





Latin America: A Regional Panoramic

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Objectives and Themes

Latin America

Objectives

Themes

- COVID-19
- Privacy
- Diversity and Inclusion

3 Moments of a Labor Relationship

- Recruitment
- Employment
- Termination





Recruitment

Legal Compliance - Privacy

- Increased Privacy Requirements
 - Mexico Ley Federal de Proteccion de Datos Personales en Posesion de los Particulares
 - Brazil Lei Geral de Proteção de Dados Pessoais
 - Peru Ley de Proteccion de Datos Personales (Ley No. 29733)
 - Colombia Ley de Proteccion de Datos Personales (Ley No. 1581)
- Privacy Notice
- Sensitive Personal Data
- Do I need the information?
- How will I use the information?
- How will I protect the information?







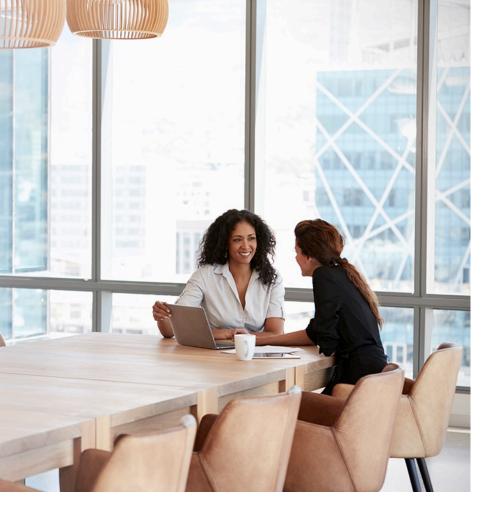




Recruitment

Legal Compliance and COVID-19

- General Requirement to Conduct Background Checks
 - Functions
 - Leadership
 - Health
- COVID-19



Recruitment

Diversity and Inclusion

General Principles

- Gender
- Disability

Mexico

- Gender gap
- Disability

Brazil

- Gender equality or underrepresented groups
- Quotas



Employment

Contract

- Salary
- Benefits
- Location / Work from Home Policy
 - Mexico
 - Peru
 - Brazil
 - Colombia

- Terms
 - Translations
- Signatures
- Regulations
- Documenting Performance



Employment

COVID-19

General Principles

- PPE / Masks
- Testing
- Health Measures

Vaccines

Brazil



Employment

Outsourcing - Mexico

- It aims to eliminate the subcontracting of personnel, which is defined in the reform proposal, as one where a individual or entity provides or makes its own workers available for the benefit of another
- Subcontracting specialized services will still be permitted, but these need to be different from those services generally provided by the hiring company. For example, an autoparts manufacturer could subcontract a company to provide canteen and meal services, but not similar manufacturing services.
- Individuals or entities that provide specialized services must have authorization from the Secretary of Labor (STPS). The STPS will make a list of specialized service providers publicly available on the Internet. The STPS has four months to issue the general provisions that determine the procedures related to this authorization.



Termination

General Considerations

No Employment At Will

- Termination for Cause
- Severance is mandatory
- Termination agreement
 - Release
 - Accrued benefits
- COVID-19
 - Argentina
 - Others





Termination

Post Employment Restrictions

- General Principles
- Confidentiality
- Intellectual Property
- Non-Compete
 - During Employment
 - Post-employment

Questions? Please let me know.



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