



Katherine González

## Practice Areas

### **Labor & Employment Law**

Employment Litigation & Dispute Resolution

Preventative Consulting & Compliance

### **Commercial Litigation**

**Health & Insurance Law**

**Mergers & Acquisitions**

## Education

Interamerican University of Puerto Rico  
School of Law, J.D., 1997

Duquesne University, B.A. in  
Communications and Public Relations  
and Certification in Business  
Administration, 1993

## Bar Admissions

Commonwealth of Puerto Rico

United States District Court for the  
District of Puerto Rico

United States District Court for the  
Eastern District of Texas

United States Court of Appeals for the  
First, Ninth & Federal Circuits

Supreme Court of the United States

# Katherine González-Valentín

## Capital Member

Chair, Labor & Employment Law

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Katherine González-Valentín is a Capital Member and the Chair of the Labor and Employment practice. She is member of the firm's Executive Committee and has chaired the Firm Affairs Committee and the Litigation practice. A former Assistant U.S. Attorney with over 23 years of experience as an employment law and litigation practitioner exclusively representing companies and management, Katherine has solid advocacy and counseling skills. A seasoned speaker on employment law topics and civil practice in forums in Puerto Rico and the United States, Katherine influences the legal and labor and employment community through active speaking engagements, employee training and publications on current and emerging legal topics. Her experience goes beyond the local arena, as she represents companies in cases and with operations in the continental United States and works with international companies.

Katherine primarily focuses her practice on advising employers and their management teams on employment relationships and human resources management and represents them in employment disputes before state and federal forums. She covers the full employment law spectrum including hiring practices, discrimination, sexual harassment, disability, retaliation, privacy, defamation, statutory leaves of absence, reductions in force, wage and hours, to name a few. She has considerable practical and substantive experience in local and federal laws concerning employment rights and compliance requirements and focuses on health insurance and Medicare litigation.

Prior to joining Ferraiuoli, Katherine worked at two other top Puerto Rico law firms as a litigation and employment law attorney and was an Assistant U.S. Attorney in the Civil Division of the U.S. Attorney's Office in Puerto Rico. As such and through years of exposure to complex litigation, mediation and

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## Katherine González-Valentín | Capital Member

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arbitration proceedings, Katherine has also acquired valuable experience representing entities in cases concerning the healthcare insurance industry, Medicare fraud, medical malpractice, FINRA, contractual disputes and complex collections. She also has had extensive exposure to out-of-court, conflict resolution achieving comprehensive and mutually beneficial settlements in state, federal administrative and extrajudicial claims. Katherine's experience is further enhanced by her longstanding leadership in the Federal Bar Association in Puerto Rico and at the U.S. National level and similar leading roles in other important organizations like the Industrial Women Chapter of the PR Chamber of Commerce and the Association of Labor Relations Professionals which she will preside in 2022.

### Representative Cases

- *Carmen Rodríguez Cardi v. MMM Holdings, Inc.* 936 F.3d 40 (1st Cir. P.R. August 26, 2019), (confirming district court's grant of MMM Holding's motion for summary judgment on age discrimination in employment act claim regarding plaintiff's termination of her employment.)
- *Carmen Rodríguez Cardi v. MMM Holdings, Inc.*, 108 F.Supp.3d 17 (DPR, June 8, 2015) (Civil No. 14-1854 (PAD)) (district court granting motion to dismiss in favor of employer dismissing plaintiff's retaliation claims under federal and state laws.)
- *Frankie Quiles v. Seaborne Airlines*, Civil No. D AC2016-0615 (Court of First Instance, San Juan, August 15, 2016). Successfully represented international client in the aviation industry by achieving dismissal due to lack of subject matter jurisdiction resulting from arbitration agreement of a judicial claim for alleged unjust dismissal and damages.
- *Brad Thompson v. Seaborne Airlines*, Civil No. K PE2016-2647 (Court of First Instance, San Juan, November 22, 2016). Successfully represented international client in the aviation industry by achieving dismissal due to lack of subject matter jurisdiction resulting from arbitration agreement of a judicial claim for alleged unjust dismissal, damages, retaliation, and unpaid vacation leave.
- *Delia Pabón Ramírez et al v. MMM Healthcare, Inc.*, 2014 WL 1797041, D. Puerto Rico, April 29, 2014 (Civil No. 12-1743 JAF) (granting employer's motions to dismiss, motions to alter judgment and motions for summary judgment dismissing plaintiffs' state and federal claims for alleged disability and age discrimination, constructive discharge, hostile work environment and damages, among others).
- *Cabrera-Ruiz v. Rocket Learning, Inc.* Slip Copy, 2011 WL 1810630, D. Puerto Rico, May 11, 2011 (Civ. No. 10-1865 JAF) (granting employer's motion for summary judgment dismissing employees' age discrimination, constructive discharge, and hostile work environment claims).
- *Arturo Alfonso Bru v. Trane Export*, 2001 TSPR 129, (opinion in employer's favor setting standard for disclosure during discovery of income tax returns in employment litigation).
- *Benjamín Ortiz Algarín v. Federal Express Corp.*, 56 F. Supp. 2d 172 (D. Puerto Rico 1999), (opinion in employer's favor as to the inapplicability of the compelled self-publication doctrine in Puerto Rico).
- *De Jesus v. Potter*, 397 F.Supp.2d 319, 2005 U.S. Dist. LEXIS 25454; affirmed in part and vacated in part by *De Jesus v. Potter*, 2006 U.S. App. LEXIS 31839 (1st Cir. P.R. Dec. 27, 2006), (dismissing plaintiffs' Title VII sex and national origin discrimination and disparate impact claims).

- *Fontan v. Potter*, 2006 U.S. Dist. LEXIS 39493 (D.P.R. June 12, 2006), (opinion in employer's favor dismissing plaintiff's disability discrimination, hostile work environment, constructive discharge and retaliation claims).
- *Franceschi v. United States Dept of Veterans Affairs*, 2006 U.S. Dist. LEXIS 69593, (D.P.R. Sept. 26, 2006); affirmed by *Franceschi v. United States Dept of Veterans Affairs*, 514 F.3d 81 (1st Cir. P.R. Jan. 30, 2008), (dismissing plaintiffs' gender discrimination, hostile work environment and retaliation claims).
- *Gorencavic v. U.S. Dept. of Justice*, 165 Fed.Appx. 949 (2nd Cir. 2006) (denying aliens' petition for review of Board of Immigration Appeals summary confirmation of denial of asylum since conditions in country of origin adequately rebutted presumption of future persecution).
- *Wilson-López v. Federal Bureau of Prisons*, 2006 U.S. Dist. LEXIS 5849, (District Court granted BOP's request for dismissal of writ of habeas corpus absent a case or controversy because petitioner's actions mooted relief sought).

### Publications & Media Mentions

- *Reasonable accommodation based on religion*, March 20, 2021, *El Vocero*.
- *PR Department of Health Protocol for Schools could have implications upon other employers*, March 1, 2021, published by Microjuris.com.
- *Employment laws becoming more complex amid return to in-person schooling*, March 1, 2021, published by Microjuris.com.
- *New challenges within law firms and how to handle a second wave of COVID-19*, June 16, 2020, published by Microjuris.com.
- *Attorneys who are also mothers expose the challenges of remote work*, March 24, 2020, published by Microjuris.com.
- *How to Hire & Fire: A Global Guide*, August 2021 (Puerto Rico), published by Multilaw (London) (coauthor).
- *The Employment Law Review*, Twelfth Edition (Puerto Rico Chapter 38) (February 2021), published by Law Business Research Ltd. (London) (coauthor since 2015).
- *International Comparative Legal Guide to Employment & Labor Law*, Sixth Edition (2016) (Puerto Rico), published by Global Legal Group Ltd., London.
- *Practical Law, State Q&A, Employment Claims in Release Agreements: Puerto Rico*, published by Thomson Reuters (May 2015).
- *Practical Law, State Q&A, Mini-WARN Act: Puerto Rico*, published by Thomson Reuters (April 2015).
- *Who's burning now? Avoiding "cat's paw liability" through proper pre-disciplinary investigation*, *The Federal Lawyer* January/February 2012.

### Speaking Engagements

- *Path to My Journey: Navigating Through Women Corporate Chapters*, Puerto Rico Manufacturers' Association (PRMA) Industrial Women Chapter (panel moderator), December 2021

- *Myths and Realities of the Post-pandemic Workplace*, Association for Labor Relations Professionals, August 26, 2021
- *Religion and Workplace Accommodations*, Society for Human Resources Management (SHRM) PR Chapter, March 2021
- *The ABC of Contracting during the Pandemic*, SHRM, October 2021
- *Federal Contracting in the Context of Disaster Recovery*, University of Puerto Rico School of Law, March 2021
- *Return to the Office: How the Pandemic has Changed the Retail Experience*, Employment Law Panel, Federal Bar Association, Virtual Fashion Law Conference, February 2021
- *Unmasking Challenges of Labor Management in Times of Covid*, Legal Coalition for Puerto Rico, October 2020
- *Workplace Harassment or Legitimate Supervision in Times of Pandemic*, AON, October 2020
- *Labor Management 2020 in Times of Coronavirus*, PR College of Certified Public Accountants, September 2020
- *Labor Management 101 in Times of Coronavirus – Families First Coronavirus Response Act*, SHRM, March 2020
- *Labor Management 2020 in Times of Coronavirus*, Entrepreneurs Organization, PR Chapter, March 2020
- *Domestic Violence 2020 in Times of Coronavirus*, SHRM, March 2020
- *X-Ray of the Perfect Candidate, Avoiding Legal Pitfalls*, SHRM, February 2020
- *Ain't No Mountain High Enough*, PR Manufacturing Association Industrial Women Congress, December 2019
- *Federal Contracting Course*, University of Puerto Rico School of Law, November 2019
- *Comparable work, different pay: ¿are you compliant with equal pay laws?* Puerto Rico Chamber of Commerce, San Juan, PR, October 2019
- *Social Media and Privacy Rights at Work*, Association for Labor Relations Professionals, September 2019
- *Employment Contracts: Best Practices & Common Mistakes*, Federal Bar Association Biennial Employment Law Conference, February 21, 2019
- *Telling your Business Story: A business strategy that works-* Federal Business Opportunities Conference- December 5, 2018
- *Developments Affecting Employment Law in Puerto Rico*, Federal Bar Association PR Chapter, August 2018
- *Breastfeeding Rights and Working Moms*, HIMA San Pablo Hospital, August 2018
- *Puerto Rico Labor Reform 2017*, Puerto Rico College of Certified Public Accountants, May 2018
- *#MeToo: A Whole New World*, Puerto Rico Manufacturers Association Convention, May 2018
- *Avoiding Scandalous Liaisons Post-Havey*, Association for Labor Relations Professionals, February 2018
- *Scandalous or Fashionable Liaisons*, Employment Law Panel, Federal Bar Association Fashion Law Conference, The New School, New York, February 2018
- *Reenfocando el lugar de trabajo tradicional hacia un futuro profesional y familiar más provechoso*, PR Manufacturers' Association- Industrial Women Chapter, August 2017
- *Trabajo Comparable, Cheques Distintos ¿Igualdad Salarial?*, SHRM, PR Chapter, June 2017
- *Visibilidad Femenina en el Empleo, Transformación & Evolución*, Association for Labor Relations Professionals, May, 2017
- *Aprobado Reglamento para la Aplicación de Acomodo Razonable para Prácticas Religiosas*, Centro Criollo de Ciencia y Tecnología del Caribe, Caguas, Puerto Rico, May 2017
- *Reforma Laboral- Conociendo Aspectos Básicos*, Inteco, Caguas, Puerto Rico, March 2017
- *Whether you believe it or not: accommodating religious beliefs and practices*, SHRM, PR Chapter, April 2017
- *Employment Law Panel*, 4th Annual Fashion Law Seminar, The New School, New York, February 2017
- *Employment Law in a Nutshell*, José V. Toledo Federal Building & US Courthouse, Old San Juan, February 2017
- *Killer Stereotypes: Women Who Lead Human Resources Edition*, August 17, 2016

- *Your Wellness Program. Important considerations under ADA, GINA, HIPPA and the EEOC regulations*, Association for Labor Relations Professionals, May 12, 2016
- *How healthy is your Wellness Program? Diagnosis on changing postures of EEOC and Courts*, Puerto Rico Chamber of Commerce, San Juan, PR, April 28, 2016
- *The Legal X, Y, Z and the multi-generational workforce*, PR Mfg. Association HR Management Forum, Puerto Rico, March 2016
- *Diversity & Inclusion Program - Ain't No Mountain High Enough: Reaching Gender Parity*, March 2016
- *Compensation and wage and hour issues in internships and training programs and independent contractors in retail and fashion*, FBA Fashion Law Conference, Parsons School of Design, New York, February 2016
- *Four Generations, One Workplace: Legal and practical considerations for the multigenerational workforce*, Puerto Rico Chamber of Commerce, San Juan, Puerto Rico, October 2015
- *How to tackle the good, the bad and the ugly through performance management*, Society for Human Resources Management, Puerto Rico Chapter, San Juan, Puerto Rico, October 2015
- *Social Media in the Workplace: Dream or Nightmare?* Association of Labor Relations Professionals, San Juan, Puerto Rico, October 2015
- *Federal Internet Law Statutes & Remedies. Big Brother is Watching: Can You Watch Too?*, Federal Bar Association 2015 Annual Meeting and Convention, Salt Lake City, Utah, September 2015
- *The Legal X, Y, Z: Another optic to manage a multi-generational workforce*, Southwestern Industrial Association's HR Management Forum, Mayaguez, Puerto Rico, August 2015
- *If domestic violence knocks on your office's door, would you know what to do?* - Society for Human Resources Management, Puerto Rico Chapter, San Juan, Puerto Rico, August 2015
- *The Glass Ceiling in the Legal Profession: How are Women Progressing?* - Federal Bar Association's Second Annual Women in the Law Conference, Washington, DC, June 2015, Moderator
- *Avoiding Million Dollar Verdicts Against the Employer: Sexual Harassment and The Vital Role of the Investigator*, SHRM, PR Chapter, May 2015
- *Social Media in the Workplace: Dream or Nightmare?* - Women Who Lead Summit, San Juan, Puerto Rico, February 2015
- *Cutting Edge Cases in Federal Employment Law Litigation: A view from the bar and the bench*, Federal Bar Association 2014 Annual Meeting and Convention, Providence, Rhode Island, September 2014
- *Recent Tendencies and Strategies in the Employment Context – Best Practices for Social Media Policies*, Puerto Rico Chamber of Commerce, October 2014
- *Discussion of Statutory Leaves for Employees, a Forum by SHRM, PR Chapter*, November 2013
- *How Long has it Really Been Since our Employment Policies Were Revised? Taking a Fresh Look at the Employee Handbook for Updates and Compliance with 2012-2013 Requirements & Trends*, SHRM PR Chapter Annual Convention, September 2013
- *Women in the Law: Understanding the Impact of Gender on the Retention and Advancement of Women in the Legal Workplace*, Federal Bar Association 2013 Annual Meeting and Convention, San Juan, PR, September 2013

- *Do it Right, Say it Right: Strategies and Golden Rules for Superior Preparation and Effective Testimony During Depositions in Employment Litigation*, Federal Bar Association webinar series, March 2013
- *Internal Investigations in the Workplace*, Puerto Rico Manufacturers' Association, December 2011
- *Strategies for Effective Deposition Testimony*, September 2011 and July 2010

### **Leadership Roles & Affiliations**

- *2022 President of the Puerto Rico Association for Labor Relations Professionals*
  - *President Elect (2020)*
  - *Director (2014-2019)*
- *Since 2019 Board member of the Industrial Women's Chapter of the Puerto Rico Manufacturers' Association*
- *Federal Bar Association (National)*
  - *Legal Counsel to the Board of Directors - (2019-2020)*
  - *Director – Member of the Board at the National level - 2014-2018*
  - *First Circuit Vice President (2012-2014)*
- *FBA Federal Litigation Section, Governing Board Member (2013-2015)*
- *FBA Employment Law Section, member*
- *Federal Bar Association Foundation Fellow*
- *Federal Bar Association, Hon. Raymond L. Acosta Puerto Rico Chapter*
  - *President (2009-2010)*
  - *From the Bar Newsletter, Editor in Chief (2008-2014)*
  - *Board member (2000-2011)*
- *Women Who Lead, Advisory Board (2014-2016)*
- *Puerto Rico Chamber of Commerce, Human Resources and Labor Committee - member*
- *Puerto Rico Manufacturers Association, Human Resources Committee - member*
- *Society for Human Resources Management (SHRM) – member, speaker*

### **Professional Recognitions**

- Recognized since 2017 as Best Lawyers® in Puerto Rico for Labor & Employment Law
- Ranked since 2012 in the Latin America Edition of Chambers & Partners as distinguished Labor and Employment attorney in Puerto Rico
- Recognized as Woman Who Leads® in 2016 for professional milestones, contributions as leader and diversity and inclusion initiatives