

# Estudio Ehecopar.

Member Firm of Baker & McKenzie International



## Monica Pizarro

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Partner

Lima, Peru

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### Local practice

Employment & Compensation

### Related legal services

Business Change & Restructuring

Day to Day HR Management

Employee Benefits & Equity Services

Employment Litigation

Global Immigration & Mobility

### Languages

Spanish

English

French

### Biography

Monica Pizarro is a partner in Estudio Ehecopar. She has extensive experience in labor law, social security, litigation, immigration and mobility. She also regularly assists clients designing complex compensation structures, including tax and labor planning, as well as counseling in modifications on employment relationships due to M&A. She has been a consultant for the International Labor Organization and the Judicial Academy and teaches several Labor Law courses at Pontificia Universidad Catolica del Peru and other universities since 2006. She is president of the Peruvian Society of Labor Law and Social Security.

### Practice focus

Monica's experience includes counseling public and private companies and government entities on labor law, pension rights and social security law. She has also worked on sponsorship in labor, constitutional, administrative contentious and arbitral proceedings, and on labor and social security matters.

### Education

- University of Strasbourg, Master degree in Internal, European and international Social Law, 2011.
- Institute of Higher European Studies – University of Strasbourg, Master degree in Social and Political Sciences, public action, 2010.
- Pontificia Universidad Catolica, Lawyer, Lima, 2005. (Excellent in defending thesis).

### Admission

- Lima Bar Association, 2006.

### Experience

- Partner at Estudio Ehecopar Law firm since 2015.
- Principal Associate at Estudio Ehecopar Law firm since 2013.
- Senior Associate at Estudio Ehecopar Law firm, 2012 – 2013.
- Associate at Estudio Gonzalez y Asociados Law firm, 2002 – 2012.

### Estudio Ehecopar

Av. Los Conquistadores 1118,

Piso 6 San Isidro

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Peru

## Representative legal matters

- Advised Parque Arauco in the corporate restructuring of the companies through which they operate in Peru, which involved reengineering the way in which these companies render services to each other.
- Advised and assisted SBA Communications in the employment processes including the drafting of agreements and other documents for its new legal entity in Peru.
- Advised a British multinational banking and financial services company in the termination of all its employees in Peru as part of the closing of its representative offices in Chile, Mexico and Peru.
- Advised and assisted a leading global financial services firm in the United States to initiate its operations in Peru.
- Advised a multinational German company leader in enterprise application software's, in the termination of three employees in June 2017. This action is part of an international reorganization process.

## Publications, presentations and articles

- La legitimidad para obrar de las organizaciones sindicales en la Nueva Ley Procesal del Trabajo. (Legitimacy of trade unions in the New Procedural Labor Law), at Estudios sobre la Nueva Ley Procesal del Trabajo. Lima: Jurista editores. Pp. 277 – 290. 2011.
- Las obligaciones laborales derivadas de la voluntad unilateral del empleador. (Labor obligations derived from unilateral employer will) at: Estudios de Derecho del Trabajo y de la Seguridad Social. Hommage book to Javier Neves Mujica. Lima: Grijley. 2009. pp. 143–156.
- El cese colectivo por razones estructurales y la descentralización de las actividades de la empresa. ¿Es posible reducir unilateralmente la planilla cuando no existen dificultades económicas (Collective stop-payment due to structural reasons and decentralization of company's activities? Is it possible to reduce unilaterally the payroll when there are not economic difficulties?) at: Actualidad Jurídica. Gaceta Jurídica. Volume 164. July 2007.
- La solicitud del empleador para que el trabajador ponga el cargo a disposición, ¿puede ser considerada una renuncia? (Employer's request to employees to tender their resignation, could this be considered a resignation? at: Actualidad Jurídica. Gaceta Jurídica. Volume 158. January 2007.
- Las modificaciones al Reglamento de la Ley de Relaciones Colectivas de Trabajo. Como resolver observaciones a la ley sin cambiarla. (Amendments to Regulations of Law of Collective Labor Relations. How to solve observations to law without changing it) At: Actualidad Jurídica. Gaceta Jurídica. Volume 153. August 2006.

- La Remuneración en El Peru. Análisis Jurídico Laboral (Remuneration in Peru, Labor Judicial Analysis) Lima: Estudio Gonzalez & Asociados S.C. 2006. pp 237.
- El carácter remunerativo de los pagos recibidos cuando no existe prestación efectiva de servicios: el caso de los despidos nulos (Remunerative nature of payments received when there is no effective provision of services), at: II National Congress of the Peruvian Society of Labor and Social Security Law. Lima: SPTSS. 2006. pp 745 – 760.
- El teletrabajo en el Perú: ¿es necesaria una regulación especial? (Teleworking in Peru. Is it necessary a special regulation?). At: Actualidad Jurídica. Gaceta Jurídica. Volume 146. January 2006.
- Los laudos arbitrales que ponen fin a una negociación colectiva. ¿Es posible exigir su cumplimiento en un proceso de ejecución? (The Arbitral awards that end a collective bargaining. Is it possible to demand its compliance in an execution proceeding? At: Actualidad Jurídica. Gaceta Jurídica. Volume 138, May 2005.
- Problemas y soluciones en la aplicación de la remuneración mínima vital. (Problems and solutions in applying the minimum wage) At: Actualidad Jurídica. Gaceta Jurídica. Volume 134, January 2005.
- El derecho a no ser despedido sin causa justa y el derecho a no ser despedido sin causa. A propósito de la Sentencia del Tribunal Constitucional recaída en el proceso de amparo iniciado por las Organizaciones Sindicales de Telefónica del Peru S.A. (Right not to be dismissed without a just cause and the right not to be dismissed without cause. On the subject of Constitutional Court judgment of the process initiated by Trade Unions of Telefonica del Peru S.A) At: Diálogo con la Jurisprudencia. Year 8. N° 49. October 2002.
- La reparación del daño ocasionado por el despido nulo (Repair of damaged caused by unreasonable dismissal) at: Dialogo con la Jurisprudencia. Year 7. N° 35. August 2001.
- Compensación e Incentivos para la Renuncia Voluntaria (Compensation and Incentives for voluntary resignation) At: Informe B, M & U. January. 2000.
- El Reconocimiento de Créditos Laborales en la Ley de Reestructuración Patrimonial. El Precedente de Observancia Obligatoria de la Resolución N° 088-97-TDC y la Aplicación del Principio de Primacía de la Realidad (Recognition of Labor credits in the Law of Patromony Restructuration). At: Informe B, M & U. November. 1999.

## Teaching experience

- Law Professor of the Pontificia Universidad Catolica and Universidad Peruana de Ciencias Aplicadas.