



**GRATA**  
INTERNATIONAL

# EMPLOYMENT

[www.gratanet.com](http://www.gratanet.com)

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 law are 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.

# SERVICES



Advising on any issues a labour law, including recruiting, transfers, dismissals, labour remuneration, disciplinary penalties, labour health and safety, employees 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 documentation required for employment



Development of a collective agreement, interaction with employees' representatives, 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



Legal support for transfer of employees under an M&A



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



Creation of a conciliation committee (drafting all necessary documents, training of the committee members)



Representation of an employer in the conciliation committee, court



Representation of an employer in collective labour negotiations, 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

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- General legal assistance and drafting of all the necessary documentation for the successful implementation of mass layoffs by one of the major mining companies in Armenia resulting in no legal actions brought against the client;
- Complex legal consulting to an international company's Armenian Branch in relation to the work permits obtaining for non-resident employees, assistance with applications for exemptions from work permits, continuous support with daily operational employment law-related matters, successful representation in the course of inspections by Armenian Labor and Health Inspection Body;
- Successful representation of the client against his former employer that resulted in precedent in a Cassation Court of the Republic of Armenia;
- Provided ongoing legal support on immigration process, including but not limited to obtaining work permits, residence permits, business visas for employees of a number of oil companies and their subcontractors in Azerbaijan;
- Advised a large American pharmaceutical company on various aspects of labour legislation in the Republic of Azerbaijan;
- Conducted an HR audit for an international oil company, a global transport company;
- HR documentation audit and issuance of recommendations on matters of registration of work relations for an IT company, developer of automated digital document management systems and smart contracts;
- Amending the policies on incentive and compensation payments applied in the subsidiaries of the American complex technological equipment manufacturer to ensure their compliance with Belarusian legislation;
- Drafting of the applications and other documents for obtaining a special permit for the employment and employers' representation in state bodies when obtaining such permits;
- Drafting and registration of employment contracts with foreign employees;
- 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;
- Providing equity compliance review for employee stock options;
- Due diligence on the labour aspects of the activities of the target company for CITIC Construction;
- Preparation and conclusion of employment contracts with engineering and technical personnel, support in the certification of engineering and technical personnel of the branch of China Construction Sixth Engineering Division Co., Ltd for the obtainment of a construction license;
- Advising China National Electronics Import and Export Corporation on labour law issues, including hiring, transfers, layoffs, pay, disciplinary action, safety and health, personnel outsourcing, foreign labour recruitment, etc.;

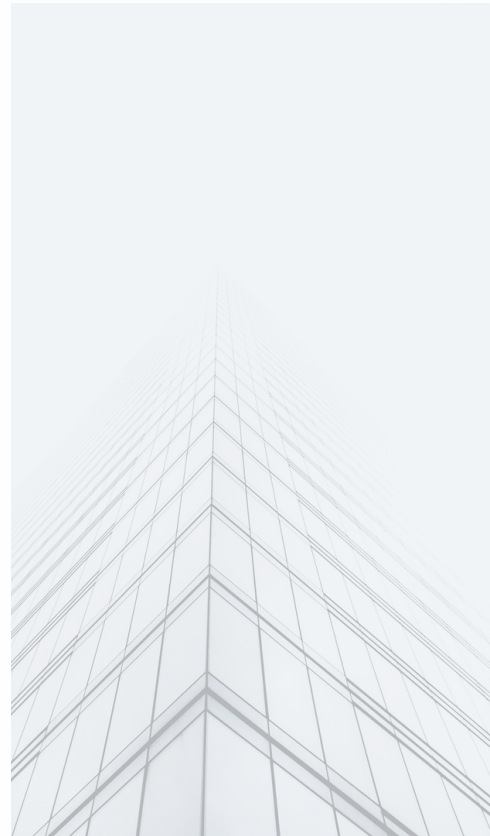


“The team's significant knowledge, high degree of accountability, and willingness to go above and beyond were all on display when providing services...”  
- Chambers Global Guide 2023

# EXPERIENCE

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- Supporting the process of companies and employees' relocation to Cyprus, provide guidance, drafting & reviewing of all supporting documentation needed in the selected headquartering option. Filing an application to the BFU and accompanying all employees/investors to the Civil Registry and Migration department for the filing of their applications and obtaining residence permits;
- Full support is also provided for payroll/social insurance, payments/tax advice and overall coordination for employees relocated from abroad;
- Drafting of a range of contracts and other documents pertinent to employment, such as Letter or Offer of Employment, Agreements and Contracts of Employment, Employee Manuals, Company Handbook and Policies, Confidentiality Agreements, Termination of Contract or Agreement Letter, Termination Agreements, Provident Fund Forms or Documentation;
- Advising an American company that specializes in software engineering services on all questions of Labour law (hiring, termination of labour contract, disciplinary actions, labour relations with director, distance work, drafting internal rules and regulations, labour agreement, executive documents);
- Advised a leading bank on several labour disputes with ex-employees (Collective claim) on payment of regional coefficient, allowance and compensation for unused additional leave provided for employees working in high mountain area;
- Advised a world leading dialysis company and producer of medical equipment on different labour matters. such as:
  - employment agreements with management, doctors and nurses;
  - hire of employees;
  - obtainment of work permit and permit for engaging foreign employees;
- Represented employers in court hearings on labour dispute;
- Assisted in obtaining work permits for foreign employees;
- Advised on employment and migration law issues for a subsidiary of an international group of companies providing pharmaceutical services;
- Advised and assisted on negotiation of collective agreement terms with the leading members of the Trade union;
- Advised on general personal privacy regulation of Mongolia to various international clients;
- Advised on updating HR documents including fixed and indefinite employment agreement, internal HR policy and other policies;
- Advising a subsidiary of a major French food products manufacturer in connection with implementation of share option programme for the employees of its subsidiary, including development/adaptation of the required documents;



# EXPERIENCE

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- Preparing local regulatory acts (including the regulations on personal data protection and on commercial secret) and advising a Russian subsidiary of a major European medical devices manufacturer on staff reduction and employees disciplinary liability issues;
- Advising a subsidiary of a Swiss equipment manufacturer on options for staff transfer and staff reduction after the acquisition of the company;
- Long-term cooperation with the multinational corporation Philip Morris International on issues of representation in labour disputes with employees in Russian Federation, as well as consulting and representing top managers on various issues related to termination of employment relations, payments and compensation;
- Represented the chief accountant of JSCB "Gazbank", with whom the employment contract was illegally terminated, in a court dispute. As a result of the consideration of the case, the court confirmed the fact of illegality of the termination of the employment contract, reinstated the client and awarded the salary for the entire period of the disputed period. Later, the Constitutional Court of the Russian Federation issued a judicial act on the complaint of another person with similar circumstances, in which it adopted a legal position similar to that formed for our client;
- Representing the interests of a top manager of a large manufacturing company in a litigation to establish the fact of being in an employment relationship in the absence of properly executed documents. After consideration of the case by the courts of two instances not in favor of the client, the court of cassation sent the case for a new trial and only at the stage of appeal the courts accepted the position of the client, the financial requirements were satisfied in full;
- Successful representation of interests of industrial enterprise, part of the world's largest agricultural holding, in a dispute about restoration on work, collecting of average earnings during the period of forced absence, compensation for moral damages from a former employee – Director, dismissed due to unreasonable implementation of company's property, funds from the sale of which is not entered in the revenue;
- Representation of 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 a foreclosure on the ship, due to which funds were received to pay the crew's debts;
- Providing legal assistance to a major transatlantic corporation in the agribusiness sector (food production) in preparing a reasoned refusal to join the federal industry agreement between unions and employers. The adoption of this agreement would have had a significant impact on business activities of the employers and pricing in this sector and would have created risks of substantial material costs;
- Protection of interests of the General Director of a company-developer of a large residential complex, to whom an official investigation was initiated regarding a conflict of interests, which could have resulted in dismissal of the General Director and recovery of damages of about RUB 200 mln (about EUR 3 mln). As a result, the Client was fully exonerated;
- Providing legal assistance to a client (a well-known business radio channel) to support the staff reduction procedure. The situation was complicated by the fact that the post of Editor-in-Chief, a special subject of legal relations regulating the activities of mass media, was subject to staff reduction. Victory in the dispute saved the Client's reputation, and the case became precedent-setting for court practice;

# EXPERIENCE

- Advising the American company ARD INC. on the labor legislation of Tajikistan, preparation of a sample labor contract, samples of personnel documents and personnel guidance for employees on labor issues and state registration of the branch in Tajikistan;
- Preparation of employment contracts for an American outstaffing preparation of a memorandum on labour issues and support for the state registration of its subsidiary (LLC) in Tajikistan;
- Advising a Chinese telecommunication company on labour issues in Tajikistan;
- Analysis, legal support and advising UK company on restructuring of the active business in the Caspian Region on labor law of Turkmenistan;
- Drafting a specific senior executive employment contract with restrictive covenant for a leading real estate client in Dubai.
- Preparation of internal employment policies and agreements on financing education of employees and minimal mandatory employment term for the representative office of a Polish pharmaceutical company in Uzbekistan;

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High levels of responsibility, professionalism, preparedness and availability were displayed by the GRATA International team.  
- Chambers Global Guide 2023

- Assistance with structuring staffing lists for an Uzbek subsidiary of a Russian oil and gas service provider for the purposes 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;
- Ongoing legal advice to a large international non-profit organization on day-to-day operational issues related to labor law;
- Development of an employment contract for the general director of the representative office of an international company manufacturing equipment for mining;

- Advising a client - one of the the largest international payment system on the issues of concluding non-competition agreements with employees.

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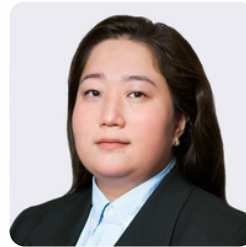
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# GRATA INTERNATIONAL

## ABOUT US

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.




## GRATA INTERNATIONAL FIRM FACTS

 **> 22**  
countries of presence

 **> 31**  
years of experience

 **> 250**  
professionals

 **> 15**  
practice areas

  
**7 700+**  
clients

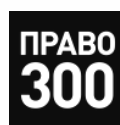
  
**15 000+**  
projects

### Recognition

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.

"The firm built up a convenient one-window interface to work with all jurisdictions it supports"

The Legal 500, 2022



Best Lawyers®

# THE WORLD PRESENCE



 **Integrated Offices**

**Azerbaijan**  
Baku

**Belarus**  
Minsk

**Georgia**  
Tbilisi

**Kazakhstan**  
Astana  
Almaty  
Atyrau  
Aktau,  
etc.

**Kyrgyzstan**  
Bishkek

**Moldova**  
Chisinau

**Mongolia**  
Ulaanbaatar

**Russia**  
Moscow  
Rostov-on-Don  
St. Petersburg

**Tajikistan**  
Dushanbe

**Ukraine**  
Kyiv

**Uzbekistan**  
Tashkent

 **Associate Offices**

**Armenia**  
Yerevan

**Cyprus**  
Limassol

**Russia**  
Samara

**Turkmenistan**  
Ashgabat

**Turkey**  
Istanbul

**UAE**  
Dubai

 **Representatives**

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Beijing

**Germany**  
Frankfurt

**Malaysia**  
Kuala Lumpur

**Switzerland**  
Zurich

**UK**  
London

**USA**  
New York