

**Trench
Rossi
Watanabe.**

**LABOR AND
EMPLOYMENT**

trenchrossi.com

ALIGNING OBJECTIVES, MANAGING EXPECTATIONS

Labor laws can put employers at a disadvantage. We help you prevent and resolve problems.

A skilled labor force of 90 million forms the backbone of Brazil's robust economy and makes it a choice place to do business. But employment costs can be high. Brazil's labor regulations do not always change as quickly as global market dynamics. The statute of limitations on labor claims is long by international standards and the burden of proof for claims is shifting from the employee to the employer. If a claim is awarded, thirty percent of the amount may also need to be paid to Social Security.

At Trench Rossi Watanabe, we can help keep your people motivated and your business competitive through strategic employment practices and policies. We can advise you in all employment-related procedures – from hiring and termination to trade union negotiations – and help you comply with Brazil's labor and social security laws. We focus on prevention and promoting and applying global best practice.

Through our cooperation with international law firm Baker McKenzie, we can help you achieve greater operational efficiencies. We can also assist you with related tax, intellectual property and health and safety issues. In cases of conflict, our experienced litigation professionals can fully represent and defend your rights in labor claims.

DID YOU KNOW?

- 60 percent of Brazil's workforce is in the services industry, 30 percent in manufacturing and 10 percent in agriculture.
- The Brazilian Labor Code (CLT) includes more than 900 articles detailing rules related to labor rights, working conditions, hours, termination, union structure, health and safety.
- Through our Chinese, French, German, Japanese and Spanish desks, we help multinationals and their expatriates feel at home and act with confidence in Brazil.

Trench Rossi Watanabe cooperates with international law firm Baker McKenzie, present in more than 40 countries.



HERE ARE WAYS WE HELP

■ Consultation

Compliance with labor and social security laws and assistance with all employment related procedures.

■ Labor audit

Analysis of employment practices and identification of potential risks and contingencies as well as proposed solutions.

■ Trade union negotiations

Negotiation of collective bargaining agreements, wage and working hour issues, interpretation of work policies; implementation of profitsharing plans.

■ Business immigration and employee transfer

Labor, tax and social security planning for the transfer of expatriates from and to Brazil; visa applications for employees being transferred to Brazil.

■ Outsourcing

Planning and consultation on labor and employment issues related to outsourcing.

■ Acquisitions and restructurings

Assistance to both buyers and sellers in managing issues related to the transfer of employees, such as pay and benefits equalization.

■ Labor law in Latin America.

Coordination of labor matters and practices across Latin America.

■ Health and safety at work

Advice and audit on occupational health and safety matters and assistance in related actions.

■ Litigation

Defense in individual and collective labor claims, collective bargaining agreements and social security matters.

AWARDS AND RECOGNITIONS

CHAMBERS LATIN AMERICA

Trench Rossi Watanabe was acknowledged to be one of the leading law firms in the Labor and Employment area in Brazil in the last seven editions. The team is known for acts for a number a high-profile domestic clients on labor matters and has deep experience of the international market. Employee compensation schemes and strategic litigation are some of the group's main areas of expertise.

ANÁLISE ADVOCACIA 500

The 2017 edition conducted an interview with more than 700 representatives of the major companies in Brazil. Trench Rossi Watanabe appears in all the 12 areas researched by the publication, including Labor, as one of the most admired law firms in the country.

LATIN LAWYER 250

Trench Rossi Watanabe well-regarded labour team is co-led by Ana Paula Vizintini, Leticia Ribeiro and Tricia Oliveira. Trench Rossi has gained favorable decisions in the labor courts. The team also assists on large-scale M&As bringing major employment liabilities for the acquirer. Labour law is also a key offer to the firm's many full-service clients; one company that retains the labor team comments on the firm's 'across-the-board high level of professionalism'.

LABOR EXPERIENCE



- Legal assistance to clients from several industries on health and safety issues: review and implementation of health programs and policies.

- Review, elaboration and implementation of clients' expatriates policies and assistance in the transfer of employees.

- Legal assistance and advice on the identification of the Union that better represents the clients' economic activity.

- Assistance and support on several internal labor audits and labor due diligences.

- Assistance in opening and/or closing facilities, providing guidance in all labor aspects.

- Assistance in negotiations with the Union aiming to reduce working hours and salaries.

- Assistance in management of expatriates, involving the identification of the correct VISA for the employees, obtaining such VISA and assisted in the management of the expatriates.

- Intervention in strikes movements.

- Acting in crisis situations with several companies.

- Representation of companies in public and collective civil actions related to occupational health and safety, as well as daily matters of operation.

- Preventive actions in companies with internal audit of labor practices and compliance.

- Assistance in regular collective actions, conventions and collective labor agreements in strikes and massive layoffs.

- Assistance to companies on elaboration of internal policies and its performance evaluation.

- Representation of companies in labor claims, involving high executives, including the

establishment of indemnity claims in the face of the latter.

- Assistance in hiring and dismissal of high executives.

- Assistance to companies in administrative procedures brought by Labor Public Ministry, as well as civil investigations brought by Labor Public Ministry.

- Assistance to companies to elaborate compensation packages for both new hires and in case of opening of the company in the country.

- Assistance to companies in times of crisis, aiming to reduce the work hours and salaries of employees. Adherence of governmental programs aiming the maintenance of the labor force.

- Assistance in transference of employees, including the compensation package and migratory procedures.

- Acting with companies on benefits equalization in case of mergers and acquisitions.

- Elaboration of plans and compensation accords (bonus, PLR, RSU, commission, stock options).

- Representation of companies in labor claims related to strategic matters, aiming not only to defend, but the filing of legal actions on behalf of the client's interest.

- Strong acting in several industries: chemical, automotive, oil distribution, IT, telecommunications, pharmaceutical, entertainment, hospital equipment and electronics.

CROSS COLLABORATION



The Labor group work with other areas, developing strategic group jobs to provide a great range of opportunities to its clients, like:

Compensation Group. Nowadays, it is not possible to analyze the consequences of remuneration and benefits without the interaction of Tax, Social Security and Labor Law in a way to offer the client a thorough recommendation from a multidisciplinary standpoint. Based on this idea, the Compensation Group was created, aiming at finding dynamic solutions and efficiency on the mentioned areas of law simultaneously.

Task Force. The main objective of this group is to assess our clients in times of crisis. Through the overview of the company – from the agencies involved and associated risks to the main measures to be adopted, the group provides solutions in different contexts, such as: monitoring the regional labor superintendence, strikes, accidents, among other situations that may arise in crisis.

Environment Health & Safety. The group provides advice on health issues and job security, so your employees can enjoy life with quality through appropriate process, avoiding pollution and degradation. The clients count with preventive actions against fire, explosions and release of hazardous substances to the environment or to the work place. In addition to the preventive measures, the EHS group assists in taking actions to reduce the environmental impact of a company under normal operation conditions, preventing workers to develop work-related diseases.



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