

Daniel A. Feinstein

Partner/Co-Chair

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Areas of Focus

Labor + Employment | Employment Counseling and Training | Internal Investigations | Employment Litigation, Arbitration and Mediation | Non-Competes, other Restrictive Covenants, Trade Secrets and Raiding

“The key measure of an effective employment lawyer is their ability to help clients find practical and cost-effective business solutions to employment issues.”

Overview

Dan Feinstein, co-chair of the firm’s Labor + Employment Practice Group, is a nationally recognized advisor to companies on a broad range of employment matters. Dan is known for providing practical, cost-effective employment counsel to clients ranging from startups to mid-size companies to large multinationals. His clients include U.S. and global leaders in the advertising and marketing communications, financial services, travel, and hospitality sectors.

Dan forges close relationships with his clients, gaining a clear understanding of their workforce issues and business needs. He provides comprehensive strategic counsel in all areas and at every stage of the employment life cycle, crafting sophisticated legal and operational solutions to the issues they face. From structuring workplace policies and executive compensation plans to providing day-to-day counsel on wage and hour issues, disciplinary actions and terminations, Dan works toward preventing predicaments from getting out of hand.

Dan also negotiates sophisticated employment and separation agreements for businesses and executives, leads investigations into allegations of wrongdoing, and represents clients before regulatory bodies. When issues become contentious, Dan helps clients avoid, resolve and prevail in employment-related disputes. He has obtained numerous favorable federal and state court rulings in cases involving non-compete, misappropriation of trade secrets and related restrictive covenant litigations, as well as in wrongful termination, wage and hour, and race, sex, age, disability and other discrimination cases. He has also achieved successful outcomes through mediation, arbitration and negotiated settlements.

Clients also look to Dan to provide proactive guidance in limiting their risk of liability. He frequently presents interactive preventative management training seminars on employment issues and timely topics such as how to properly investigate harassment and other workplace complaints and how best to handle complex terminations and reductions in forces.

Representative Experience

- Advise one of the world's largest advertising conglomerates on day-to-day issues including hiring, sexual harassment and other types of internal investigations, employment policies and handbooks, reductions-in-force and other terminations.
 - Advising an international network of design organizations, on COVID-19 reopening guidelines, policy review, and wage and hour violation matters. Providing ongoing seminars to human resources and financial professionals within the network regarding key updates on employment law throughout the U.S.
 - Obtained a settlement for a media company in an action by a competitor to enforce restrictive covenant against industry competitors.
 - Negotiated settlements of age, race and gender discrimination and harassment claims of former employees of a global advertising agency.
 - Represented one of the largest networks of travel agents in North America, in wage and hour violations cases in several states. Secured favorable settlement terms including dismissal of the lawsuits.
 - Represented a leading global investment manager in negotiating a series of employment agreements with top executives.
 - Represented a group of wealth management executives in their departure from a multinational financial services company and their engagement by a boutique firm. Advised on restrictive covenants and helped secure a transition in which they were able to retain clients and avoid litigation.
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Insights + Events

Event

D+G Hosted Event | 2023 Employment & Benefits Update: A New Regulatory World Emerges
June 21, 2023

Event

The Cornell Center for Innovative Hospitality Labor and Employment Relations | 20th Annual Labor and Employment Law Roundtable
September 19, 2022

Alert, New Workforce Models Come With New Risks

OSHA COVID-19 Vaccination and Testing Rules for Large Employers are Paused by Legal Challenges
November 18, 2021

Alert

New CA Law Expands Requirements for Providing Family and Medical Leave
November 30, 2020

Alert

U.S. DOL Issues Additional Guidance on COVID-19 and FLSA, FMLA and FFCRA Rules
August 25, 2020

Press Mention

Yahoo! Money | Coronavirus: What American Workers Should Know About Their Rights as the Economy Reopens
May 13, 2020

Event

Cerity Partners Webinar | COVID-19 Employment Webinar
April 16, 2020

Event

Davis+Gilbert Counsel 2U® Labor + Employment Seminar | Non-Competes, Non-Solicitation Restrictions and Confidentiality Agreements: Recent Legal Developments and Best Practices
February 20, 2020

Alert

California and New York Ban Workplace Hair Discrimination, While New Jersey and Michigan Propose the Same
July 31, 2019

Event

Davis+Gilbert Labor + Employment Breakfast Seminar | Bracing for Change: A Compliance Check to Ensure You're Prepared for Changes in New York Employment Law
October 23, 2018

Alert

New York City Law Requiring "Cooperative Dialogue" for Reasonable Accommodation Requests Goes into Effect on October 15, 2018
October 8, 2018

Alert

DOL Updates Test for Unpaid Interns and Students Under the FLSA
January 25, 2018

Alert

New York State Adopts Final Paid Family Leave Regulations
July 26, 2017

Credentials

Education

Fordham University School of Law (J.D., 1996)
Cornell University (B.S., 1992)

Distinctions

- *The Legal 500 United States* 2013-2023, Labor and Employment: Workplace and Employment Counseling
- *New York Metro Super Lawyers* 2013-2022, Employment & Labor
- *Chambers USA: America's Leading Lawyers for Business* "Recognized Practitioner" 2016-2018, New York Labor & Employment

Bar Admissions

New York

Court Admissions

U.S. District Court Southern District of New York

U.S. District Court Eastern District of New York

Associations

Member, American Bar Association

—Member, Labor and Employment Law Section