



 **Howse Williams**

Employment Practice

May 2025

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Howse Williams is a leading, full service, Hong Kong law firm. We combine the in-depth experience of our lawyers with a forward thinking approach.

About Us

Our key practice areas are corporate/commercial and corporate finance; commercial and maritime dispute resolution; clinical negligence and healthcare; insurance, personal injury and professional indemnity insurance; employment; family and matrimonial; trusts and wealth preservation; wills, probate and estate administration; property and building management; banking; fraud; distressed debt; investment funds; technology, media and telecommunications; virtual assets; financial services/corporate regulatory and compliance.

As an independent law firm we are able to minimise legal and commercial conflicts of interest and act for clients in every industry sector. The partners have spent the majority of their careers in Hong Kong and have a detailed understanding of international business and business in Asia.

The HW partners and their teams have an excellent reputation for delivering high quality legal advice with a practical and commercial approach to solving legal issues in line with clients' commercial objectives.

We advise upon all aspects of the fast-changing contractual, common law and statutory law employment framework in Hong Kong which regularly include:

- Compromise agreements
- Confidential information and trade secrets
- Corruption
- Discrimination (marital status, disability, race and sex)
- Employee incentive schemes
- Executive bonus, share option and pension schemes
- Health and safety
- Hiring
- Industrial espionage
- Immigration
- Internal disciplinary proceedings
- Internal staff handbooks, policies and procedures
- Investigations
- Leave rights and entitlements
- Mandatory provident fund
- Minimum Wage Ordinance
- Personal data
- Post-termination restrictions (e.g. non-compete, non-solicitation, non-dealing, restrictive covenants etc.)
- Prevention of Bribery Ordinance
- Privacy
- Regulatory
- Reference letters
- Retirement schemes
- Springboard injunctions
- Termination and redundancies
- Transfer of business
- Union activity

Investigations

HW employment lawyers are often involved in conducting external investigations into areas of suspected misconduct by employees and are skilled at extracting relevant information during the investigation process before devising practical, innovative and effective solutions.

Employment Dispute Resolution

HW's team of experienced employment lawyers has a track record of success in conducting employment related claims on behalf of both employers and employees in both mediation and litigation. We strive to keep our clients out of court if at all possible by achieving practical, commercial and cost-effective solutions to often complicated and sensitive disputes in the employment arena. If however litigation is inevitable, we advise our clients behind the scenes in the conduct of proceedings in the Labour Tribunal (in which lawyers have no rights of audience) and before the District and High Courts in Hong Kong. We have particular experience in the conduct of applications for springboard injunctions.

Non-contentious Employment

HW advises both employer and employee clients upon all aspects of drafting employment-related documentation and advising them upon the meaning and effect of contractual, common law and statutory employment issues in Hong Kong.

Training

HW recognizes that having internal policies and procedures is only half of the battle for employers and that for those policies and procedures to provide maximum protection to employers, they must be implemented within the workforce. We therefore offer bespoke training courses to our employer clients in order to ensure that the implementation process is carried out as effectively as possible.

HR professionals should also benefit from our free quarterly lunchtime employment seminar series.

Awards

In 2013 HW was awarded International Employment Law Firm of the Year in Hong Kong by Global Law Experts.



Patricia Yeung

Partner

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Patricia has focused on employment law since qualifying as a solicitor in 2011, and her experience in employment matters is now widely recognised in Hong Kong. Patricia heads up HW's employment team, which consists of two partners (including Patricia) and three associates.

Patricia regularly advises employers and senior executives on both contentious and non-contentious employment matters. Her clients include airlines, education providers, insurers and financial services providers.

Patricia's practice covers a wide range of work, including drafting employment contracts, handbooks and policies, terminations and advising upon the enforcement of post-termination restrictions and confidentiality obligations. She and her team frequently advise on the employment aspects of M&A deals and business transfers.

Many of Patricia's clients operate in the financial services sector, and she frequently negotiates exit packages in relation to high-level employees of banks, brokerages and insurance companies. Patricia also advises upon the employment issues arising from discrimination and harassment, personal data related matters and immigration issues (including prosecutions). She also has experience in assisting employers and employees during the conduct of internal investigations and discrimination and harassment complaints.

Patricia has an in-depth knowledge of the Labour Tribunal, having assisted parties involved in Labour Tribunal proceedings for several years. She has also represented both plaintiffs and defendants in both District and High Court actions involving substantial claims for unpaid bonuses, enforcement of restrictive covenants and claims for injunctive relief in Hong Kong, including applications for injunctive relief. She also advises clients on licencing issues and regulatory investigations involving the SFC and the HKMA.

▼ Professional Recognition

Patricia is consistently ranked in Legal Directories. Examples of recent client comments:

2024 Legal 500: *"Patricia Yeung is outstanding and intellectually astute with in-depth legal knowledge, strong analytical and advocacy skills, and exceptional interpersonal and communications skills. She never misses a beat and could always put me at ease with the right dose of calm, empathy and good humour. She has phenomenal writing skills and consistently provided well-crafted submissions with striking time-efficiency."*

2024 Chambers and Partners client testimonial: *"She knew every aspect of my case and always explained her advice and the law clearly, showing empathy and understanding in all her interactions with me."*

2022 Legal 500: *"Patricia Yeung (Partner) – exemplary knowledge of the law and application to our businesses needs. Dedicated and easy to work with."*

2021 Chambers and Partners: *"a very dedicated, client-centric and commercial partner, who manages to be detail-oriented and technical, while giving clear and succinct advice."*

2021 Chambers and Partners client testimonial: *"The advice we received was excellent. It was well constructed, thorough, easy to follow, and received in a timely manner."*

2021 Legal 500: *"Very sensible team head Patricia Yeung is at the heart of many of the firm's financial services-related mandates, and as well as advising on employment litigation in the sector, also frequently negotiates exit packages in relation to high-level employees of banks, brokerages, and insurance companies."*

Patricia has also been listed in the Labour and Employment section of Who's Who Legal.

Patricia is the author of the 'Hong Kong Employment Ordinance - An Annotated Guide', which is published by Lexis Nexis. She also teaches on the PCLL Employment Law and Practice course at the University of Hong Kong.

▼ Experience

2015 Howse Williams
2008 Gall Solicitors

▼ Education

2008 The University of Hong Kong, Postgraduate Certificate in Laws
2007 Cardiff University, Master of Laws in Commercial Law
2006 BPP Law School, Legal Practice Course

▼ Professional Admissions/Qualifications

2011 Hong Kong

▼ Professional Affiliations

Member, Law Society of Hong Kong



Michael Withington

Partner

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Michael is experienced in a wide range of commercial litigation, including shareholder disputes involving both listed companies and high-profile private companies (many of which involve a cross-border element). He has also acted in litigation involving financial services institutions (including mis-selling claims and negligence claims), claims involving directors, and disputes over asset acquisitions.

A large part of Michael's practice at Howse Williams involves contentious employment matters (acting for both employers and employees), including claims over termination and remuneration, enforcement of post-termination restrictions, discrimination claims and partnership disputes. He advises employers and statutory bodies on internal investigations and disciplinary proceedings, and has represented a number of individuals in SFC investigations. He also has significant experience in conducting and defending judicial review proceedings.

Michael also has extensive insurance experience, particularly in relation to the defence of professional negligence claims and advising on coverage issues. He has been a panel solicitor for the Hong Kong Solicitors Professional Indemnity Scheme since 1998, and has represented both local and international law firms in connection with a broad range of claims.

▼ Experience

2015 Howse Williams
2012 Gall
2002 Herbert Smith Freehills
1998 Wilkinson & Grist
1994 Haldanes

▼ Education

1987 The University of Sydney, LLB

▼ Professional Qualifications

1994 Hong Kong
1994 England and Wales
1987 New South Wales, Australia

▼ Professional Affiliations

Member, Law Society of Hong Kong

▼ Reported Decisions

- Philippe Delhaise v Ng & Co & Erving Brettell [HCA 10165/2000; CACV 386/2003]
- Mimi Monica Wong v Mirko Saccani [HCA 2061/2004]
- Pat Bobby Ying Ho v Hong Kong Solicitors Indemnity Fund Ltd [HCCT 40/2004]
- Michael John Treloar Rowse v The Secretary for the Civil Service, The Chief Executive & The Chief Secretary for Administration [HCAL 41/2007]
- GFI (HK) Securities LLC v Kang Gyong Hee & ICAP Equities Asia Ltd [HCA 451/2015]

▼ Professional Recognition

Michael is currently ranked by Chambers Asia as a Band 2 employment lawyer and a Band 3 insurance lawyer. Comments include:

2024: "He's very responsive, commercial, and gives very sound advice.

2017: "He has a cool, calm demeanour. We use him during a crisis."

2015: "a seasoned operator"
"a very good litigator - very experienced and steady"

2014: "is an experienced litigator who certainly knows his stuff; gives clients sensible and considerate advice."

"He is particularly adept in restrictive covenants, partnership disputes and investigations by local regulators"

2013: "very quick and very clear on providing advice" ... "his immediate response and technical support are always available"

2012: "good judgement and great technical skills"... "is a seasoned practitioner for commercial litigious matters on labour issues"

2011: "has deep rooted experience in employment litigation"

Our Team



Margaret Wo
Senior Associate

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Margaret is an associate in the litigation team. She advises on a broad spectrum of litigation and arbitration matters with a particular focus on commercial litigations and cross-jurisdictional disputes. She also has experience in advising companies and high-net-worth individuals on employment, intellectual property, contentious probate, matrimonial, and general commercial matters.

Margaret has experience in handling disputes at the Court of Appeals, High Court, District Court, Family Court, and Labour Tribunal as well as HKIAC, SIAC, CIETAC, and ad hoc arbitrations.

Her current practice focuses on general commercial litigation and contentious employment matters.

She is fluent in English, Cantonese and Mandarin.



Bella Chan
Associate

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Bella joined the employment department in 2022 upon completion of her training contract with Howse Williams. She has advised on both contentious and non-contentious employment matters including contractual and discretionary bonuses, wrongful terminations, harassment, immigration-related prosecutions and data privacy issues.

Bella has experience in handling disputes in the Labour Tribunal and the District Court. She also has experience in advising employers undergoing investigations of the Immigration Department and the Equal Opportunities Commission.



Jacqui Lee

Associate

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Jacqui is an Associate in the employment team. Her practice focuses on both contentious and advisory employment matters including benefits and entitlements, policies and handbooks, termination, exit strategy, post-termination restrictions, workplace investigation, discrimination and harassment, personal data privacy and employment disputes.

Jacqui has experience in litigation and has acted for clients across different industries in District Court and High Court proceedings. She has also conducted internal investigations into employees' misconduct and grievances, and has defended complaints lodged with the Equal Opportunities Commission.

Prior to joining Howse Williams, Jacqui trained and qualified with an international law firm. She is fluent in English, Cantonese and Mandarin.



James Li

Associate

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James is an Associate with the Employment team. His practice covers both contentious and advisory employment matters including enforcement of post-termination restrictions, claw-back of bonuses and awards, benefits and entitlements, termination disputes and exit strategies, discrimination and harassment issues, drafting and review of employment contracts, handbooks and other HR-related documentation, and advising on personal data privacy and immigration issues.

James has experience acting for clients across different industries in proceedings in the High Court, District Court and Labour Tribunal, and has particular experience in acting for clients in the financial services industry in complex commercial disputes and employment disputes.



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