

MONIKA MCQUILLEN

lic. iur., LL.M Certified Specialist
SBA Employment Law, Mediator
SBA/SCCM
Partner

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Monika McQuillen is specialized in advising on and resolving complex commercial disputes and employment matters. Her practice also includes strategic counselling in these areas, including dispute prevention. Monika acts as counsel, arbitrator and mediator.

Clients praise her for her strategic and clear advice as well as her assistance in managing difficult situations. Monika has been ranked for many years as a practitioner in legal directories such as Chambers and Partners Guide and The Legal 500.

Monika has a notable track record of acting as counsel before Swiss courts and as counsel and arbitrator in national and international arbitral tribunals under the ICC, DIS, UNCITRAL and Swiss Rules. She represents parties in a wide range of commercial disputes, with a focus on sales law—including M&A transactions—contracts for work and services, agency and distribution law, employment law, and financial services law. She also has extensive experience in complex corporate disputes involving joint ventures and partnerships, as well as in connection with IT and infrastructure projects. As a certified mediator, she regularly conducts mediations in German and English, including mediations under Art. 74 et seq. of the Financial Services Act.

As a specialist in the field of individual and collective labor law, Monika regularly works in a cross-border context. Her strength lies in providing strategic and pragmatic advice and supporting clients in resolving difficult situations, such as those involving equity participation programs, bonus and discrimination issues, restructurings and mass layoffs, work schedules, and transfers of undertakings. She regularly takes on international project management tasks and leads internal investigations as an external consultant. She is a member of an Incident Management Committee for a quasi-international organization.

PRACTICE AREAS

Arbitration | Litigation | Mediation | Commercial Law | Employment | Internal Investigations | International Judicial Assistance and Enforcement

LANGUAGES

- German
 - English
 - French
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CAREER

- Since 2022: Lecturer EMAA of the University of Zurich, internat. employment law
 - Since 2021: Lecturer ZHAW Master in Management and Law, Module ILSSL
 - Since 2021: Mediator at Ombudfinance (<https://ombudfinanc.ch>)
 - Since 2019: Partner at Lustenberger + Partners KLG
 - 2008 - 2019: Partner at Eversheds Sutherland AG, Zurich, Dispute Resolution and Head of Employment Practice Group
 - 2004 - 2007: Associate and Trainee with Werder Attorneys at Law, Zurich
 - 1999 - 2003: Research assistant for Professor Dr. iur. Roger Zaech, Faculty of Private, Commercial and European Law, University of Zurich
 - 1988 - 1994: Henkel Corporation, Pennsylvania/US; Henkel KGaA, Duesseldorf, Germany
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EDUCATION

- 2021: Singapore International Mediator Accreditation Workshop
 - 2017: Certified Specialist SBA Employment Law
 - 2015: Certified Mediator SBA / SCCM
 - 2010: University of Cologne, LL.M., specialization in arbitration (summa cum laude)
 - 2007: Zurich Bar, admitted to all Swiss courts
 - 1999: University of Zurich, lic. iur. (magna cum laude)
 - 1988: Cooperative State University of Mannheim, B.A. Business Administration, Germany
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MEMBERSHIPS

- Zurich and Swiss Bar Associations (ZBA/SBA)
- Swiss Arbitration Association (ASA)
- German Institution of Arbitration (DIS)
- Swiss Chamber of Commercial Mediation (SCCM)

SELECTION OF CASES

- As a mediator, handling various mediations involving controversies between private or professional investors and financial services firms regarding losses arising from asset management or investment advisory agreements, including a group mediation involving over 150 investors.
- Representing a consortium member in a EUR 220 million ICC arbitration against the joint venture leader in connection with a telecommunication and infrastructure project and its early termination in the Middle East.
- Advising and representing international and mid-sized employers in internal investigations regarding conflict at the workplace and compliance, as well as in restructuring and cost-saving programs, including the implementation of short-time work, collective dismissals, and the negotiation of social plans with employee representatives.
- Arbitrator in various cases, for example concerning equity participation plans and exclusive distribution agreements.
- In-house mediations to resolve internal conflicts.
- External investigation of a workplace related conflicts and alleged harassment claims in the higher education sector.
- Representing a medical device manufacturer against an Egyptian distributor in an ICC arbitration concerning the termination of a long-standing distribution relationship.
- Representing employers and employees in litigations concerning the defense against or enforcement of non-compete clauses, claims arising from terminations, bonus disputes, employee stock ownership plans, as well as preventive advice in these areas.
- Representing an Indian IT service provider against a Swiss bank in a Swiss Rules arbitration following the extraordinary termination of the works contract on design of the bank's IT infrastructure after several years of project work.
- Mediating of a conflict between an employer representative and the executive director of a trade union during collective bargaining negotiations, which was blocking further cooperation.
- Representation of a founding partner against an international law firm in an UNCITRAL arbitration case concerning the termination of the partnership by the firm.

CREDENTIALS

- Legal 500 2026: *"Monika McQuillen's expertise and guidance have consistently stood out. Beyond her deep knowledge of the legal landscape and ability to navigate complex situations with clarity and precision, she guides us toward the right path, ensuring our decisions are both compliant and strategically sound. "*
- Chambers & Partners 2026: *"Monika is exceptionally quick and efficient, with a talent for delivering advice that is both comprehensive and easy to act on. "*
- Legal 500 2025: *"Monika McQuillen and Claudius Triebold must rank among the top professionals in their field of expertise. Their knowledge is unparalleled and their sensitivity to commercial considerations and client needs is an added bonus. "*
- Chambers & Partners 2022: *"Monika McQuillen boasts expertise in a variety of employment matters ranging across unfair dismissals to bonus claims, working condition issues and contract terminations. A pleased client states that 'she has a rare ability to put local legal issues into the context of a multinational organisation and the courage to suggest solutions instead of simply telling one what the law says'. "*
- Legal 500 2021: *"Monika Mc Quillen is a very good litigator and employment law specialist. She is well known by her peers since she has outstanding skills also in mediating cases. She is very solution oriented and a very reliable partner if you have an employment dispute."*

PUBLICATIONS

- Praxishandbuch missbräuchliche Kündigung, Facincani / Hirschler / Humbert / Sutter (Ed.), Mobbing / Erkrankung aufgrund Mobbing: Ausnützung eigenen rechtswidrigen Verhaltens, expected in summer 2026
- Employment Law in Europe, Chapter 30: Switzerland, 4th ed., London / Dublin / New York 2024
- Die Streiterledigung durch staatliche Gerichte, Monika McQuillen, in: Internationales Arbeitsrecht der Schweiz, 2020, p. 3-54
- Konflikte, Mobbing, sexuelle Belästigung – worauf Arbeitgeber achten sollten, Rechtssicher-Ausgabe vom Oktober 2020. file[173](Artikel als pdf)
- Haftung von Arbeitnehmern, leitenden Angestellten und Organen, Rechtssicher-Ausgabe vom Juni 2020. file[174](Artikel als pdf)
- Vierteljährliche International Employment Eversheds Sutherland Briefings 2015–2019
- Das Korsett des Datenschutzes – Sind Personendaten ein Hindernis im Wissensmanagement, Wissensmanagement (Know Tech), Bad Homburg 2010
- Die Schiedsfähigkeit von Gesellschafterstreitigkeiten, Diplomarbeit Universität zu Köln (summa cum laude), 2010
- Criminal Liabilities in the Course of Swiss Bankruptcies, in: White-Collar Crime & Regulatory Enforcement, Executive View Media Limited, 2009
- Employment Law in Switzerland, in: Employment Law in Europe, Tottle Publishing 2008

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- Der Schweizer Binnenmarkt wäre nun offen, Neue Zürcher Zeitung vom 21. September 2006
 - Sind Verkaufsförderungsmaßnahmen des Kunsthandels nach Urheberrechtsgesetz vergütungspflichtig?, sic! 2008, 509–517
 - Revidiertes Binnenmarktgesetz: Freier Marktzugang für alle!, Planer + Installateur 08/2006
 - Novelle des Schweizerischen Kartellgesetzes, DSJV Newsletter 2004

PRESENTATIONS

- Weichenstellung im Vertrag: Welcher Streitmechanismus ist sinnvoll? November 2026
 - Arbeit 65+: Besonderheiten, Konzepte, Regelungsbedarf, Januar 2026
 - Überwachung am Arbeitsplatz und rechtliche Grenzen, Oktober 2025
 - Arbeitszeit – Gestaltungsfreiheit im gesetzlichen Rahmen, November 2022
 - Beachtenswertes zur Teilzeit, März 2022
 - Betreuungsurlaub, November 2021
 - Das Recht des Arbeitnehmenden auf Strukturen, Juni 2021
 - Ombudsstellen nach FIDLEG, November 2020
 - Der Aufhebungsvertrag, September 2020
 - Home Office, September 2020
 - Finanzielle Anreizsysteme, Mai 2019
 - Führungskräfte in der Pflicht, Zürich 2019
 - Umgang mit Konflikten und Verhaltensproblemen am Arbeitsplatz, Swisstextiles Zürich 2018 und VZH 2017
 - The Cost of Non-Compliance, Medtech industry: How is it doing with the new wave of requirements?, Swiss Medtech Zürich 2015
 - Umgang mit Korruptionsrisiken im Anlagenbau, VDMA Frankfurt 2014
 - Vertragliche Stolpersteine beim internationalen Neugeschäft, Switzerland Global Enterprise Zürich 2013
 - eHealth and data protection governance in the pharma industry – best practice strategies and practical guidance, IAPP London 2013
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