



GRATA
INTERNATIONAL

| EMPLOYMENT

The employment practice of GRATA International covers a full range of services in the area of labour law, including advice on topical issues of labour law, development of employment agreements and policies, support in keeping HR records, labour audit, complex dismissals, etc.

Our employment attorneys are also renowned for their success in labour disputes. We have won dozens of court cases and our Clients include the largest transnational corporations.

The expertise of our employment specialists on the creation and implementation of employee stock ownership plans deserves special attention.



A significant number of our clients in the area of employment is represented by subsoil users, and we have accumulated extensive practical experience in important employment aspects of production activities such as rotation-based work, industrial injuries, negotiations with trade unions, etc.

Moreover, we are pleased to offer you our services in optimising work processes in your company in the current economic crisis. Reasonable staff downsizing, payroll optimisation, changes to the employees' work function, remote work organisation, managing staff holidays, prevention of labour conflicts and strikes - these are just some of the examples of how a company can adjust work processes and adapt them to the current economic situation. Using a tailored approach, we will determine the optimisation methods that are best suited for your company.





Advising on any labour law related issues, including recruiting, transfers, dismissals, labour remuneration, disciplinary penalties, labour health and safety, employee outsourcing, engagement of foreign labour, etc.

Development of templates for HR documentation, employer's acts governing labour relations (code of conduct, regulations on remuneration and bonuses, regulations on the use of employees' personal data, etc.).

Development of a collective agreement, interaction with employees' representatives and government agencies during the development and registration of the agreement.

Legal support for changing the conditions of employment agreements (drafting all necessary documents for transfers, changing the working regime, changing salary amount, etc.).

Audit of HR documentation and subsequent report on identified violations, potential risks and recommendations.

Legal due diligence of the labour aspects of the acquired company under M&A.

Development of documentation required for employment:

1. An employment agreement for all working regimes (staff categories), including remote work, shift work, rotation-based work, employment agreements for company managers, foreign staff;
2. Individual material liability agreements;
3. Confidentiality undertaking;
4. Non-compete agreement;
5. Job descriptions;
6. Employment order.



Transfer of employees under M&A

Legal support for employment termination on all grounds provided for by the Labour Code (drafting documents for dismissal, respective interaction with government agencies, employees, and their representatives).

Participation in internal investigations related to employees' violations and other issues of labour relations.

Creation of a conciliation committee (drafting all necessary documents and training committee members).

Representation of an employer in the conciliation committee and court.

Representation of an employer in collective labour negotiations and disputes.

Representation of an employer in the investigation of industrial injuries.

Representation of an employer during state labour inspections.

Creation and implementation of employee stock ownership plans, as well as other incentive programs for employees.

EXPERIENCE



- Advising Total S.A. on implementation of employee share schemes in Azerbaijan together with Shearman & Sterling law firm;
- Advising on all types of leave of absence and their legal obligations (the manner in which each type of leave can be taken; the eligibility and notification requirements for taking each type of leave, the protections during leave; the methods of payments during leave and how any payments will be taxed) and advising on expatriates' payment matters;
- Drafting Employment Contracts, Amendments to the Employment Contracts and registering them in the e-gov system;
- Advising an international oil company, a global transport company, Azeri Adventure Motorcycle Tours and Pfizer on employment law issues;
- Conducting an HR audit for an international oil company and a global transport company;
- Consulting oil and gas companies on staff redundancy matters, participating at meetings run by the employer for the employees and addressing the questions of the employees related to their rights and benefits, assisting with the paperwork;
- HR audit and issuance of recommendations on issues of registration of labor relations for an IT company, development of automated digital document management systems, smart contracts, including the development of forms of agreements NDA, NCA;
- Preparation of various forms of labor contracts for workers with various positions, including working from home, remote employment, additional agreements to labor contracts in connection with the changes to legislation and the standard form of an employment contract, as well as changes to essential work conditions;
- Audit of personal data which an international IT company has access to, assistance in developing a set of measures to ensure the security of personal data, including the preparation and verification of local acts and agreements on the protection of confidential information;
- Development of regulatory documents for the implementation of material incentives and motivation systems for a large IT developer of digital banking solutions;
- Advising an international pharmaceutical company on compliance with labor and migration laws when transferring an employee from a representative office in another state, as well as in the case of sending such employees to Belarus for advertising and training events;
- Advising and representing the interests of employers before the administrative bodies of Georgia in the process of obtaining work permits (residence permits) for their foreign employees;

Experience

- Development of standard labour contracts, job descriptions and internal labour regulations;
- Advising and providing legal assistance to the employers in the process of termination of employment contracts, including termination of employment contracts with senior managers;
- Representation of clients, employers, as well as employees in labour disputes in the courts of Georgia;
- Advising Borealis AG on labour laws during construction of polyethylene production plant in Atyrau region (total value of investments – USD 6.5 bln), including conclusion of a contract with the general director and recruitment of foreign employees;
- Advising Eni S.p.A on various labour law matters, including termination of employment contracts and secondments;
- Advising a subsidiary of the world's largest American oil and gas service company on the implementation of rotation-based work, termination of employment agreements and development of a bonus system; representing the company in the state labour inspectorate, as well as in the conciliation committee and court;
- Drafting employment agreements for several categories of personnel for a branch of a large Russian oil company, as well as advising on engaging foreign labour, termination of employment agreements with socially protected categories of employees and on the remuneration system;
- Advising a leading bank on several labour disputes with former employees (Collective claim) on payment of regional coefficient, allowance and compensation for unused additional leave provided for employees working in the high-mountain area;
- Advising a Kazakh gas company on labour issues related to the change of ownership after reorganisation of the company (more than 100 employees);
- Advising a world leading dialysis company and producer of medical equipment on various labour matters. such as: (i) employment agreements with management, doctors and nurses; (ii) hiring employees; (iii) obtaining of work permit and permit for the engagement of foreign employees;
- Advising the management of a bank on employment regulation in the Kyrgyz Republic, in particular compensation payment (preparing draft amendment);
- Representation of the employers in court hearings on labour disputes;
- Assisting the client in obtaining work permits for foreign employees;
- Advising on employment and migration law issues for a subsidiary of an international group of companies providing pharmaceutical services;

Experience

- Advising on expatriates' workforce ratio adopted annually by the Government of Mongolia;
- Representing employers in a court hearing on labour disputes;
- Advising and assisting on getting an investor employment visas for expatriates and their spouses or family members, work permits and residence permits;
- Assisting and advising the Employer's representative on massive redundancy processes and drafting all required documentation;
- Implementing an anti-corruption policy for employees and founders in a subsidiary of a British international engineering and inspection company;
- Examination of internal labour regulations and regulations of a subsidiary of an American pharmaceutical company for compliance with anti-corruption legislation of Uzbekistan;
- Assistance with structuring staffing lists for an Uzbek subsidiary of a Russian oil and gas service provider for the purpose of maintaining the status of a small enterprise;
- Carrying out a special employment due diligence for compliance of a representative office of an Indian pharmaceutical company with Uzbek employment laws;
- Advising a subsidiary of a Swiss manufacturer of equipment on employment law aspects of implementation of merger and acquisition procedures;
- Full legal support concerning procedures for changing the General Director and head of representative offices of companies which provide personnel services;
- Advising a subsidiary of a major French food products manufacturer with regard to the offering of shares to employees as part of a motivation program, adaptation of standard offering documents in accordance with Russian law requirements;
- Developed local regulatory acts (including the regulations on personal data protection and on commercial secrets) and advising a Russian subsidiary of a major European medical devices manufacturer on staff reduction and employees disciplinary liability issues;
- Advising a Russian subsidiary of a Swedish manufacturer of equipment with regard to personal data processing issues and preparing standard documents;
- Representing the multinational corporation, Philip Morris International, on issues of labour disputes with employees in the Russian Federation, as well as consulting and representing top managers on various issues related to termination of employment relations, payments and compensation;
- Representing a top manager of Beluga Group, who was illegally dismissed;
- Representing the chief accountant of JSCB "Gazbank", whose employment contract was illegally terminated, in a court dispute;

Experience

- Successful representing the interests of an industrial enterprise, part of the world's largest agricultural holding company, in a dispute about restoration of work, collection of average earnings during the period of forced absence, compensation for moral damages from the former employee, a Director who was dismissed due to unreasonable implementation of company property and funds from the sale of which were not entered in the revenue;
- Representing ship crew members in labor disputes with employers in connection with non-payment of wages for a long period of time (negotiations, support of court proceedings and enforcement proceedings). In one of the cases, the lawyers managed to get foreclosure on the ship, as a result funds were received to pay the crew's debts;
- Successful defense of the interests of LabMedConsulting LLC in a dispute with one of the unscrupulous employees who abused sick leave. This case has shaped the judicial practice in Russia on how to deal with such employees;
- Successfully represented Russia's first business radio channel in a labor dispute with a former editor-in-chief;
- Legal support in the preparation of personnel documentation and resolution of labor disputes of the Russian representative office of the IT company Andersen Lab;
- Legal advice on labor law, including various issues related to termination of employment, payments and compensation of the Brightberry brand, which is engaged in the production of various wood products;
- Advising an American non-profit company on labour issues in Tajikistan and preparing corporate documents on labour issues;
- Preparation of employment contracts for an American outsourcing company, preparation of a memorandum on labour issues and support for the state registration of its subsidiary (LLC) in Tajikistan;
- Advising a leading tobacco company on termination of labor relations by agreement between parties and by the initiative of the employer and drafting documents related to termination;
- Advising international HR company on regulation of internal policies of companies and drafting internal policies.

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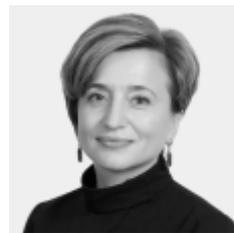
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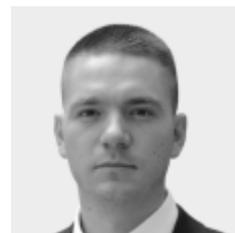


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ABOUT GRATA INTERNATIONAL

GRATA International is a dynamically developing international law firm which provides services for projects in the countries of the former Soviet Union and Eastern Europe: full coverage of the entire region with network of offices, highly qualified team of professionals suited for cross-border projects. Firm's reputation and expertise are confirmed by testimonials from transnational clients and leading international ratings.

A wide network of office operating under one system and platform delivers great convenience for our clients. Any office can act as a "one-stop-shop" for its clients and provide them with access to services in other cities and countries. If necessary, inter-office teams with relevant experience are assembled to provide solutions to complex tasks. Service quality is assured by a clear system of organisation of this process.

GRATA International is present in the following jurisdictions: **Azerbaijan** (Baku), **Belarus** (Minsk), **Georgia** (Tbilisi), **Kazakhstan** (Aktau, Almaty, Atyrau, Nur-Sultan, and other cities), **Kyrgyz Republic** (Bishkek), **Moldova** (Chisinau), **Mongolia** (Ulaanbaatar), **Russia** (Moscow, St. Petersburg, Rostov-on-Don, Samara), **Tajikistan** (Dushanbe), **Turkmenistan** (Ashgabat), **Turkey** (Istanbul), **Ukraine** (Kyiv) and **Uzbekistan** (Tashkent).

In addition to its offices, GRATA International has representatives in the **UK** (London), **Germany** (Frankfurt), the **USA** (New York), **China** (Beijing, Hong Kong), **UAE** (Dubai), **Russia** (Kazan), **Malaysia** (Kuala Lumpur) and **Switzerland** (Zurich).

GRATA International is regularly acclaimed by leading international rankings: **Chambers Global**, **Chambers Asia-Pacific**, **Legal 500**, **IFLR1000**, **WWL**, **Asialaw Profiles**, and is featured in Deals of the Year Awards by **China Business Law Journal**.

Key Industry Sectors:

- Banking and Finance
- Construction and Infrastructure
- Industry and Trade
- Mining
- Oil and Gas
- Technology, Media & Telecommunications
- Transport
- Pharmaceuticals and Healthcare



250+

Professionals



20

Countries of presence



6000+

Clients



11 000+

Projects

Global presence



Integrated
offices

Azerbaijan
Baku

Belarus
Minsk

Georgia
Tbilisi

Kazakhstan
Aktau
Almaty
Atyrau
Nur-Sultan, etc.

Kyrgyzstan
Bishkek

Moldova
Chisinau

Russia
Moscow
Rostov-on-Don
St. Petersburg

Tajikistan
Dushanbe

Turkmenistan
Ashgabat

Ukraine
Kyiv

Uzbekistan
Tashkent



Associate
offices

Mongolia
Ulaanbaatar

Russia
Samara

Turkey
Istanbul



Representatives

China
Hong Kong
Beijing

Germany
Frankfurt

Malaysia
Kuala Lumpur

Russia
Kazan

Switzerland
Zurich

UAE
Dubai

UK
London

USA
New York

Local Knowledge for Global business