
IRVING SEMINAR & TRAINING LTD. Sukhumvit Suite, R. 19/138, 14th flr. Sukhumvit rd 13, Klongtoei Nua, Wattana, Bangkok 10110

## ADMINISTRATIVE DETAILS

METHOD OF PAYMENT:

\* Bank Transfer to

Irving Seminar and Training Limited

Bank of AYUDHYA/Ekamai Branch

Savings Account

Account No. 014-1-36601-2

Swift Code : AYUDTHBK

1473 Sukhumvit Rd, Phrakhanong Nua Wattana

Bangkok 10110

## FOR NORMAL REGISTRATION

In order to avoid any inconvenient circumstances to delegates at the conference, payment should reach us 5 days after the registration form is submitted. In view of booking arrangements at the venue, cancellations can only be accepted until 5 working days before the day of the seminar we will then provide a voucher. If you cannot attend the seminar without a valid cancellation we will send you the documentation by mail.

## ENQUIRIES

Please contact our conference administrator at email:

[irving@irvingseminar.com](mailto:irving@irvingseminar.com)

## CONFERENCE DATE

Pathumwan Princess Hotel

Bangkok - Thailand | 08:30 - 16:30 | 29 March, 2012

## INCORRECT MAIL INFORMATION

It is possible that you will receive multiple mailings of this event or incorrect company details on the labels, for which we apologize. If this happens, please let us know so that we can update our database immediately. If you do not wish to have your name on our mailing list, please let us know and we will remove it.