



Janine Guzman

Partner

janine.guzman@dlapiper.com

San Juan

T: +1 787 945 9148

F: +1 939 697 6139

With over 30 years of experience, Janine Guzmán has represented corporate clients in complex labor and employment matters including hiring, wage and hour, statutory licenses and employee benefits, performance, discipline and termination, business restructurings, reductions in force and relocations, drug testing programs, discrimination, sexual harassment, affirmative action, employee privacy, confidentiality and restrictive covenants, defamation, safety in the workplace and immigration. She has developed vast experience in the legal and regulatory aspects of both federal and local labor issues. Janine counsels small, medium and large national and international corporations regarding employment issues on an ongoing basis.

She advises a wide range of businesses covering a number of sectors, among them retail, wholesale, services, educational institutions, hospitality and leisure, communications and manufacturing. Her extensive experience includes wrongful discharges; employment discrimination proceedings at the federal, state and local levels; defending claims under the Fair Labor Standards Act and Puerto Rico wage-and-hour laws; and representation before the Unemployment Bureau, Industrial Commission, Anti-Discrimination Unit, the EEOC, OSHA, Arbitration and Conciliation Bureau and the National Labor Relations Board.

Janine works closely with the firm's Corporate group in conducting due diligences and assisting in the disclosures of employee and labor matters in business mergers and acquisitions, on both the buy and sell sides, as well as in stock or asset purchase deals. In recent years, she has participated in important transactions involving financial institutions, communication companies and medical and hospital supply distributors.

Janine has served as a lecturer in employment law seminars for different organizations, including the Puerto Rico Association for Labor Relations Practitioners, the Society for Human Resources Management and Council of Education in Management.

She also counsels clients on the regulatory aspects of the Puerto Rico Department of Consumers Affairs, represents them in adjudicative proceedings before the agency and trains management teams on DACO regulations.

RELATED SERVICES

- Employment
- Data Protection, Privacy and Security

RELATED SECTORS

- Consumer Goods, Food and Retail

CREDENTIALS

Admissions

- Puerto Rico

Prior Experience

- Successfully led the most complex US visa application proceeding held in Puerto Rico, petitioning approximately 180 visas for immigrant workers from Spain and Mexico to work on the final phase of a major construction project of an important European Hotel chain in the island
- Frequently provides awareness workshops and manager training programs on compliance issues relating the legal and regulatory requirements that apply to business operation in Puerto Rico to management and human resources personnel
- Extensive experience in designing and implementing labor legal audits designed to identify compliance issues. Conducting disciplinary investigations for the detection of fraud and other irregular activities and ensuring the implementation of loss prevention practices. Handled a sensitive fraud investigation of a top manager of a 500 fortune company which culminated with an indictment
- Counseled several multimillion-dollar firms regarding the employment implications of their proposed mergers or acquisitions
- Effectively defended employers with respect to an EEOC charges alleging age discrimination
- Obtained summary judgment on former employee's discrimination based on gender identity, defamation and wrongful termination claims
- Successfully represented employers in cases involving employees' claims for unjust dismissal
- Successfully represented ab employer in a lawsuit alleging wrongful discharge, unpaid overtime pay, meal period penalties and commissions

Recognitions

- Janine was included in the 2020 *Best Lawyers* in Latin America and the 2021 *Best Lawyers* in Puerto Rico for Labor and Employment Law

Education

- J.D., Inter American University of Puerto Rico

Courts

- Supreme Court of the United States
- United States Court of Appeals for the First Circuit
- United States District Court for the District of Puerto Rico

Memberships

- Federal Bar Association
- Society for Human Resources Management
- Association of Labor Relations Practitioners
- Puerto Rico Bar Association

INSIGHTS

Publications

Employers in Puerto Rico must comply with new breastfeeding room requirements

25 February 2021

Requiring employers to provide a private, safe and hygienic space.

Puerto Rico: Employers must establish workplace harassment protocols – guidelines are available

23 February 2021

Employers in Puerto Rico have until August 2, 2021 to adopt protocols on workplace harassment.

Puerto Rico expands maternity leave for adopting mothers

1 September 2020

The legislation applies to all women working in the private and public sectors in Puerto Rico.

Puerto Rico enacts act prohibiting workplace harassment

28 August 2020

The law creates a new course of action for employees and imposes additional responsibilities on employers. It is effective immediately.

Puerto Rico extends period for individuals to receive qualified retirement and individual retirement plan distributions for disaster relief

9 July 2020

Key information and updates.

Puerto Rico: Potential solutions for business agreements affected by the COVID-19 pandemic

15 May 2020

As businesses start to reopen and redefine their operations in Puerto Rico, they should also prepare for potential disputes.

Puerto Rico starts reopening businesses: Employers must establish exposure control plans

11 May 2020

The authorization to reopen is conditioned on the adoption of strict measures by employers to avoid contagion.

CARES Act: A lifeboat for Puerto Rico

20 April 2020

The stage is set for Puerto Ricans to benefit directly from key provisions of the CARES Act.

Puerto Rico's Emergency Paid Sick Leave Act is in force

16 April 2020

The Act will also apply in case of future epidemics in which the Puerto Rican government declares a state of emergency.

Coronavirus: New emergency leaves take effect in Puerto Rico

8 April 2020

Private employers in Puerto Rico will need to comply with two new emergency paid leaves established by the federal government in the response to COVID-19.

Is it time for Puerto Rico's minimum wage to increase?

8 October 2019

Bill 2264 would increase the minimum wage for private sector employees in Puerto Rico to \$8.25 per hour.

Puerto Rico: New leave available for employees to deal with domestic violence, sexual abuse, sexual harassment, stalking and child abuse

14 August 2019

The act is now in effect.

Puerto Rico: being charged with a felony can be just cause for dismissal

10 MAY 2019

The Supreme Court of Puerto Rico found that an employer may establish rules it considers reasonable and that while a person is presumed innocent in criminal proceedings, that presumption does not extend to the employment context.

Events

Previous

Women in Science and Technology Conference

29 October 2020 | 5:30 - 7:30 p.m. AST
Webinar

Diversity and Inclusion Summit in Puerto Rico

27 September 2019
San Juan
