

# Ferraiuoli

**María Judith (Nani) Marchand-Sánchez, Esq.**  
**Senior Counsel**

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**María Judith (Nani) Marchand-Sánchez, Esq.** is one of the founders of Ferraiuoli LLC and now Senior Counsel. She has vast experience in employment matters. She has successfully litigated before the Courts of First Instance of Puerto Rico and in the Federal Court, as well as government agencies and administrative forums, including participation in mediation and arbitration proceedings. Ms. Marchand has solid experience litigating disputes in areas such as discrimination, harassment, retaliation, agreements of non-competition, claims of hours and wages, Fair Labor Standards Act (FLSA), sexual harassment, Family Leave Act (FMLA), unjustified termination, among others. Her practice also includes consultancy and advising on matters related to human resources, internal investigations, including labor aspects of corporate acquisitions, mergers and start of operations, confidential information protection and labor audits, among others.

Ms. Marchand also has experience in commercial and civil litigations, representing companies in breach of contracts, franchise agreements, collections of money, evictions, and non-competition disputes. She has also advised companies on contractual, privacy issues and operational concerns.

Nani has been invited by several professional associations in Puerto Rico to present lectures on sexual harassment, domestic violence in the workplace, progressive disciplinary measures, workplace harassment, medical cannabis, inclusion and diversity issues, mental health and ADA and mediation as an alternative to litigation. She has also been invited to participate as a speaker by many private and public entities and has been a collaborator with Microjuris al Día, Cannaworks, Department of Labor - Employer's Committee, Puerto Rico Manufacturers Association, Society for Human Resources Management - Puerto Rico Chapter and Office of the Comptroller of Puerto Rico. Nani has been certified by the Puerto Rico Supreme Court as a Mediator and an Arbitrator and offers four (4) courses approved as CLE by the Puerto Rico Supreme Court. She is also affiliated to the American Arbitration Association (AAA) and is a Mediator and Arbitrator in their Employment, Consumer and Commercial rosters. Since 2012, she has been recognized in Latin America Edition of Chambers & Partners, as a Band 2 notable practitioner in Labor & Employment matters in Puerto Rico and since 2020, has been recognized in the Best Lawyer in Puerto Rico.

Among her representative clients are Doctor's Associates (Subway), Rainbow Apparel Companies, and MMM Holdings, LLC.

## Representative Cases or Transactions

- Has led Ferraiuoli's groundbreaking initiative, of adopting an Alternate Dispute Resolutions (ADR) practice, as these methods have become more relevant to the legal practice. Marchand's inclusion in various AAA roster of mediators and arbitrators is a noteworthy accomplishment. As a bilingual Mediator and Arbitrator, she is sought after by local and US national law firms.
- Has served as investigator in multiple allegations of sexual harassment, fraud, discrimination and workplace harassment.
- Since 2021 she has been appointed on multiple occasions as Arbitrator and Mediator (via AAA and in *ad hoc* proceedings).
- Extrajudicial claim brought by domestic service employee, alleging compensation and wages due for overtime, vacation leave, meal period, and requesting as relief \$125,000.00, plus attorneys' fees. The extrajudicial claim was brought under the Puerto Rico special law applicable to domestic service employees and, although it has not been interpreted in depth by Puerto Rico case law, Marchand was able to successfully negotiate a settlement in the amount of \$14,300.00, inclusive of attorneys' fees, which is an amount materially lower than the remedies that the employee would be entitled under the law.
- Assisted in employment-related matters of the acquisition of a hotel, including negotiations of the employment-related terms and conditions of the sale and due diligence. Led the in-person termination process of all active employees and obtaining releases executed by active employees.
- Provides advice to law firms and beneficiaries of Puerto Rico Act 60-2019 (tax incentives) to set up their operations in Puerto Rico to assist their U.S.-based affiliates and ensure compliance with Puerto Rico employment laws. From the setup of a Puerto Rico-compliant employment structure to the development of compliant employment agreements, arbitration agreements, restrictive covenants and independent contractor agreements to direct collaboration with and guidance to U.S. counsel for achieving the best strategic approach to handle human resources and service providers resources while ensuring continuous compliance with local requirements. Provides strategic legal guidance for the negotiation and execution of separation and settlement agreements with top executives and high-earning employees.
- Represented one of Puerto Rico's leading health companies in a judicial claim for unjust termination, discrimination based on disability, violation to the Family and Medical Leave Act and retaliation, claiming more than a quarter million dollars. Successfully negotiated a \$16,000.00 settlement agreement and obtained the voluntary dismissal of the judicial claim.
- Provided employment consulting to a company who represents national restaurant chains with 32 restaurants in Puerto Rico and more than 2,500 employees, on compliance with Puerto Rico and federal law regarding service animals in the workplace, and clients/customers who bring service animals to their facilities, the trans employee and the medical cannabis employee, among other employment matters.
- Assisted with the process of closing one of the branches of a health care provider and laying off employees in compliance with applicable legal requirements. This included everything from legal consultations on layoffs, to strategy development, preparation of separation and release agreements, preparation of talking points to inform closing and layoffs to employees preventing and/or reducing future claims, among others.
- Performed employment due diligence for a million-dollar acquisition of assets to become the number one ATM operator in Puerto Rico. Responsible for identifying and assessing exposures in the acquisition of an ongoing business. Actively participated in the drafting of clauses to minimize the risks that were identified.
- Represented employer in a civil case before the Court of First Instance alleging retaliation, unjust discharge and violation of employment reserve provided under workers' compensation insurance policy. Plaintiff also alleged violation of her rights to dignity and privacy under the Puerto Rico Constitution and requested penalties, attorneys' fees and costs. After engaging in active discovery and multiple negotiation efforts, the parties reached a private resolution.
- Actively participated in the due diligence efforts for employment matters in a multimillion asset purchase agreement. Guided the organization in a I-9 audit performed by the Department of Homeland Security.

## Public Speaking Engagements

- Co-host in bi-weekly Podcast *“La hora laboral”*, Microjuris, since 2024- on-going.
- Speaker *“Leyes, casos y reglamentos- ¿Qué hay nuevo?”*, Comité de Patronos Cumbre Patronal, May 2025.
- Speaker *“Cuando el/la “Chief Misbehavior Office” es tu dolor de cabeza”*, SHRM Simposio Laboral, April 2025.
- Speaker *“Inteligencia artificial y el empleo: ¿RH que te debe preocupar y ocupar?”*, Comité de Patronos, October 2024.
- Guest at Podcast *“Mentores en línea”*, December 2024.
- Speaker *“Growing client relationships and your practice: Doing what seems obvious but not easy”* Federal Bar Association, June 2024.
- Speaker, *“El cuéntame de Nani... lo que mi negocio me ha enseñado”*, Guayacán Venture Accelerator, October 2023.
- Speaker *“Time to change the narrative... not just for men anymore”*, National Women’s Collaborative, September 2023.
- Speaker, *“Cannabis medicinal y el empleo: ¿Qué hay nuevo?” / “Ley para prohibir el hostigamiento sexual en el empleo ¿Qué hay nuevo?”*, Puerto Rico Manufacturers Association (PRMA), Convention 2023 / *“Moving forward now, legislación laboral: Tendencias y cómo prepararse”*, May 2023.
- Speaker, *“Cannabis medicinal y el empleo: ¿Qué hay nuevo?”/ “Enmiendas a la ley para prohibir el hostigamiento sexual en el empleo”*, Comité de Patronos del Servicio de Empleo, Inc., Cumbre 2023/Legislación al Día, May 2023.
- Speaker, *“Cannabis: ante la reglamentación federal y local”*, University of PR, Business Law Journal, April 2023.
- Speaker, *“Cannabis medicinal en el empleo: ¿Cómo coexisten?”*, SHRM-PR Simposio Laboral, April 2023.
- Instructor, *“La persona trans y el empleo: una guía para patronos”*. This course is approved by the Puerto Rico Supreme Court for 1.25 CLE General Credits.
- Instructor, *“Mediemos más, litiguemos menos: Un enfoque”*. This course is approved by the Puerto Rico Supreme Court for 1.75 CLE General Credits.
- Instructor, *“Cannabis medicinal: Marco legal en el contexto laboral”*. This course is approved by the Puerto Rico Supreme Court for 1.30 CLE General Credits.
- Instructor, *“El impedimento silente: Como manejar condiciones de salud mental en el empleo”*. This course is approved by the Puerto Rico Supreme Court for 1.50 CLE General Credits.

## Publications

- *“Los derechos de las personas trans en el lugar de empleo”*, El Nuevo Día, Negocios, May 2023.
- *“Derechos laborales de quienes utilizan cannabis medicinal”*, El Nuevo Día, Negocios, May 2023.
- *“Cannabis medicinal en el trabajo”*, El Nuevo Día, Negocios/Minuto Empresarial, April 2023.
- *“Inalterado el mandato de vacunación en la isla”*, El Vocero, January 2022.
- *“A pesar del fallo federal, la vacunación obligatoria en empresas sigue vigente en Puerto Rico”*, Microjuris al Día, January 2022.
- *“Ante el triunfo judicial de Biden. Advierten empresas en Puerto Rico deben acatar mandatos de vacunación de OSHA”*, Microjuris al Día, December 2021.
- *“¿Qué protección laboral cubre a los pacientes de cannabis medicinal?”*, El Nuevo Día, September 2021.
- *“Anticipan litigios por vacunación obligatoria”*, Microjuris al Día, July 2021.
- *“6 Consejos (para patronos) sobre cannabis medicinal”*, Microjuris al Día, May 2021.
- *“Protecciones laborales para pacientes autorizados a utilizar cannabis medicinal”*, Microjuris al Día, February 2021.
- *“Excepciones para no vacunarse contra el COVID-19, si un patrono lo exige”*, Microjuris al Día, January 2021.
- *“¿Tienen derecho las madres o padres a saber si maestros o cuidadores están vacunados?”*, Microjuris al Día, January 2021.
- *“Serán permanentes miles de cesantías temporeras provocadas por la pandemia”*, El Nuevo Día, September 2020.
- *“La salud mental en el empleo”*, El Nuevo Día, July 2020.

## **Practice Areas**

Labor & Employment Law, Employment Litigation & Dispute Resolution, Preventative Consulting & Compliance, Commercial Litigation, Alternate Dispute Resolutions, Mergers and Acquisitions

## **Education**

University of Puerto Rico, J.D.  
Trinity College, B.S. in Political Sciences  
Certified by the Puerto Rico Supreme Court as a Mediator  
Certified by the Puerto Rico Supreme Court as an Arbitrator  
Harvard Law School-Executive Program on Negotiation

## **Bar Admissions**

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

## **Affiliations**

Arbitrator and Mediator - American Arbitration Association (AAA) Employment, Consumer and Commercial roster  
Society for Human Resources Management -Puerto Rico Chapter (SHRM-PR)  
Puerto Rico Manufacturers Association, Human Resources Committee (PRMA)

## **Professional Recognition**

Since 2012, Nani has been recognized in Latin America Edition of Chambers & Partners as notable practitioner in Labor and Employment matters in Puerto Rico.

Since 2020, she has been recognized in the Best Lawyer in Puerto Rico.

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