



### Daniel Turinsky

Partner

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Daniel Turinsky represents employers in litigation before federal and state courts, administrative agencies and arbitration panels. His litigation experience encompasses a wide range of employment-related matters, including discrimination, harassment and retaliation claims; wage and hour class and collective actions; disputes involving the enforcement of employment contracts, confidentiality agreements and non-competition covenants; consumer class actions relating to employer pre-employment screening processes and tort claims arising out of the employment relationship, such as fraud, breach of fiduciary duty, tortious interference, intentional infliction of emotional distress and defamation.

Additionally, Daniel regularly counsels clients on a broad variety of subjects including disciplinary actions and terminations; employment, consulting and separation agreements; internal investigations of alleged workplace misconduct; background checks; disability accommodations and family leave; wage and hour issues; employment policies and practices; reductions in force; and litigation avoidance.

Daniel is a member of DLA Piper's national Employment Editorial Board and an editor of *The Labor Dish*, DLA Piper's employment blog highlighting legal issues important to US employers. He has also been awarded the highest possible peer review rating, AV Preeminent, by the *Martindale-Hubbell Law Directory*, recognized by his peers for his legal ability and ethical standards.

## EXPERIENCE

### NOTABLE REPRESENTATIONS

- Defense of the world's largest provider of language and technology solutions for global business in connection with a complaint filed by the United States Department of Justice alleging a pattern or practice of citizenship status discrimination with respect to the recruitment and placement of contract attorneys to work on a limited duration document review project for an Am Law 100 law firm

### RELATED SERVICES

- Employment

### RELATED SECTORS

- Consumer Goods, Food and Retail
- Media, Sport and Entertainment
- Financial Services

- Defense of one of the nation's largest manufacturers, distributors and retailers of internationally known brands of apparel and footwear in a putative nationwide class action involving alleged violations of the pre-adverse action notification requirements of the Fair Credit Reporting Act
- Defense of one of the largest global financial services leaders in an age discrimination and retaliation lawsuit brought in the United States District Court for the Southern District of New York, resulting in the complete dismissal of plaintiff's claims on summary judgment
- Defense of a major New York newspaper in an employment discrimination action involving allegations of disparate treatment based on race and gender, sexual harassment, constructive discharge, retaliation and violations of the Equal Pay Act; the court granted summary judgment dismissing all claims
- Prosecution of claims for injunctive relief on behalf of one of the nation's leading providers of language translation, document management and litigation support services in multiple actions relating to the enforcement of non-competition, non-solicitation and confidentiality agreements
- Defense of one of the world's 25 largest financial institutions in an age discrimination and retaliation case tried before a jury in the Southern District of New York
- Prosecution of claims on behalf of the healthcare subsidiary of a major public relations firm in an action seeking injunctive and monetary relief against two former senior executives and their new employer in connection with the alleged theft of clients and staff
- Prosecution of claims on behalf of a leading commercial real estate firm relating to the departure of the company's former president who allegedly breached his contractual and fiduciary obligations as part of a scheme to form a competing business
- Defense of a New York-based fast-food franchisee in connection with a putative class and collective action brought by former employees alleging various wage and hour law violations under the Fair Labor Standards Act and New York Labor Law, including failure to make overtime payments, tip-pooling violations and purported pay docking of store managers and assistant managers for working less than a set number of hours per week

## CREDENTIALS

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### Admissions

- New Jersey
- New York

### Recognitions

Daniel has been recognized with an AV® Preeminent™ Peer Review Rating – the highest peer review rating – by *Martindale-Hubbell*.

Daniel has also been recognized by *The Legal 500 United States*.

*For more information, pursuant to New Jersey Lawyer Advertising guidance, please click here.*

### Education

- J.D., with honors, George Washington University Law School 2000
- B.S., School of Industrial and Labor Relations, Cornell University 1997

### Courts

- United States Court of Appeals for the Second Circuit
- United States District Court District of New Jersey
- United States District Court for the Eastern District of New York
- United States District Court for the Northern District of New York

- United States District Court for the Southern District of New York

## Memberships

- American Bar Association, Section of Labor and Employment Law
- International Bar Association

## INSIGHTS

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### Publications

#### **FFCRA paid leave requirements set to expire – but employer payroll tax credit extended**

29 December 2020

Prudent employers will stay mindful of how the Family First Coronavirus Response Act's impending expiration interacts with their existing policies.

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#### **Lexology Getting The Deal Through - Market Intelligence**

30 October 2020

DLA Piper's Employment team, in partnership with Lexology, launched guides that discuss the current employment landscape for New York and California.

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#### **All (clean and sanitized) hands on deck: What New York City office-based employers need to know to prepare for Phase Two**

16 June 2020

Office-based employers in New York City are strongly encouraged to begin preparing.

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#### **Coronavirus: Congress passes revised paid leave law (United States)**

18 March 2020

Congress passed a revised version of The Families First Coronavirus Response Act requiring employers with fewer than 500 employees to provide COVID-19-related paid sick and family leave to eligible employees.

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#### **Coronavirus: Congress expected to pass expanded paid leave (United States)**

16 March 2020

The paid leave requirements in the current version of the Families First Coronavirus Response Act.

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#### **Lexology Getting The Deal Through - Market Intelligence**

December 2019

DLA Piper drafted the Labour and Employment Global Trends and US summary for Lexology's Getting the Deal Through – Market Intelligence guide.

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## **New federal overtime rule set to take effect January 1, 2020**

10 December 2019

The new rule significantly modifies the legal landscape regarding wage-and-hour compliance.

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## **New Jersey to jump on the salary history "ban" wagon**

3 December 2019

If violated, this new law gives applicants the ability to bring a private right of action against the prospective employer, and employers risk additional liability under the New Jersey Law Against Discrimination.

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## **Expansion of New York workplace anti-discrimination protections takes effect**

6 November 2019

On October 11, 2019, New York State instituted a number of amendments to applicable law aimed at preventing discrimination and harassment in the workplace.

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## **New York set to expand workplace anti-discrimination protections**

28 June 2019

The New York State Legislature capped off its 2019 legislative session by passing a flurry of laws aimed at keeping New York State at the forefront when it comes to preventing all forms of discrimination and harassment in the workplace.

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## **DOL weighs in on gig worker classification**

6 MAY 2019

The DOL opinion letter concludes that a company's workers are independent contractors, not employees.

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## **Guidance clarifies NYC employers' obligations under credit check law**

11 SEP 2015

The guidance, already in effect, provides important insight for employers on how the new law will be enforced

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## **New York City employers now restricted from using employee or applicant credit history in making employment decisions**

7 MAY 2015

The law makes it an unlawful discriminatory practice for an employer to use or request an employee's or applicant's consumer credit history

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- "Don't Throw Caution to the Winds: Discrimination and Harassment in the Age of Teleworking," *New York Law Journal*, 19 February 2021
  - ["Practical Guidance for Complying With NY's Prohibition on Hair and Religious Garb Discrimination,"](#) *New York Law Journal*, 21 Feb 2020
  - "Employment & Labor in New York: Lexology Navigator Q&A," *Lexology* (2016, 2017, 2018 & 2019 Eds.)
  - Contributing Editor, "Employee Duty of Loyalty: A State-by-State Survey," *Bloomberg BNA*, 5th Ed. (2015 Supplement), 6th Ed. (2016 Cumulative Ed., 2017 Supplement) & 7th Ed. (2018)
  - Contributing Editor, "Trade Secrets: A State-by-State Survey," *Bloomberg BNA*, 5th Ed. (2015 Supplement), 6th Ed. (2016 Cumulative Ed., 2017 & 2018 Supplements) & 7th Ed. (2019)
  - Contributing Editor, "Tortious Interference in the Employment Context: A State-by-State Survey," *Bloomberg BNA*, 4th Ed. (2015 Supplement, 2016 Cumulative Supplement), 5th Ed. (2017) & 6th Ed. (2019).
  - ["New York Minimum Salary Thresholds Set to Increase for Exempt Employees,"](#) *New York Law Journal*, 20 Dec 2018
  - "Restrictive Covenant and Trade Secret Misappropriation Claims: Key Initial Considerations and Tips for Seeking TROs, Preliminary Injunctions and Other Relief," *Lexis Practice Advisor*, Jun 2018
  - Co-author, "Challenges for Employers in a Post #MeToo World," *The Labor Dish*, 6 Dec 2017
  - "'Women's Equality Agenda' goes into effect today and substantially increases New York employers' obligations," *DLA Piper Employment Alert*, 19 Jan 2016
  - "New protections enacted in New York City for caregivers and transgender individuals," *DLA Piper Employment Alert*, 29 Dec 2015
  - "Fact sheet and model notice clarify NYC employers' obligations under new 'ban the box' law," *DLA Piper Employment Alert*, 10 Nov 2015
  - "Accommodating Religious Practice After *EEOC v. Abercrombie*: 3 Steps for Employers," *Westlaw Journal Employment*, 23 Jun 2015
  - "New York City employers now restricted from using employee or applicant credit history in making employment decisions," *DLA Piper Employment Alert*, 7 May 2015
  - "Labor Department issues procedures for handling SOX whistleblower complaints," *DLA Piper Employment Alert*, 12 Mar 2015
  - "Assisting Clients with Employment Law Compliance in a New Regulatory Environment," *Inside the Minds: The Impact of Recent Regulatory Developments in Employment law*, *Aspatore Books*, 2014 Edition

## Events

## Previous

### Coronavirus and the new normal for US employers

19 March 2020  
Webinar

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### Coronavirus COVID-19: Webinar on the global employment law issues

11 March 2020

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## NEWS

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**DLA Piper represents Compagnie du Ponant in acquisition of Paul Gaugin**

24 September 2019

DLA Piper represented Compagnie du Ponant, a French cruise ship operator, in the acquisition of Paul Gaugin Cruises.

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