

Dan Blake

He | Him | His

Of Counsel

Boston

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Education

- St. John's University School of Law, JD
- Boston College, BA

Practices & Industries

- Labor & Employment
- Higher Education

Admitted to Practice

- Massachusetts
- New York

Biography

Dan focuses his practice on employment and business litigation, employment law counseling, and labor law. He works across a broad range of industries, including real estate, health care, technology, start-up, education, food and beverage, retail, and professional service.

Dan represents clients in litigation before state and federal courts and agencies and before arbitrators in all types of employment law claims, including wage and hour class actions, collective actions under the Fair Labor Standards Act, wrongful discharge, discrimination and harassment, privacy and tort claims, trade secret and noncompetition matters, and contract disputes. He also handles consumer and other types of class actions, business litigation matters such as partnership disputes, and accessibility cases involving public accommodations, public services, and websites.

Dan routinely partners with employers to provide strategic advice on all types of employment matters, including noncompetition, technology transfer and trade secret strategies, employment and separation agreements for key executives and other employees, wage and hour compliance, workplace investigations, harassment prevention, government audits and investigations, reductions in force, and litigation avoidance strategies. He also counsels and represents employers in traditional labor matters, including compliance cases before the National Labor Relations Board, union relations, collective bargaining negotiations, and arbitrations.

In addition to frequent speaking engagements for various bar associations and business groups, Dan provides training for supervisors and executives on harassment prevention, compliance matters, internal investigations, and other employment law topics. He is also a certified mediator, applying his vast experience in litigation and dispute resolution.

Bar Associations

- American Bar Association
- Boston Bar Association
- Essex County Bar Association, Former Employment Law Section Chair
- Massachusetts Bar Association, Former Labor and Employment Section Council Leadership Team Member

Representative Experience

- Defended a national restaurant chain in multiple class actions alleging violations of Massachusetts wage laws.
- Defended a national coffee service company in a collective action under the Fair Labor Standards Act.
- Defended a financial institution through a successful trial in a $22 million Ponzi-scheme-victim litigation.
- Successfully defended a national transportation company in a sexual harassment case affirmed by the Rhode Island Supreme Court.
- Defended a high-end international retailer in a federal case alleging its website violated the Americans With Disabilities Act.
- Represents founders and key executives across many industries in negotiating employment, noncompetition, and severance agreements.
- Successfully represented the seller of a pool supply business in an arbitration brought by the buyer for rescission and significant damages.
- Conducted an audit of wage practices across 10 hospitals and the corporate headquarters for a health care client.
- Conducted multi-session sexual harassment prevention training for all supervisors of a large restaurant group.
- Prevailed in labor arbitration for a pulp and paper mill on a job assignment and rate dispute with potential multi-million liability.
- Successfully appealed a trial court's denial of a hospital's motion to compel arbitration of an employment dispute.
- Handled a union election and union deauthorization election.

Prior Experience

- LeClairRyan, Partner

Selected Honors

- *The Best Lawyers in America*®: Employment Law – Management, 2016–2027; Litigation – Labor and Employment, 2026 and 2027
- *Boston Magazine*, 2021 Top Lawyers List
- Selected to *Super Lawyers* Massachusetts: Employment & Labor, 2004 and 2013–2019
- Martindale-Hubbell AV Preeminent Peer Review Rated for Very High to Preeminent Ethical Standards and Legal Ability

Selected Speaking Engagements

- Boston Bar Association, “The State and Federal Legislative Response to the #MeToo Movement”
- Massachusetts Defense Lawyers Association, “Litigating Wage and Hour Cases”
- Massachusetts Bar Association Health Law Conference, “Concerted Activity Under the National Labor Relations Act”
- Greater Merrimack Valley Human Resources Association, “Massachusetts Data Security Law and Regulations”

Selected Media

- *Boston Business Journal,* “Action Required: Protecting Confidential Business Information”

Selected Alerts & Blog Posts

- Managing Employment Issues Through Crisis
- Caddy Class Action Still in Play With New Retaliation Claim
- COVID-19: Eligible Massachusetts Businesses Begin Reopening Under Commonwealth's Four-Phase Plan
- COVID-19: What Nonprofits Need to Know About Unemployment Under the CARES Act
- COVID-19: Labor Issues for Non-Union, Union Employers in Uncertain Times