



## David R. Golder

Principal  
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### Practices

Class Actions and Complex Litigation  
Wage and Hour

### Industries

Hospitality  
Life Sciences  
Retail  
Technology

### Education

University of Pennsylvania  
Carey Law School  
J.D., 2001  
Editor of the *Journal of Labor and Employment Law*

Emory University  
B.A., 1996  
Phi Beta Kappa

### Admitted to Practice

- 2nd Circuit Court of Appeals, 2013
- California (inactive), 2007
- Connecticut, 2008
- Connecticut - D. Conn., 2009
- Massachusetts, 2002
- New York, 2002

David R. Golder is a principal in the Hartford, Connecticut, office of Jackson Lewis P.C. He is co-leader of the Class Actions and Complex Litigation practice group.

David has extensive experience handling class and complex litigation, including nationwide, high-stakes wage and hour disputes. David defends employers in class-based, multi-plaintiff, and multi-district wage and hour class and collective actions involving claims for employee misclassification, improper payment of wages, off-the-clock work, and meal and rest break violations. David also provides preventive advice and counsel to employers wishing to limit their exposure to investigation and litigation under the federal Fair Labor Standards Act and the state laws that require employers to pay overtime and minimum wages to their employees.

David defends employers in employment disputes, such as claims of discrimination, harassment, retaliation, and wrongful discharge in state and federal courts and administrative agencies.

David advises management on personnel matters such as hiring, firing, performance management, internal investigations, and disability accommodation. He also assists employers in preparing employee handbooks and internal policies and procedures.

## Class and Collective Action Experience

David has handled numerous class and collective actions including wage and hour claims alleging claims for improper payment of bonuses, misclassification of customer service employees, dispatchers, trainers, field service representatives, auto service writers, assistant retail managers, time share resort salespeople, pharmaceutical sales representatives and installation technicians and failure to pay minimum wage to tipped employees. David has handled class and/or collective actions in California, Connecticut, Florida, Illinois, Massachusetts, Missouri, New Jersey, New York, Tennessee and Washington. His trial experience includes defense of class, collective and single plaintiff actions before juries, judges, and arbitrators. Results in those cases include:

- Defeated conditional certification of FLSA collective of restaurant servers seeking to invalidate the tip-credit;
- Defeated Connecticut class certification in wage/hour case involving prevailing wage and overtime claims;
- Defeated Rule 23 class certification motion for class of mortgage underwriters in U.S.D.C. for District of Connecticut;
- Defeated Rule 23 class certification motion of a national Title VII gender discrimination case in U.S.D.C. for the Southern District of New York and successfully opposed Rule 23(f) appeal to the Second Circuit;
- Defeated conditional certification of a nationwide class of inside sales persons in U.S.D.C. for the District of Miami;
- Defeated conditional certification of a nationwide class of trainers and field service

- representatives who worked for a defense contractor in U.S.D.C. for the Eastern District of Missouri;
- Defeated conditional certification of a nationwide class of pharmaceutical sales representatives in U.S.D.C. for the District of Miami;
- Obtained dismissal of a state law class action seeking relief under a variety of state law causes of action as a result of an alleged misclassification as an exempt employee on the grounds that the claims were preempted by federal and state wage statutes;
- Compelled arbitration on an individual basis for named plaintiffs in a putative collective action in U.S.D.C. for the District of Orlando;
- Defeated conditional certification of a nationwide class of pharmaceutical sales representatives and obtained summary judgment against the plaintiff for breach of contract which included a class action waiver in U.S.D.C. for the Northern District of Illinois;
- Compelled arbitration on an individual basis and defeated class certification in an independent contractor misclassification case;
- Obtained dismissal of various state law claims from a nationwide Fair Labor Standards Act collective action.

## Honors and Recognitions

- *The Best Lawyers in America*®, "Employment Law - Management" (2021)
- *Chambers USA*, Recognized Practitioner (2019)
- *Connecticut Law Tribune*, "New Leaders in the Law" (2012)
- Connecticut *Super Lawyers*®, "Rising Stars" (2010-2014), "Super Lawyers" (2015-2019 and 2021)
- *Legal 500 USA*, "Recommended Attorney" (2019-2021)
- James W. Cooper Fellows Program, Elected to Fellows Class of 2021 (2021)

## Professional Associations and Activities

- Connecticut Bar Association, Labor and Employment Section

## Published Works

- "Happy 30th Birthday Hoffman-La Roche: It's Time for a Change," *Journal of Compensation and Benefits* (May 2020) [Co-Author]
- Interview by the CBIA's Business Minute, airing on WICC-AM and WTIC-AM radio stations, regarding changes to the FLSA
- "Changes Coming to Rules for White-Collar Workers," *The Connecticut Law Tribune* (April 2016) [Co-Author]
- "New Rules Will Restrict White-Collar OT Exemptions," *Connecticut Law Tribune* (July 2015) [Co-Author]
- "Contract With Connecticut? Watch What You Pay," *Connecticut Law Tribune* (July 2013) [Co-Author]
- "Paying the Price for Independent Contractors," *Connecticut Law Tribune* (April 2010) [Co-Author]
- "Top 10 Wage and Hour Mistakes to Avoid," *GC New England* (2009) [Co-Author]
- "No Free Lunch: How to Avoid Liability for Improper Lunch Breaks," *Employment Alert* (January 2009) [Author]
- *Labor and Employment Law: Compliance and Litigation*, 3rd ed. (MA: Thomson Reuters/West, 2006) [Co-Author]