

## 구성원 소개

Attorney Jung Sang-tae is a specialist in labor and employment law. He was the first to establish and argue the principle of minimum standards in ordinary wage lawsuits. He has led numerous successful cases, including illegal dispatch cases in the steel industry, employment status disputes involving insurance sales agents, lecturers, and after-sales service technicians, a wage peak system dispute involving a securities firm, and cases of unfair labor practices. In addition to litigation, he provides expert legal counsel based on experience in various industries such as retail, semiconductors, chemicals, automobiles, and food. He also demonstrates strong capabilities in matters involving the Serious Accidents Punishment Act. Representative cases include employment succession in a corporate spin-off at a food distribution company (H Corporation), collective dismissal at a port company (H Corporation), and employment status of electronics installation technicians at a transportation company (L Corporation).

Since joining the firm in 2019, following roles at Jisung Law, Bae, Kim & Lee, and Kim & Chang, he has led the Labor and Employment Group. He is actively engaged externally as well, serving as Director of the Society for Labor Law Theory and Practice, committee member for Industrial Accident Review and Eligibility Review at the Korea Workers' Compensation & Welfare Service and legal advisor to both the Central Labor Relations Commission and the Jeonnam Regional Labor Relations Commission.

## 학력

2013	Visiting Scholar, Washington University
2006	Judicial Research and Training Institute of the Supreme Court of Korea (35th)
2004	College of Business Administration, Seoul National University
2003	Passed the Bar Exam (45th)
1995	Daeryun High School

## 경력

2019~Present	Partner, Barun Law LLC
2024~Present	Legal Advisor, National Labor Relations Commission
2024~Present	External Member, Special Personnel Committee of KBS
2023~Present	Member, Legislation Committee of the Korean Bar Association
2021~Present	Member, Joining Qualifications Deliberations Committee of the Korea Workers' Compensation and Welfare Service
2020.2.~2022.1.	Legal Counsel, The Ministry of Labor



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## 최근업무사례

[인사·노동] 회사가 수회에 걸쳐 부여한 단시간의 휴식시간이 근로기준법상 휴게시간에 해당한다는 판결

[인사·노동] 지방자치단체가 운영하는 통합관제센터의 관제요원들에게 계약갱신 기대권이 인정되지 않는다는 판결

[인사·노동] 1일 2교대 근무제 근로자들이 휴게시간 미부여를 주장하면서 연장근로수당 및 휴일근로수당을 청구한 사건에서 사용자측을 대리해 승소

[인사·노동] 증권회사에서 영문리포트를 교열, 편집하는 외국인 에디터의 경우 기간제근로자 사용기간 제한의 예외에 해당하는, 한국표준직업분류 대분류 2의 출판물 편집자에 해당한다는 판결 사례

[산업안전보건] 건설용 리프트 해체 작업 중 근로자 3명이 사망하고 1명이 중상을 입은 사건에서, 산업안전보건법위반죄 및 업무상과실치사상죄에 대해 1심 전부무죄 판결을 이끌어 낸 사례

[인사·노동] 증권사의 임금피크제가 유효하다고 판단받은 사례

[노동] 전자제품 설치기사들의 근로기준법상 근로성이 쟁점이 된 사건에서 회사를 대리하여 1심 승소 판결을 이끌어 낸 사례

[형사] 계열사 주식처분으로 인한 배임 혐의로 고소당한 의뢰인을 대리해 검찰 불기소처분을 받은 사례

[인사·노동] 회사의 상무가 비조합원에게 노동조합에 관한 부정적인 의견을 표현한 것이 부당

2018~Present	Member, The Industrial Disaster Compensation Insurance Judging Committee of Korea Workers' Compensation and Welfare Service
2014~2022	Member, Disciplinary Committee of Seoul Regional Employment and Labor Agency
2014~Present	Lecturer, Labor Law Training Institute, Seoul Bar Association
2014~Present	Director, Society of Labor Law Theory and Profession
2014~2019	Kim & Chang
2008~2014	Lee & Ko
2006~2008	Jisung Law Offices
2006	I&S Law Offices

## 주요 업무 및 활동

### Employment/Labor-Related Litigation

- Represented in a case involving employment succession following division of company H (a distributor of food products)
- Represented in a case involving company Y (a chemical company) where a claim was filed for extension of the retirement age following correction of family register
- Represented in a case involving company Y (a chemical company) where the prime leader of an illegal assembly was terminated
- Represented in a case involving company M (a broadcasting company) where the perpetrator of sexual harassment was terminated
- Represented in a case involving bank H where an employee was terminated for unjustifiable use of the corporate credit card
- Represented in a case involving corporate group H (automobile) for terminating low-performing workers
- Represented in a case involving corporate group H (automobile) for unjustly suspending lines and terminating workers in connection with an illegal assembly
- Represented in a case involving corporate group H (automobile) concerning subcontracting within the company and illegal secondment of car salesmen
- Represented in a case involving corporate group D (electronic service) for confirmation of technical service worker's position as a worker
- Represented in a case involving corporate group S (electronics) where a worker was terminated for refusing to comply with work orders

- 노동행위에 해당하는지 여부가 쟁점이 된 사건에서 검찰 불기소 처분을 이끌어 낸 사례
- [인사·노동] 회사가 노동조합의 계좌로 5천만원을 입금한 것이 운영비 원조의 부당노동행위에 해당하는지 여부가 쟁점이 된 사건에서 불송치 결정을 이끌어 낸 사례
- [인사·노동] 임금피크제가 유효하다고 판단 받은 사례
- [인사노무] 지방자치단체의 공개채용절차를 통한 기간제근로자 반복 채용에 대해 계속 근로관계를 불인정한 판결
- [중대재해대응] 전기설비설치공사를 하던 하청업체의 근로자가 추락하여 사망한 사건에서 원청업체를 대리하여 중대재해처벌법위반 등 혐의에 대하여 내사종결을 이끌어 낸 사례
- [인사노무] 회식 자리에서 부하 직원에게 손깎지, 손등 입맞춤, 팔짱 끼기 등의 성희롱을 한 상사에게 면직 처분을 내린 것이 정당하다는 판단을 이끌어 낸 승소 사례
- [인사노무] 경영성과급 및 퇴직연금 부담금 청구 사건에서 근로자의 청구를 방어한 사례
- [인사노무] 임원 채용에 대한 정당한 기대 내지 신뢰를 부여하였다고 하더라도 임원 채용에 관한 계약이 체결된 것은 아니라고 판단한 사례
- [인사노무] PIP(성과개선계획)가 불공정하게 운영되어 이루어진 해고가 부당해고에 해당한다는 판단을 받은 사례
- [중대재해대응] 준공청소 용역업체 근로자가 추락사한 사건에서, 청소용역을 맡긴 하도급업체 및 임직원을 대리해 산업안전보건법위반·중대재해처벌법 위반 혐의의 '내사종결'을 이끌어 낸 사례

## 주요 업무분야

- 인사노무
- 중대재해 대응
- ESG
- 벤처지원

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- Represented in multiple cases concerned with ordinary wages of various companies, including company D (steel)
  - Represented in a case involving company H (metal) where a worker, who was ordered by the company to be transferred refused to comply with such order, was terminated
  - Represented in a case involving layoff for redundancy carried out by company H (port)
  - Represented in a case involving company H (petroleum chemistry) where a retiring officer claimed for performance pay
  - Represented in a case involving a guarantee insurance company S concerning the company's salary peak system
  - Represented in a case involving tire company K where a claim was made for severance pay
  - Represented in a case involving company H (paper manufacturing) for unfair labor practices
  - Represented in a case involving company O (manufacturing) for unfair labor practices
  - Represented in a case involving company H (food and beverage) for unfair labor practices
  - Represented in a case involving bank O for unfair labor practices

#### Employment/Labor-Related Advice

- Advised company S (semiconductors) on their project concerning subcontracting within the company and personnel-related regulations
- Advised corporate group L on their project to check the appropriateness of operating service centers by way of subcontracting
- Advised corporate group S on their project to reduce work hours
- Advised company D (logistics) on their project to check subcontracting their logistics work
- Advised rental car company L on their project to check subcontracting of their rental car business
- Advised company S (medical device) on their project to investigate on subcontracting within the company
- Advised company N (Internet) on their project concerning work hours
- Advised group S (department store) on their project to reduce work hours and check their subcontracting
- Advised company C (highway) concerning collective bargaining
- Advised company H (distribution) concerning collective bargaining
- Advised company T (broadcasting) concerning collective bargaining