

Session Title: Labour Law Issues in M&A Transactions

Date: 15 April 2016

Time: 3.30 pm to 5.00 pm

Duration: 90 minutes

Synopsis: In M&A transactions, employment is always a key issue. However, labor law is one of the areas which greatly differs in each jurisdiction depending on the policy of the country. It sometimes affects the entire schedule of the deal and brings about great risks which could even become a deal-breaking factor. What are the risks of the target company and how to efficiently conduct a due diligence to discover such risks should be considered at the outset of every transaction. Also, practical steps to deal with the smooth transfer of employment are often very important. For example, the parties need to consider how, when and which employees should be informed about the deal, how to negotiate with such employees, and what steps are required to implement the transfer of the employees. Lastly, in order to address or resolve any labor issue, it is important to include specific arrangements therefore in the SPA in a practical way. The session will discuss the above-mentioned issues and discover the best practices to deal with employment issues in M&A transactions.

Committees: Cross Border Investment Committee with Employment & Immigration Law Committee

Moderator: Eriko Hayashi (Oh-Ebashi LPC & Partners, Japan), Fernando Hurtado de Mendoza (Rodrigo, Elias & Medrano Abogados, Peru)

Speaker: Henry J. Chang (Blaney McMurtry LLP, Canada), Caroline Berube (HJM Asia Law & Co LLC, China), Frederique David (LEX2B, France), Oene Marseille (ABNR, Indonesia)