



Daniel J. McVeigh Of Counsel

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During the last 35 years, Dan McVeigh has earned the reputation as one of the preeminent employment litigators in the Sacramento region.

Whether assisting management in claim avoidance or developing effective defense strategies to prevail in trial or at summary judgment, Dan's experience and judgment has served his clients' interests by resolving claims in an expeditious way and avoiding future claims so his clients can focus on their core business and not the distraction of litigation. Dan also serves as a private mediator, with an emphasis on employment disputes, including wage and hour and discrimination claims.

Experience

- Defense verdict in a sexual harassment and hostile work environment case in which a grocery chain was alleged to have allowed gross conduct by male co-workers to persist creating an uncomfortable work environment for female employee.
- Successful defense of large retail business accused of religious discrimination due to an alleged failure to accommodate a request by Seventh Day Adventist for time off and subsequent retaliation claim.
- Defense of a financial institution in the San Francisco Bay Area on claims of race and sexual discrimination and a hostile work environment made by female employees against an alleged supervisor during training.
- Negotiation of a large wage and hour dispute by a large health care industry client involving claims of unpaid overtime, missed

Industries

Construction
Agribusiness
Public Agencies/Municipalities
Nonprofit/Tax-Exempt Organizations
Retail

Practices

Employment Litigation
Employment Counseling
Disability Access
Complex Business Litigation

Education

J.D., University of California, Hastings
College of the Law, 1977

A.B., University of California at
Berkeley, 1972

meal and rest periods, waiting time penalties which resolved equitably in advance of costly litigation.

- Trusted counselor for clients on employment and human resource matters for over 30 years, involving employee discipline, difficult disability accommodation issues, sexual harassment and discrimination claims, investigations and wage and hour concerns in a broad array of industries, including financial institutions, telecommunication, technology, retail, non-profits and legal.
- Favorable arbitration award for real estate developer in an age and disability discrimination case arising out of the layoff of an older home salesperson when the declining market for new home sales resulted in layoff.
- Defense verdict in a construction dispute in Yolo County Superior Court and favorable verdict on defensive cross complaint
- Successful summary adjudication of age and disability discrimination claim in federal court based upon compelling showing of non-discriminatory basis for termination.
- Successful defense of discrimination and wrongful demotion claims by store manager through motion for an order of non-suit following the conclusion of Plaintiff's evidence and successful result on appeal of court's order.
- Favorable verdict on defense of claim for a prescriptive easement over the land of clients' property.
- Successful mediation practice over the last 10 years in employment disputes and general litigation.

Professional & Community Service

- Rotary Club of Sacramento, President, 2016-2017 (Member since 1998)
- Sacramento County Bar Association, Labor and Employment Law Section
- Sacramento County Superior Court, Pro Tempore Settlement Judge
- United States District Court, Eastern District of California, Early Neutral Evaluation Program, Evaluator

Honors & Rankings

- AV Preeminent® Rating by Martindale-Hubbell®
- Best Lawyers in America®, Employment Law-Management, Litigation-Labor & Employment, 2007-2019
- Catholic Diocese of Sacramento St. Thomas More Award, 2009
- *Super Lawyers*, Northern California Super Lawyer, Labor & Employment, Employment Litigation, Employment Litigation: Defense, 2012-2019
- *Sacramento Magazine*, Top Lawyer, Labor & Employment, 2015-2019
- *Sacramento Business Journal*, Best of the Bar, 2016-2017
- Honoree, Voluntary Dispute Resolution Program Panel, United State District Court, Eastern District of California

Legal Alerts

- *California Expands Paid Family Leave*, June 16, 2014
- *California Minimum Wage Increases to \$9*, June 16, 2014
- *California Supreme Court Decision Expected this Summer Regarding Enforcement of Class-Action Waivers in Arbitration Agreements*, June 16, 2014

- *Supreme Court Raises the Bar for Employee Retaliation Claims*, July 2013
- *Supreme Court Further Affirms the Right to Enforce Arbitration Agreements, Including Class Action Waivers*, July 2013
- *Supreme Court Clarifies Definition of "Supervisor" for Title VII Harassment Claims*, July 2013
- *Businesses Employing Workers Supplied By Farm Labor Contractors or Professional Employer Organizations May Create an Unintended Joint Employer Relationship, Resulting in Unforeseen Liability*, May 2013
- *Employers Beware: Retaliation Suits May Linger Even After Harassment Claim Dismissed*, May 2013
- *Employers Must Use New Form I-9 Beginning May 7, 2013*, May 2013
- *New FMLA Regulations Require New Poster and Expand Military Leave Entitlements*, March 2013
- *An Employer's Obligation to Accommodate an Employee Disabled by Pregnancy Is Not Limited by California's Pregnancy Disability Leave Law*, March 2013
- *Courts Grapple with California Law Requiring Employers to Provide Employees with "Suitable Seating"*, March 2013
- *The Brinker Decision...at Long Last*, April 2012
- *Court Enjoins NLRB Posting Requirement*, April 2012

Speaking Engagements / Events

- *Are you ready for 2015? Many New Laws Will Affect California Employers*, Co-presenter, Downey Brand Employment Law Seminar, January 2015
- *"Employment Law Update: A Review of Changes for 2011,"* Downey Brand LLP, Presenter, 2011
- *"Employment Law Update: Current Issues and Future Trends,"* Downey Brand LLP, Presenter, 2010
- *"25th Annual Recent Developments in Civil Procedure,"* CEB Civil Litigation Practice, Speaker, 2007-2010