

International Labour and Employment Compliance Handbook

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Edited by Salvador del Rey and Robert J. Mignin

Labour and Employment Compliance in Mexico

Third Edition

Oscar De La Vega Gómez
Monica Schiaffino



Wolters Kluwer

International Bar Association

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Overview

Oscar De la Vega's focus is in the area of legal labor consulting and social security law. He has provided legal services (consulting and litigation) to major multinational companies. In addition, he has developed and implemented successful strategies in collective labor law.

Oscar has written several articles which have been published in international publications such as *Who's Who Legal, Practical Law Company* (PLC) and *Getting the Deal Through*. He has also been recognized and highly recommended by these international publications as one of the leading lawyers in the field in Mexico.

He frequently speaks at events organized by diverse local and international associations such as the Accountants Bar Association, Council of Maquila Industry, International Bar Association, and the XBHR Global Forum for Cross-Border, among others. Additionally, Oscar has been a speaker on labor law at the Universidad Iberoamericana (Mexico) and the

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Oscar De la Vega is Managing Shareholder of Littler, De la Vega y Conde, the Mexican offices of *Littler*, the largest global employment and labor law practice, with more than 1,000 attorneys and 60 offices in the United States, Mexico, Colombia, Honduras, Costa Rica, El Salvador, Puerto Rico, Dominican Republic, Panama, Venezuela and Peru.

Professional and Community Affiliations

- Member, Mexican Bar Association.
- Co-Chair, Labor and Employment Committee - International Bar Association (IBA).
- Member and former Co-President, Human Capital Committee - Mexican Institute of Finance Executives (IMEF).

Recognition

- Recommended Lawyer, Latin American Corporate Counsel Association, 2015.
- Named, *Best Lawyers in Mexico*, 2014–2015.
- Named, Labour and Employment – Chambers Latin America, 2014.
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Tax Reform and its effects on Social Security, *Thomson Reuters, Puntos Finos, 2013*

Outsourcing: Pending in Labor Reform, *El Universal, 2013*

Labor Reform, An Unfinished Law, *Fortuna, 2013*

Regulation on Outsourcing is still pending, *Thomson Reuters, Puntos Finos, 2013*

Mexico's Labor Law Reform: A Step in the Right Direction, *Thomson Reuters' Latin American Law & Business Report*, 2013

'Making a difference for entrepreneurs – Mexico', *Doing Business*, The World Bank Group, 2011 'Labour and Employment Benefits: Mexico', Practical Law Company, 2011

'Reforming through difficult times – Mexico', *Doing Business*, The World Bank Group, 2010 'Mexico', *Doing Business*, The World Bank Group, 2008-2009

'How to reform – Mexico', *Doing Business*, The World Bank Group, 2007

'Creating jobs – Mexico', *Doing Business*, The World Bank Group, 2006

'Rule of Law Index', The World Justice Project

'How to Deal with Expatriates', International Bar Association

'An Outline of Mexican Labor Law', *Labor Law Journal*, Washington D.C.

'Labor Arbitration in Mexico', *Central America's Labor and Commercial Arbitration*, American Lawyer Association

Press

'De la Vega sets out plans for Littler in Mexico', 5 January 2012

Events & Speaking Engagements

'International Assignment of Employees: Issues and Challenges', *Annual Conference*, International Bar Association, Dubai, UAE, 31 October 2011

Books & Book Chapter

- *Labour & Employment, Mexico*, Getting the Deal Through, Law Business Research Ltd., contributing author, London UK.
- *Restrictive Covenants and Trade Secrets in Employment Law*, contributing author, BNA and American Bar Association.
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Training - Compliance, Ethics, Leadership;
International Employment Law;
Executive Compensation.

Overview

Monica Schiaffino has been practicing labor law for over a decade and is an experienced litigator. She has extensive experience with implementation of pension plans; coordinating and implementing labor structures dealing with expatriates; employee and business transfers; internal labor regulations and compliance; employee handbooks, policies and employment contracts; incentive plans; confidentiality agreements; conducting due diligence; and labor restructuring and collective bargaining agreements.

Monica has co-authored several important articles, which have appeared in various renowned publications, and she frequently speaks at labor law conferences. She has participated as coordinator in the preparation of several handbooks regarding individual and collective dismissals in the Americas for Ius Laboris and was the Americas Regional Coordinator of such Alliance for almost two years.

Prior to joining Littler, De la Vega y Conde, she was a consultant and litigator at two other major law firms in Mexico.

Professional and Community Affiliations

- Founding member, The Labor Group of The Querétaro Chapter of the Asociación Nacional de Abogados de Empresa (ANADE).
- Member, Asociación de Ejecutivos de Relaciones Industriales (AERIAC).

Recognition

- Named, *Best Lawyers in Mexico*, 2014–2015.
- Named, Lawyer of the Year, *Best Lawyers in Mexico*, 2014.
- Named, International Who's Who of Management Labour and Employment Lawyers – *Who's Who Legal*.

Education

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Publications

Top 10 Considerations when Outsourcing in Mexico, *ACC Legal Resources*, 2015

Critical Employment Law Issues to Consider When Doing Business in LATAM, *Latin American Briefings*, 2015

IP assumes responsibility for benefits, *Vanguardia*, 2014

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'Mexico', *Doing Business*, The World Bank Group, 2008-2009

'How to reform – Mexico', *Doing Business*, The World Bank Group, 2007

'Creating jobs – Mexico', *Doing Business*, The World Bank Group, 2006

'How to Deal with Expatriates', International Bar Association

Events & Speaking Engagements

'Pension dynamics in Latin America', *World Pension Summit, Amsterdam, NL*, 4 November 2011

'Ageing, how does the world deal with this challenge?!', *World Pension Summit, Amsterdam, NL*, 3 November 2011

'Pensions in an ageing world: A Global Comparison', *World Pension Summit, Amsterdam, NL*, 2 November 2011

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'Critical Changes to the Labor Landscape in Latin America and the Implications for U.S. Employers', *Littler Mendelson, Dallas, TX*, 4 April 2013

'La Reforma A La Ley Federal Del Trabajo De Mexico', *Littler Mendelson Webinar*, 8 February 2013

'The Mexico Federal Labor Law Reform', *Littler Mendelson Webinar*, 5 February 2013

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'North American Law on Anti-Corruption, Cross-Border Enforcement and Discovery Issues International, Business/Corporate & Intellectual Property sections', *San Diego County Bar Association* 23 October 2012

'Anti-Corruption - Local Legislative Developments and Coordinated Global Compliance Enforcement: The New Challenges for Global Employers', *The 2012 Executive Employer®® Conference, Littler Mendelson, Scottsdale, AZ*, 10 May 2012

Books & Book Chapters

- *Labour & Employment, Mexico*, Getting the Deal Through, Law Business Research Ltd., contributing author, London UK, 2007–2011
- *International Labour and Employment Compliance Handbook*, co-author: Oscar De La Vega, Kluwer Law International BV, Netherlands, 2010
- *Restrictive Covenants and Trade Secrets in Employment Law*, contributing author, BNA and American Bar Association
- *The 2012 Global Employer: Highlights of Littler's Fifth Annual Global Employer Institute*, contributing author, Littler Report
- *Mexico's Labor Law Reform: A Step in the Right Direction*, contributing author, Thomson Reuters' Latin American Law & Business Report

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