



David J. Mahoney

Partner

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Dave Mahoney advises private business owners and HR professionals on navigating the legal complexities of the employer-employee relationship. Recognizing that a company's workforce can be its greatest asset or its greatest liability, Dave helps both union and non-union businesses build a positive work culture and comply with changing laws through proactive policies and procedures.

His clients depend on Dave as a trusted resource when they ask themselves, "What do we do now?" He provides day-to-day guidance and swiftly addresses volatile workplace issues in real time. Should litigation prove necessary, he draws on over 20 years of courtroom experience to defend his clients' interests in federal and state courts, before administrative agencies, and in employment arbitrations.

Prior to joining Hinshaw, Dave was a partner at a Long Island-based firm, where he served as chair of the Labor & Employment Group and Deputy Partner-in-Charge of People.

Professional Affiliations

- American Bar Association
- New York State Bar Association

Representative Matters

- Successfully negotiated a favorable settlement for a security company in defense of unpaid wage class action.
- Negotiated three consecutive collective bargaining agreements with IBEW without incurring a work stoppage.
- Conducted internal investigation of hostile work environment claims on behalf of hospital client and guided client on a course of action that prevented litigation.
- Negotiated favorable settlement for Italian restaurant resolving multi-employee New York State Department of Labor wage and hour audit.
- Represented the defendant maintenance company against numerous discrimination claims brought before the New York State Division of Human Rights, obtaining findings of no probable cause and dismissal after a public hearing.

Practices

Labor & Employment

Education

J.D., *cum laude*, Seton Hall University School of Law

B.A., *cum laude*, Siena College

Admissions

Massachusetts

New York

U.S. Court of Appeals for the Second Circuit

U.S. District Court for the Eastern and Southern Districts of New York



- Assisted iconic New York City restaurant in avoiding WARN penalties in connection with its accelerated wind down and provision of shortened notice to employees.
- Obtained compensatory damages and additional restrictions on competition for a professional services company in a restrictive covenant arbitration against a former employee.
- Negotiated a settlement that avoided litigation for an intervention educational faced with a COVID-related retaliatory discharge claim.
- Negotiated a chief executive officer's (CEO) separation from service, eliminating trailing restrictive covenants.
- Developed a supplemental compensation plan for sales employees of a distributor client.
- Advised court-appointed receiver on various compliance issues facing a fine jewelry retailer placed in receivership, preserving the company's assets for trade creditors.
- Offers day-to-day advice on employment law compliance to employers in a variety of industries, from hospitality to construction, and manufacturing to professional services.
- Regularly drafts and/or negotiates employment contracts, employee handbooks, restrictive covenants, performance improvement plans, and separation agreements.

Presentations

- "Wage and Hour Issues in the Building Industry," Young Professionals Section of the Long Island Builders Institute, June 2024

Personal

Born and raised in Vermont, Dave now lives on Long Island with his wife and two children. Dave used to play soccer, basketball, and baseball. He has run ten half marathons and the 2010 New York City Marathon. These days, he's just a mediocre golfer. Dave enjoys spending time at the beach and is overly invested in the Red Sox, Celtics, Patriots, Islanders, and Arsenal Football Club.

Community/Civic Activities

- Oceanside United Soccer Club, Director of Travel Soccer
- New York Hota Bavarians Soccer Club, Member
- CYO Basketball Coach for St. Anthony's Roman Catholic Church in Oceanside, New York
- A Long Island-based high school's mock trial team, Volunteer Advisor
- Knights of Columbus, Father Joseph O'Connell Council #3481, Member
- United States Soccer Federation, Licensed Referee