



HERBERT SMITH
FREEHILLS
KRAMER

ASIA PACIFIC EMPLOYMENT LAW

LEGAL GUIDE
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Introduction

Welcome to the 2026/2027 edition of Herbert Smith Freehills Kramer's Asia Pacific Employment Law Guide, which contains an updated summary of the key employment laws that businesses need to know about as they operate across the region.

The employment landscape in Asia Pacific is entering a period of accelerated change. Artificial intelligence and automation are no longer optional enhancements; they are redefining how organisations recruit, manage, and engage talent. Generative AI is being deployed across the workplace - from candidate screening to workforce analytics. But with innovation comes complexity. Regulators are introducing new frameworks to govern algorithmic decision-making, data privacy, and discrimination risks, requiring employers to balance innovation with transparency and fairness.

Hybrid work models remain a fixture, but the conversation has shifted from where employees work to how work is measured and managed. Organisations are investing in advanced performance analytics and outcome-based management systems to measure effectiveness in remote working teams. However, these tools raise important questions around employee privacy, consent, and trust. At the same time, mental health and psychological safety have become central to occupational health and safety obligations in many jurisdictions. Employers are expected not only to provide support but to integrate wellbeing into their compliance and risk management frameworks. This trend reflects a broader recognition that employee health—both physical and mental—is critical to sustainable business performance.

International mobility continues to be a priority for many organisations, particularly those operating across multiple jurisdictions. Yet restrictive immigration and tax frameworks, combined with tightening work permit rules, present ongoing challenges. Businesses are responding by exploring alternative workforce strategies, such as establishing regional hubs or adopting cross-border remote work models. These approaches, while innovative, introduce new layers of complexity around employment law, tax compliance, and social security obligations. Employers must plan carefully to avoid unintended liabilities and ensure compliance with local regulations.

Employee entitlements, benefits, and protections are expanding across Asia, reflecting a broader trend towards strengthening worker rights and improving workplace standards. Several jurisdictions have introduced or are considering enhanced parental leave provisions, flexible working rights, and statutory protections for gig and platform workers. Minimum wage increases and adjustments to working time regulations are becoming more common, alongside new requirements for employers to provide health and wellness benefits. In addition, governments are tightening enforcement of anti-discrimination laws and implementing stronger whistleblowing protections. These developments signal a shift towards greater accountability and transparency, requiring employers to review and update policies regularly to remain compliant and competitive in attracting talent.

Cultural and social expectations are also evolving. Complaints of harassment and bullying remain prevalent, and regulators are imposing stricter reporting and investigation requirements. Employers must ensure that policies are not only robust on paper but actively enforced in practice. ESG considerations are increasingly influencing workplace policies, particularly in areas such as diversity, inclusion, and ethical supply chains. Employment law is now firmly linked to corporate governance and sustainability, and organisations that fail to align with these expectations risk both legal exposure and reputational harm.

We hope our Guide will assist you as you navigate some of these complex scenarios. The Guide provides a detailed overview of the laws of 22 jurisdictions around the region, answering the most commonly asked questions, including those relating to minimum terms and conditions, disciplinary procedures, termination of employment, discrimination and harassment, whistleblowing, occupational health and safety, data protection, outsourcing and industrial relations.

Like many of those who reach to this Guide, our team deals with HR and employment law matters across multiple jurisdictions. Providing local expertise with a regional context, the hub for our Asia Employment & Workplace Investigations practice is Singapore, with employment lawyers on the ground across the region. The Asia team also works seamlessly with our colleagues across Australia, where we have employment and industrial relations teams in Perth, Sydney, Melbourne and Brisbane. Together, we can help clients navigate the myriad of employment issues that arise across the region through a 'one-stop-shop' approach. Where the Firm does not have a

physical presence, or has regulatory restrictions, we have developed strong relationships with trusted local firms; those firms have kindly assisted in the preparation of this Guide.

Although the information contained in this Guide is not legal advice, it should give you a steer in the right direction. If we can assist you with your employment and HR needs across the region, please don't hesitate to reach out.

We look forward to working with your business across the region.

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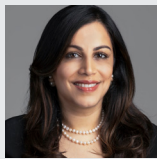
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