



URÍA MENÉNDEZ

Labour Practice Area

Introduction

Uría Menéndez is an independent law firm that was founded in Madrid in 1946 by Professor Rodrigo Uría González. We currently have seventeen offices in Spain, Portugal, where we operate as Uría Menéndez - Proença de Carvalho, and major cities in Europe, the Americas and Asia. We advise on Spanish, Portuguese and EU law in business-related matters and assist our clients in their international transactions through our network of offices and our close links with prestigious law firms around the world.

After almost two decades in Latin America, we have further strengthened our ties to the region with the creation of the first major Ibero-American law firm Philippi, Prietocarrizosa, Ferrero DU & Uría (PPU). PPU was set up in January 2015 following the merger of Philippi (Chile) and Prietocarrizosa (Colombia) and grew in January 2016 with the incorporation of the Peruvian law firms Ferrero Abogados and Delmar Ugarte. PPU now has more than 350 lawyers and offices in Chile (Santiago), Colombia (Bogotá and Barranquilla) and Peru (Lima).

"We are one of the most prestigious law firms in Continental Europe and have adhered at all times to our core principles: rigorous analysis of the law, professional services of the highest quality and long-lasting relationships with clients, capacity for innovation and honesty, decency and strict compliance with high ethical and professional standards; in a nutshell, we strive to excel at all levels."

Rodrigo Uría Meruéndano

Employment and social security law is an incredibly dynamic discipline, which constantly evolves. Our Labour Practice Area provides advice based on a rigorous study of the law and offers our clients practical solutions designed for their specific needs.

Our team is made up of seven partners and more than thirty lawyers spread across our Madrid, Barcelona, Valencia, Bilbao, Lisbon and Porto offices.

Our Labour Practice Area has considerable experience in all aspects of employment and social security law in Spain and Portugal, and in particular the following areas:

- General labour law advice, reports and due diligences (labour audits).
- Senior executives and management.
- Employment contracts, remuneration and benefits.
- Special employment relationships.
- Litigation and arbitration.
- Collective redundancies, individual dismissals, changes to employment conditions and employee relocations.
- Collective negotiations, collective disputes and industrial action.
- Expatriation and immigration.
- Transfers of undertakings and outsourcing.
- Social security and discretionary benefits.
- Health and safety and prevention of occupational hazards.

"The best in Spain - it really has deep knowledge of the area."

Chambers Europe

Labour Practice Area

GENERAL ADVICE, REPORTS AND DUE DILIGENCES

- Day to day advice on employment and social security issues, such as reconciling work and family life, working hours and codes of conduct.
- New technologies (e.g., e-mail, Internet, social networks) and the legal implications of their use in the workplace.
- Legal opinions and reports.
- Employment and social security due diligences.

SENIOR EXECUTIVES AND MANAGEMENT

- Negotiating and drafting contracts for senior management, executives and directors (e.g., remuneration, golden parachute clauses and non-compete covenants).
- Modifying and terminating senior executive and management contracts.

EMPLOYMENT CONTRACTS, REMUNERATION AND BENEFITS

- Employment contracts and specific provisions (e.g., exclusivity, non-compete and minimum-stay clauses).
- Designing and implementing remuneration and benefit schemes (e.g., bonuses, commissions, stock options, RSU, long-term incentives and sweet equity) in close collaboration with the Tax Practice Area.

SPECIAL EMPLOYMENT RELATIONSHIPS

- Professional sports players.
- Self-employed workers.

*"A highly supportive department;
I feel very comfortable knowing it's
on our side."*

Chambers Europe

LITIGATION AND ARBITRATION

- Individual, collective, first instance and appeal proceedings before the labour courts.
- Labour and social security inspections, sanction proceedings and social security contribution matters (e.g., administrative and judicial appeal proceedings).
- Out-of-court settlement of employment disputes before mediation and arbitration bodies.

COLLECTIVE REDUNDANCIES, INDIVIDUAL DISMISSALS, CHANGES TO EMPLOYMENT CONDITIONS AND EMPLOYEE RELOCATIONS

- Collective redundancy plans, working time reduction and temporary suspension of employment contracts.
- Individual dismissals on objective and disciplinary grounds.
- Pre-retirement and early retirement plans.
- Programmes offering employees support in restructuring situations.
- Individual and collective changes to employment conditions.

COLLECTIVE NEGOTIATIONS, COLLECTIVE DISPUTES AND INDUSTRIAL ACTION

- Negotiating, drafting, interpreting and applying collective bargaining agreements and other collective agreements.
- Collective disputes and industrial action.

"Clients entrust Uría Menéndez with 'complex and difficult matters'; 'its lawyers study each matter absolutely in depth' and 'their responses are complete and irrefutable'."

The Legal 500

EXPATRIATION AND IMMIGRATION

- Employee relocations: contractual, social security and tax issues of transferring employees abroad. In situ advice from lawyers in our offices in Latin America and China.
- Permit and visa applications to live and work in Spain and Portugal.

TRANSFERS OF UNDERTAKINGS AND OUTSOURCING

- Labour law issues arising from transfers of undertakings: transfers of employees, standardising employment conditions, applicable collective bargaining agreements, and employers' obligations to inform and consult employees.
- Outsourcing.
- Contracting and subcontracting.

SOCIAL SECURITY AND DISCRETIONARY BENEFITS

- Social security contributions, benefits and employer obligations.
- Contracting out pension obligations.
- Pension plans.

HEALTH AND SAFETY AND PREVENTION OF OCCUPATIONAL HAZARDS

- Prevention of occupational hazards.
- Labour and criminal law advice and representation in proceedings concerning accidents at work and occupational illnesses.

"I could not speak more highly of this firm - it's extremely polished and offers the full package: responsiveness, client focus and outstanding knowledge."

Chambers Europe

Academic background

True to the firm's academic tradition, teaching is at the core of the Labour Practice Area. Many of our lawyers participate actively in university life, lecturing on various postgraduate courses and master's degree courses organised by leading institutions.

One example is Ignacio García-Perrote, partner and head of the Labour Practice Area, who since 1992 has been a chaired professor of employment and social security law.

Our lawyers also regularly participate in conferences, congresses, seminars and courses in areas related to their specialisation.

Further information about their teaching activities can be found in the profiles at the end of this brochure.

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