

# Yanet C. Aguiar

## Partner



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## Overview

Yanet Aguiar is a partner in our Caracas office. She has oriented her legal practice towards labor law and labor law litigation. She has experience negotiating collective bargaining agreements and in labor conflicts, preparing employment agreements, labor relationship termination advice and negotiating and preparing settlement agreements.

Yanet also has experience in due diligence reviews of employment law liabilities in corporate acquisitions, social security and industrial health and safety regulations advice, workers' compensation and benefit plans, handling administrative labor proceedings before government labor agencies, judicial claims against orders issued by government labor agencies, labor constitutional injunctions and corporate law. Advising local and international companies in labor and employment law, social security and industrial health and safety regulations in Venezuela, as applied in the oil and gas, pharmaceuticals, consumer goods, banking and insurance, and airline industries, participating in negotiations with employees and executives, drafting individual employment contracts and labor settlements, assisting global companies concerning expatriate transfers and executive tax planning as well as in structuring compensation plans. Handling plant closings, mass layoffs, work-force reductions, employer successorship process, and suspension of activities.

## Recognition

- *Chambers Latin America* 2013-2022: Ranked in Labor & Employment in Venezuela.
- *The Legal 500* 2021: Ranked in Labor & Employment in Venezuela.
- *Best Lawyers* 2018-2021: Recognized in Labor & Employment in , Venezuela.

## Honors and Awards

- Scholarship granted by the Carolina Foundation 2003-2004, sponsored by the Ministry of Foreign Affairs of the Spanish government.

# Insights

- Co-author, Chapter on Venezuela in "Employment Law Review," 10th Edition, published by Law Business Research Ltd. 2019, Chapter 50 pp. 677-698
- Author, "Workers and their Income tax," published by *Ámbito Jurídico*. December 2016
- Author, "Reduction of Personnel. Is it an alternative from a Labor perspective in Venezuela?" published by *Ámbito Jurídico*. June 2015
- Author, "Outsourcing vs Subcontracting in the new Law," published by *Ámbito Jurídico*. September 2012
- Co-author, Chapter on Venezuela in "Employee Share Plans, International Legal and Tax Issues," 2nd Edition, published by *Globe Law Business*. London, 2011
- Author, "Hierarchical powers limits of the employer on the use of new technologies assigned to the worker, Labor Law and Social Security Law, Studies homage to the memory of Professor Rafael Caldera," published by the *Universidad Católica Andrés Bello and Fundación Universitas Publications*, First edition, 2011
- Co-author, Chapter on Venezuela in "Labor and Employee Benefits Handbook 2010/11," Volume 1, published by PLC Cross-border Handbooks, *Practical Law Company*. London, 2010

# Activities and Affiliations

## Presentations

- Speaker, "Mentoring for tomorrows' female leaders," Meeting between female entrepreneurs of the Venezuelan Business Alliance for Women Leadership (AVEM) and young universities students of the Simon Bolivar University, Caracas, Venezuela, November 2019
- Presenter, "Female Leadership: Reinventing the future of business in Venezuela – The female face of the e-business," Forum of the Venezuelan Business Alliance for Women Leadership (AVEM), Caracas, Venezuela, November 2019
- Speaker, "Mentoring for tomorrows' female leaders," Meeting between female entrepreneurs of the Venezuelan Business Alliance for Women Leadership (AVEM) and young universities students of the Catholic Andres Bello University, Caracas, Venezuela, June 2019
- Speaker, "*Female leadership challenges at the Venezuelan business level – Best practices*," Forum of the Venezuelan Business Alliance for Women Leadership (AVEM), Caracas, Venezuela, November 2017
- Speaker, "Labor & Employment Outlook," Venezuelan - British Chamber of Commerce, Caracas, Venezuela, September 2016
- Speaker, "Compensation and Workers' Retention Plans," Venezuelan – German Chamber of Commerce and Industry, Caracas, Venezuela, August 2015
- Speaker, "Legality of Payment in Foreign Currency," Venezuelan - British Chamber of Commerce, Caracas, Venezuela, June 2015
- Speaker, "Closing of Companies, " Foreign Investment Promotion Board (CONAPRI), Caracas, Venezuela, June 2015
- Speaker, "How to act in the event of an assessment by labor authorities," LEGIS, Caracas, Venezuela, May 2015
- Speaker, "Reduction of Personnel," Venezuelan - American Chamber of Commerce and Industry (VenAmCham), Caracas, Venezuela, April 2015

- Speaker, "Labor & Employment Outlook," Venezuelan – Canadian Chamber of Commerce, Caracas, Venezuela, February 2015
- Speaker, "How to act in the event of an assessment by labor authorities," VenEconomía, Caracas, Venezuela, January 2015
- Speaker, "How to act in the event of an assessment by labor authorities," LEGIS, Caracas, Venezuela, May 2014
- Speaker, "Compliance Trends in Latin America," AdvaMed, Sao Paulo, Brazil, February 2014
- Speaker, "Work Schedules," VenEconomia, Caracas, Venezuela, November 2013
- Speaker, "Salary and Labor Benefits Trends," Venezuelan American Chamber of Commerce and Industry (VenAmCham), Caracas, Venezuela, October 2013
- Speaker, "How to act in the event of an assessment by labor authorities," Municipal Government of Chacao, Caracas, Venezuela, August 2013
- Speaker, "Working Schedules," Venezuelan American Chamber of Commerce (VenAmCham), Caracas, Venezuela, June 2013
- Speaker, "Work Schedules," Foreign Investment Promotion Board (CONAPRI), Caracas, Venezuela, June 2013
- Speaker, "Work Schedules," VenEconomia, Caracas, Venezuela, May 2013
- Speaker, "Work Schedules," LEGIS, Caracas, Venezuela, May 2013
- Speaker, "Labor Law," VenEconomia, Caracas, Venezuela, April 2013
- Speaker, "Workshop on the New Organic Labor Law for the Workers," VenEconomía, Caracas, Venezuela, November 2012
- Speaker, "How to act in the event of an assessment by labor authorities," Venezuelan-Canadian Chamber of Commerce, Caracas, Venezuela, October 2012
- Speaker, "Workshops on the Labor Law," LEGIS, Caracas, Venezuela, June and July 2012
- Speaker, "New Labor Law Workshops," VenEconomía, Caracas, Venezuela, May and July 2012
- Speaker, "New Labor Law," Marketing Committee of the Venezuelan American Chamber of Commerce and Industry (VenAmCham), Caracas, Venezuela, May 2012
- Speaker, "Labor regime applicable to trusted employees, management employees and senior executives," Venezuelan-Canadian Chamber of Commerce, Caracas, Venezuela, November 2011
- Speaker, "Management employees, trusted employees and senior executives," 8th Congress of Jurisprudence Labor Law, Universitas Foundation sponsored by the Universidad Católica Andrés Bello, Caracas, Venezuela, November 2011
- Speaker, "Recent reforms in labor," Human Resources Committee of the Venezuelan American Chamber of Commerce and Industry (VenAmCham), Caracas, Venezuela, May 2011
- Speaker, "Application of basic salary calculation in employee benefits, legal criteria," Labor Update Course, LEGIS, Caracas, Venezuela, May 2011
- Speaker, "Collective Bargaining Agreement for the Oil Industry and the Organic Labor Law Amendment," Venezuelan Oil Chamber of Commerce, Caracas, Venezuela, March 2010
- Speaker, "Labor and Tax aspects of the Anti-Drugs Law," Human Resources Committee of the Venezuelan-American Chamber of Commerce and Industry (VenAmCham), Caracas, Venezuela, October 2010

- Speaker, "Employees Excluded from the Collective Bargaining Agreement for the Oil Industry," XIX Latin America Oil Conference, Maracaibo, Venezuela, October 15, 2009
- Speaker, "Expatriate Regime," practical workshop, European Chambers in Venezuela, Caracas, Venezuela, September 2009
- Speaker, "General Aspects of the Venezuelan Labor Law and the Collective Bargaining Agreement for the Oil Industry," University of Zulia, Maracaibo, Zulia, Venezuela, March 2009
- Speaker, "Recent Case Law in 2007," Human Resources Conference, State of Aragua Industrial Chamber, Maracay, Aragua, Venezuela, 2007
- Speaker, "Current Case Law," practical workshop on LOPCYMAT (Venezuelan occupational health and safety legislation), Caracas, Venezuela, 2006
- Speaker, "Labor Aspects derive from Conversion of Operating Services Agreements into Joint Venture Companies (*Empresas Mixtas*)," XVII Latin America Oil Conference, Maracaibo, Venezuela, June 2006

## Memberships

- Miranda State Bar Association
- Alianza Venezolana de Empresas por el Liderazgo de las Mujeres (AVEM) - Director

## Areas of focus

### Practices

- Employment and Labor
- Immigration
- Pensions, Benefits and Executive Compensation

### Industry sectors

- Life Sciences and Health Care
- Technology
- Energy
- Manufacturing

### Region

- Caracas

## Education

- Universidad Católica Andrés Bello, 2010, Labor law specialization
- Universidad Francisco de Vittoria, 2004, Business law
- University of Illinois, 2001
- Universidad Católica Andrés Bello, 1998

# Admissions and qualifications

- Venezuela, 1998

# Languages

- English
- Portuguese
- Spanish