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#### AREAS OF PRACTICE

- Employment Law
- Litigation

#### RECENT BLOG POSTS

- Virginia Marijuana Laws Go Up in Smoke
- Virginia Overtime and Disability Discrimination Rules Take Effect July 1, 2021
- Virginia Minimum Wage Increase Takes Effect on May 1, 2021
- Provisions Employers Should Consider Including in Employment Contracts and Severance Agreements
- Virginia Employers Subject to Multiple New State Statutes

## David F. Dabbs

### ATTORNEY, SENIOR COUNSEL

Dave Dabbs advises and represents employers on all aspects of employment law, including applications, contracts, deferred compensation plans, handbooks, policies, terminations, releases, and restrictive covenants. With over 25 years of experience, he has particular background in the FLSA and other wage and hour laws, ADA and FMLA compliance, discrimination and retaliation claims, employment issues arising in the sale and closure of facilities (including severance benefits and WARN and OWBPA compliance), and employee benefits litigation (primarily under ERISA). He also advises and represents clients on more general contract and administrative matters.

#### EDUCATION

- University of Virginia School of Law (J.D., 1991)
  - Editor-in-Chief, *Virginia Law Weekly*
- Duke University (B.A., Economics and Computer Science, *magna cum laude*, 1986)

#### BAR ADMISSIONS

- Virginia
- U.S. District Court Eastern District of Virginia
- U.S. District Court Western District of Virginia
- U.S. Court of Appeals 1st Circuit
- U.S. Court of Appeals 4th Circuit
- U.S. Court of Appeals 5th Circuit
- U.S. Court of Appeals 6th Circuit
- U.S. Court of Appeals 11th Circuit

#### REPRESENTATIVE EXPERIENCE

- Counsel of record in nearly 100 cases in the Eastern District of Virginia
- Argued multiple cases successfully in U.S. Courts of Appeal
- Representation of employers in EEOC and U.S. Department of Labor investigations involving hundreds of employees
- Legal compliance audits for employers ranging from a few dozen to a few thousand employees
- FLSA claims and collective actions involving "white collar" exemptions, sleep and travel time, tip credit, and omissions from regular rate

- Valuation of wage/hour collective actions involving factual uncertainty and multiple contested legal issues
- ERISA litigation involving severance pay, life, health, and disability insurance, removal and preemption issues, and pension regulation on behalf of Fortune 100 corporations
- Engagement as an expert by lawyers in other firms
- Particular industry background in:
  - Restaurants
  - Healthcare (including home health)
  - Local government (including police, fire, and EMS)
  - Property maintenance & services
  - Real estate brokerage
  - Residential retirement communities

## PROFESSIONAL ASSOCIATIONS AND MEMBERSHIPS

- Virginia Bar Association
  - Labor and Employment Law Section
- Richmond Bar Association
  - CLE Committee

## PAST EMPLOYMENT POSITIONS

- LawrenceQueen, 2016-2018
- Solo practice, 2010-2016
- McGuireWoods LLP, 1991-2009
- Data General Corporation, 1986-1988 (software engineer)

## PUBLICATIONS

- COVID-19 and the Americans with Disabilities Act
- Ongoing Employment Law Developments Related to COVID-19
- Emergency Paid Sick Leave and Other Employment Issues Related to COVID-19
- 2019 Mid-Year Employment Law Update Part II: Federal
- 2019 Mid-Year Employment Law Update Part I: Virginia
- New FLSA Minimum Salary Expected - Airline Case Highlights Risks