



LABOR SERVICES PORTFOLIO

DEMAREST



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HUMAN RESOURCES PROCESSES

REVIEW OF DOCUMENTATION FOR ADMISSION



SCOPE

Our team can carry out a review of your company's drafts of employment contracts and job offer letters, with strategic focus on mitigating labor-related litigation risks. Through such process, we are capable of identifying and preventing exposure of the company to potential issues.

BENEFITS

- Adapting the applicable drafts for the hiring of employees not subject to a fixed work schedule, in order to mitigate labor-related litigation risks involving payments of overtime.
- Ensuring that appropriate legal writing is applied to job offer texts in regard to benefits granted to permanent employees.
- Tailoring all applicable documents to the company's effective remuneration practices (e.g. Bonus x Profit Sharing Plan)
- Including robust clauses aimed at the protection of intellectual property, confidential information and trade secrets of your company.

HUMAN RESOURCES PROCESSES

GUIDE ON EMPLOYEE TERMINATION PROCEDURES



SCOPE

We have developed a straightforward and strategic guide that includes the most important procedures and legal recommendations for the process of termination of employment, whether in the event of dismissal without cause or resignation. In addition to technical step-by-step procedures to be followed by the company in order to ensure that the termination process is carried out in accordance with the applicable legislation, the guide provides your company with information on how to address matters concerning the termination of benefit coverage, suspension of access to work tools, non-compete clauses and obligations, among other strategic topics.

BENEFITS

- Ensure your company is protected against litigation risks in regard to compliance with all necessary steps for the termination of employment process according to the legislation currently in force.
- Avoid the occurrence of situations that can potentially complicate or even prevent the termination of an employee's contract.
- Mitigate risks in critical or complex termination processes.
- Increase protection of confidential information and trade secrets.

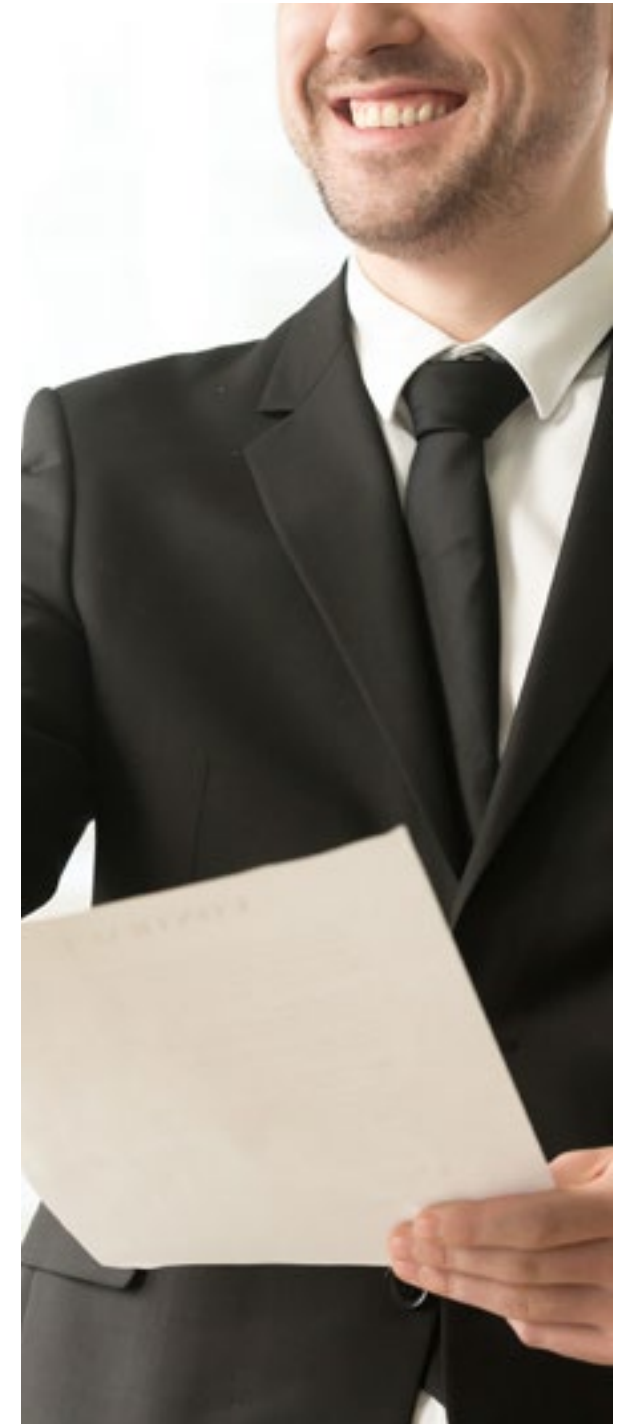
IDENTIFYING OPPORTUNITIES IN WORK SCHEDULE MATTERS

SCOPE

Our team analyzes your company's practices concerning its employees' work schedules, with the purpose of identifying opportunities for improvement, concentrating on cost reduction within the alternatives provided for in the legislation, such as (i) implementing compensatory time-off systems, (ii) adopting a flexible work schedule for employees, (iii) assessing career structures in order to identify positions of trust, (iv) review of work schedules and shifts, among other mechanisms.

BENEFITS

- Greater flexibility for employees, with positive results in talent retention.
- Reduction in overtime payment costs.
- Mitigation of labor risks and liabilities through ensuring all practices are in compliance with the legislation and comparative case law.



HUMAN RESOURCES PROCESSES

TRAINING OF MANAGEMENT ON MATTERS RELATED TO WORKING HOURS



SCOPE

Aimed at introducing best practices and providing training for managers to carry out their work in compliance with the legislation, considering the increasing number of investigations carried out by the Labor Prosecution Office on matters related to work hours, which can pose significant risks to a company's operations.

BENEFITS

- Better management of the overtime worked by the company's employees.
- Cost reduction resulting from the reduction of overtime, which is often carried out unnecessarily.
- Mitigation of serious risks to your company's operations and prevention against complex and expensive litigation.

ASSISTANCE IN MANAGEMENT OF EMPLOYEE INTERNATIONAL MOBILITY

SCOPE

Whether for Brazilians working abroad, or employees that come from abroad to work in Brazil, there are various legal challenges that concern employee mobility. Our team provides qualified assistance, capable of adapting your company's global practices to the particularities of Brazilian legislation.

BENEFITS

- Ensuring that your company policies are in compliance with the Brazilian legislation.
- Eliminating litigation risks related to labor, social security and tax aspects.
- Identifying practices that incur unnecessary expenses for your company.



HUMAN RESOURCES PROCESS

AUDIT OF LABOR AND EMPLOYMENT PRACTICES



SCOPE

Through the analysis of documents and interviews with the HR department, our team seeks to identify hidden liabilities and opportunities to improve your company's best practices, evaluating matters and processes such as hiring, payroll, working hours, work safety and termination of employment.

Such work can encompass (i) a complete audit, including the drafting of a detailed report of each and every irregularity identified and proposed solutions or (ii) drafting a management report (in bullet points and sourced exclusively on interviews with HR representatives of the company) in order to better address the identified irregularities.

BENEFITS

- Identification of existing contingencies not yet mapped by your company.
- Ensuring compliance with the current legislation and best practices of the market.
- Prevention against high expenses arising from labor-related litigation.

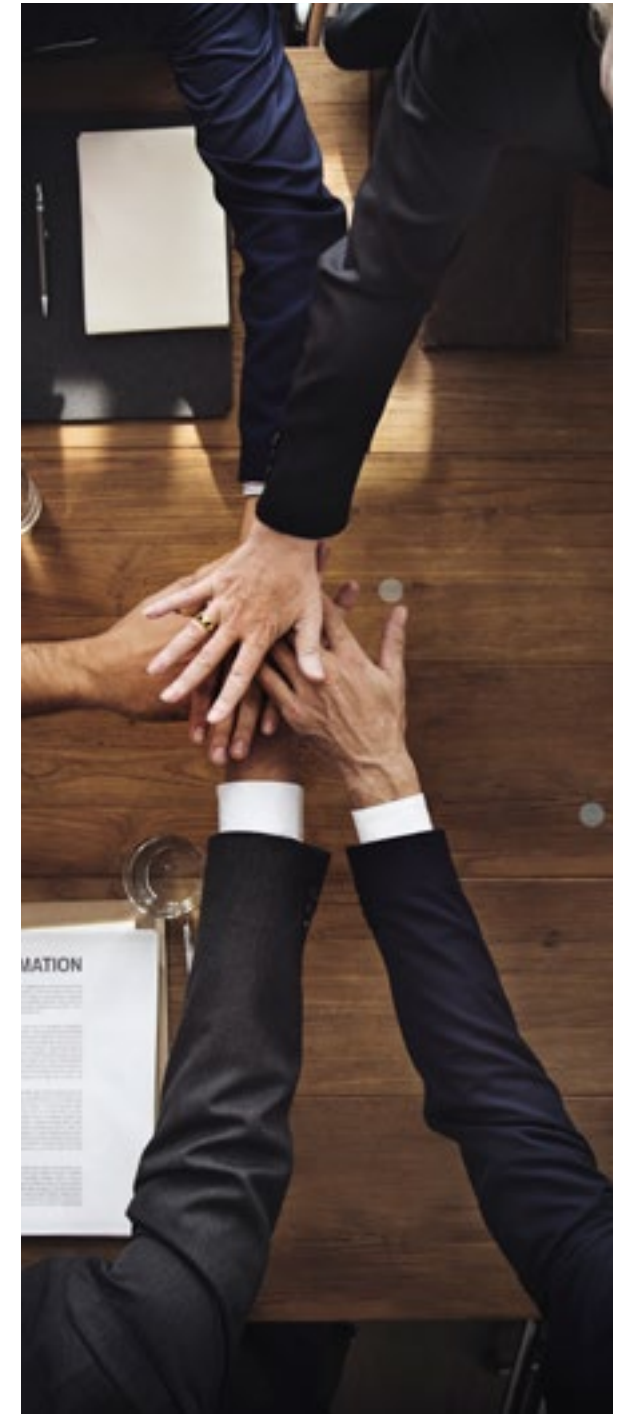
REVIEW OF UNION CLASSIFICATION AND APPLICABLE COLLECTIVE BARGAINING AGREEMENTS

SCOPE

Union classification in Brazil is a topic well-known for its strict and specific regulation. Non-compliance with such rules can expose your company to labor risks. Our team actively assists companies in implementing and enforcing the established union classification and complying with the appropriate collective bargaining agreements, including in regard to special professional category-related unions in the company.

BENEFITS

- Reduction of liabilities which can be caused by inappropriate union classification.
- Proposal of union category transition structure (in the event of inappropriate union classification), aimed at mitigating potential labor risks.
- Providing solutions for potential claims concerning corporate operations that impact the union classification of your company's employees.



HUMAN RESOURCES PROCESSES

REVIEW OF LEGAL DOCUMENTS CONCERNING OCCUPATIONAL HEALTH AND SAFETY

SCOPE

Although the topic of “occupational health and safety” involves technical aspects of the medical and engineering areas, a comprehensive review of legal documents is essential in order to ensure compliance with the applicable regulation and a standardization of the information included in such documents, which consequently mitigates labor-related litigation risks, particularly in view of increasingly frequent audits being carried out by labor and employment authorities.

BENEFITS

- Ensuring that occupational health and safety programs are aligned (e.g. Matching information in programs such as Environmental Risk Prevention Plan - PPRA, Occupational Health and Medical Oversight Program - PCMSO, etc.)
- Mitigating risks concerning audits carried out by labor and employment authorities.
- Improving defense arguments in the event of labor-related lawsuits concerning the matter of occupational health and safety (including cases of illnesses and occupational accidents).
- Assistance in issuing and filling out an Occupational Health and Safety Assessment (PPP).



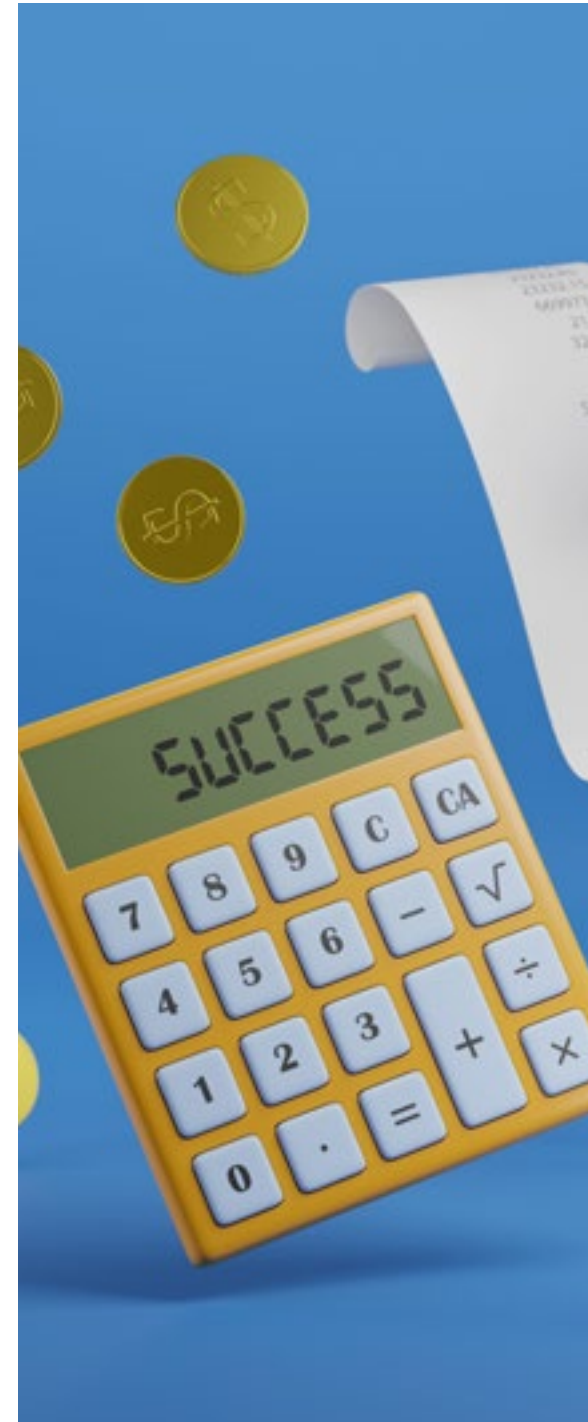
REVIEW / IMPLEMENTATION OF PROFIT-SHARING PLANS (PLR)

SCOPE

Profit and results sharing plans are an advantageous payment structure for both companies and employees. However, such plans must comply with all legal requirements in order to ensure that the nature of the payments involved is properly classified. We aim to ensure that the plans implemented by your company are in compliance with the legislation and criteria adopted by labor and social security authorities.

BENEFITS

- Mitigation of your company's exposure to labor, social security and tax-related litigation risks, which can arise from non-compliance with the applicable legal requirements concerning Profit-Sharing Plans.
- Cost reduction regarding social charges due to the implementation of Profit-Sharing Plans;
- Mitigation of risks related to complex and expensive litigation concerning the matter of Profit-Sharing Plans.



HUMAN RESOURCES PROCESSES

REVIEW OF TELEWORK PRACTICES

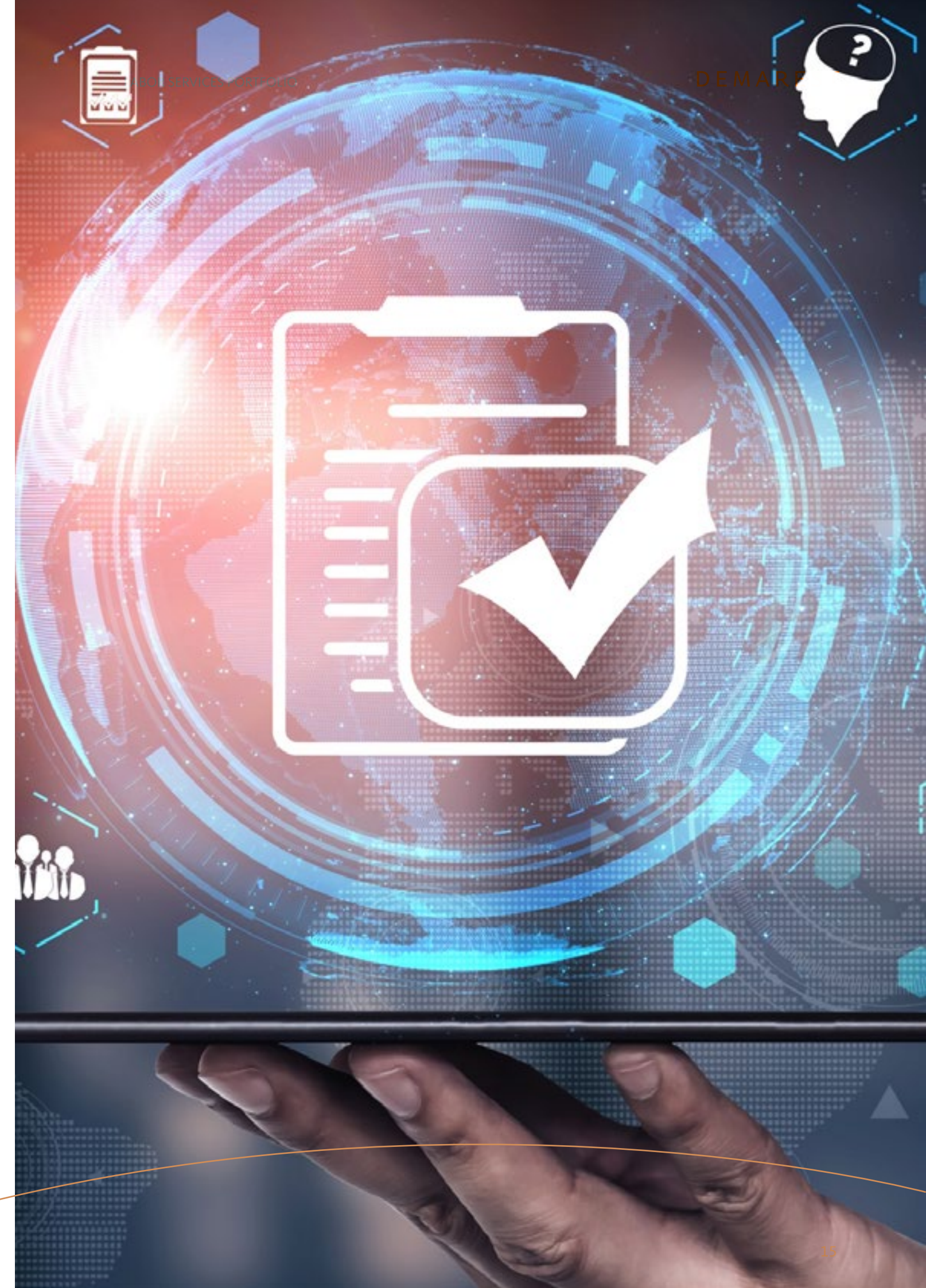


SCOPE

The expansion of the home office framework throughout the Covid-19 pandemic gave rise to a series of significant legal challenges to businesses. Our team's analysis of the impacts of such changes involves a straightforward approach based on applying extensive experience in the market to the review of topics such as: employee work schedule, granting of benefits, costing of expenses and equipment, health and safety at work, in addition to guidance on the best practices and structures to formally regulate the telework framework in each specific case. We also advise on legal matters involving telework carried out by employees based in other countries, including within the tax scope.

BENEFITS

- Mitigating potential labor-related litigation risks due to adopting telework practices in conditions not in compliance with the legislation and comparative case law.
- Assistance in developing structured policies aligned with the best practices of the market.
- Appropriate implementation of work conditions, including the establishment of employee obligations within the telework framework.
- Appropriate expansion of the application of telework, resulting in cost reduction for your company.



ETHICS AND COMPLIANCE IN THE WORKPLACE

TRAINING ON MORAL AND SEXUAL HARASSMENT AND DISCRIMINATION IN THE WORKPLACE



SCOPE

We have developed comprehensive training that encompasses raising awareness on concepts, characteristics, and theoretical and practical examples of behavior that can constitute sexual or moral harassment, in addition to discriminatory conduct in the workplace and the respective consequences of such conduct to the company and its managers.

BENEFITS

- Qualifying managers on procedures to prevent and reduce such practices.
- Improving the work environment and, consequently, retaining more and better talent.
- Mitigating potential risks and reputational damage to the employer.
- Aligning your company's practices with global ethical and social trends.
- Fostering diversity and inclusion in the workplace.

REVIEW OF OUTSOURCING PRACTICES

SCOPE

Our team can carry out an assessment of the relationship maintained between the company and outsourced service providers, in order to identify practices that can potentially pose labor-related litigation risks (for example, profiling of employment relationships and risks of secondary liabilities). As a result, we provide practical and focused advice on your company's business operations in relation to third party service providers.

BENEFITS

- Mitigating social security and labor-related liabilities involving outsourced service providers.
- Improving defense arguments in the event of litigation.
- Cost reduction due to the appropriate application of outsourcing practices.



ETHICS AND COMPLIANCE IN THE WORKPLACE

DIVERSITY IN THE WORKPLACE



SCOPE

Currently, businesses around the world are actively seeking to implement and/or expand their practices aimed at the inclusion and empowerment of minorities in the workplace, and to align their strategy with globally established ethical and social pillars. Our team can assist your company in implementing such practices and to ensure compliance with the legislation within the scope of labor and the protection of sensitive and confidential data.

BENEFITS

- More inclusive and diverse work environment.
- Alignment with ESG practices.
- Ensuring compliance with the legislation regarding diversity and inclusion practices.
- Assistance in dealing with sensitive and confidential data of candidates and employees.
- Reputational gains for your company.

IMPACTS OF THE LGPD IN EMPLOYMENT CONTRACTS

SCOPE

Since the Brazilian General Data Protection Law (“LGPD”) entered into force, employers have needed to pay increased attention to several obligations concerning the collection, retaining and processing of their employees’ data, aiming to ensure full compliance with the current legislation and mitigate risks of serious sanctions provided for in such legislation.

Our team provides straightforward and comprehensive advice on the matter from the labor perspective, including assistance with the inclusion of contractual clauses, implementation of data protection policies, guidance on legal matters regarding the retaining and sharing of data with third parties, among other topics.

BENEFITS

- Mitigating sanction risks provided for in the LGPD.
- Greater legal security concerning the processing of employees’ data.
- Alignment with ethical practices generally required by companies regarding the contracting of services.



ETHICS AND COMPLIANCE IN THE WORKPLACE

VACCINATION OF EMPLOYEES



SCOPE

The lack of specific legislation concerning mandatory vaccination of employees raises a series of questions about procedures that could potentially be implemented by companies regarding employees who refuse to get vaccinated. Our team provides straightforward and practical assistance aimed at ensuring health and safety in the workplace, while at the same time protecting your company from potential risks.

BENEFITS

- Advice centered on well-established market practices concerning the application of disciplinary sanctions and alternatives to resolve sensitive cases.
- Mitigation of legal risks through assistance by experienced professionals centered on the most recent rulings and decisions on the topic.
- Protecting your company's image and reputation, given the highly-sensitive nature of the topic.



LABOR LITIGATION MANAGEMENT

TRAINING OF APPOINTED REPRESENTATIVES IN HEARINGS

SCOPE

Training of appointed representatives of your company that are selected to take part in labor and employment hearings, encompassing guidance centered on actual cases and special focus on awareness of the importance of an appointed representative for the outcome of a labor lawsuit.

BENEFITS

- Reduction of labor contingencies and liabilities.
- Increasing ratio of claim dismissals.
- Mitigating risks concerning the creation of unfavorable precedents for your company.



REVIEW OF ACCOUNTING PROVISIONS

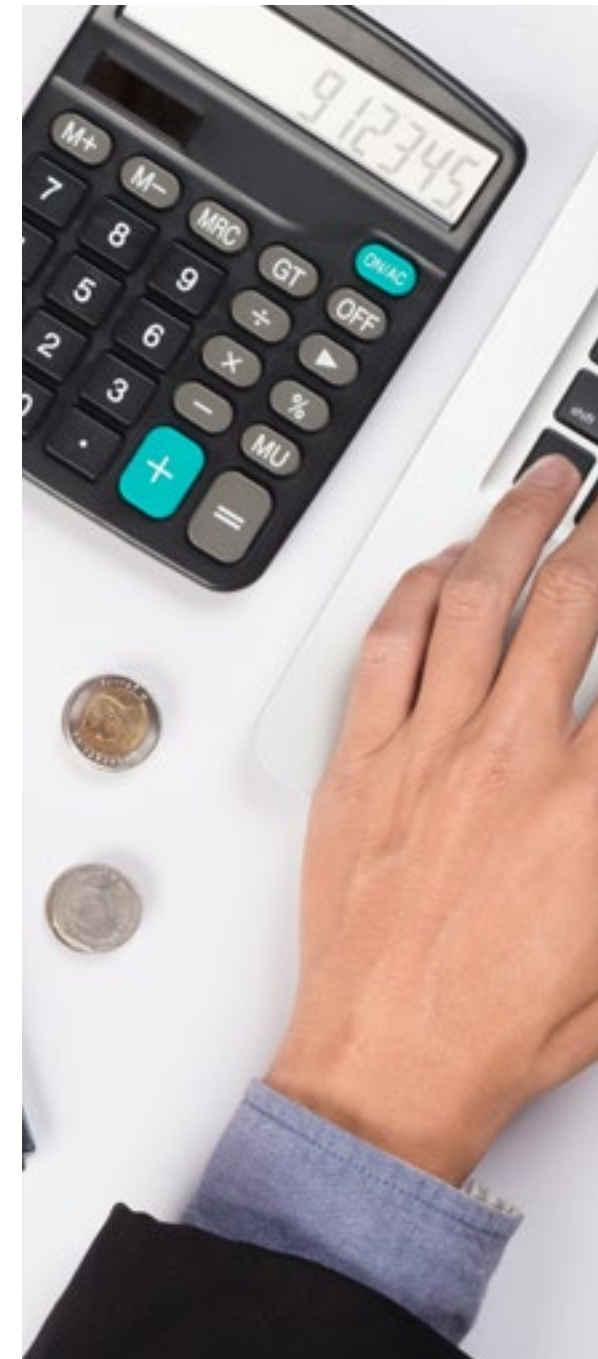
SCOPE

A ruling by the Brazilian Federal Supreme Court (STF) concerning the levying of indexation and interest on labor claim credits has resulted in significant amendments to the provisioning of contingencies arising from labor lawsuits.

Through our team's analysis, we seek to review the provision of all labor claims based on guidelines established by such ruling, in order to ensure that your company's accounting provisions are in compliance.

BENEFITS

- Adapting contingencies in accordance with the legislation in order to avoid unexpected losses.
- Special attention to past labor claims whose provisioned contingencies could be impacted by the ruling.
- Protecting your company's financial health and planning.



LABOR LITIGATION MANAGEMENT

BOARD MEMBER LIABILITY FOR LABOR DEBTS

SCOPE

It is fairly common for board members and administrators of Brazilian companies to have questions about responsibilities and risks regarding potential labor-related debts, whether as a result of claims before the Labor Court or administrative procedures carried out by labor and employment authorities. Our team provides the necessary assistance to clarify such issues and develop strategies, in collaboration with your company, aimed at better managing such risks.

BENEFITS

- Clearing up misconceptions concerning risks inherent to leadership, management and administration positions.
- Reducing company administrators' exposure to such risks.
- Implementing the best practices of in business sustainability to manage such risks.



LABOR TEAM, DEMAREST

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A background image showing a group of business professionals in suits. One person is holding a laptop, and another is holding a clipboard. A white line graph with circular nodes is overlaid on the image, connecting various points across the scene.

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