

Wage & Hour Regulation

ATTORNEYS

- Anita Montaner-Sevillano (Chair)
- Miguel Rivera-Arce
- James D. Noël
- Reinaldo L. Figueroa-Matos
- Rica López de Alós

Employers consider us trusted business partners, ready to provide proactive, preventive advice to help them comply with Puerto Rico’s nuanced wage and hour regulatory environment – so that they can ultimately avoid costly, time-consuming litigation.

When wage and hour disputes are unavoidable, our experienced litigators advocate forcefully and persuasively on behalf of our clients. We represent clients in complex wage and hour proceedings under the federal Fair Labor Standards Act and the Minimum Wage, Vacation, and Sick Leave Act of Puerto Rico, the Equal Pay Act, and others.

Experienced team litigators have a significant record of positive outcomes in a range of large-scale wage and hour class actions and collective actions in mediations – as well as in federal and local courts.

What We Do

McConnell Valdés attorneys:

- Successfully defend employers in class action, collective action and multiparty cases involving wage and hour violations.
- Counsel on serious wage and hour challenges to the meal-period reduction and compensable time for donning and doffing.
- Conduct audits of payroll practices
- Revise sick leave and vacation policies
- Counsel clients on the payment of overtime and other related issues.

REPRESENTATIVE CLIENTS & MATTERS

- Successfully defended a hotel client in a wages and hours lawsuit originally filed by 631 hotel tipped employees alleging owed salaries related to tips/service charges income that was not included in calculations of their overtime wages, sick and vacation benefits.

After many years of litigation entailing numerous legal controversies and reviews up to the Puerto Rico Supreme Court; and as a result of dispositive motions that were granted throughout the case on behalf of the client, only 56 claimants remained active in the case. Their claims

were settled for a nuisance value -- 5% of the potential liability exposure.

- Successfully defended a client from a wage and hour lawsuit brought by 10 outside salesmen that were attacking their exemption from local and federal overtime provisions, questioning the validity of the compensation formulas which used draws that accounted for losses and unrealized sales or collections.
- Successfully defended an international client against a multi-million wage and hour collective lawsuit, composed of a class of almost 700 hundred employees. This very contentious litigation resulted in the dismissal of 90% of the claims and the negotiation of a settlement agreement for a nuisance value.