SQUIRE PATTON BOGGS

Daniel B. Pasternak

Partner

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About Daniel

Drawing on three decades of experience, Dan Pasternak advises and represents employers across a wide range of industries in traditional union/management labor relations matters and in contentious, often high-stakes, employment litigation.

As a former National Labor Relations Board (NLRB) lawyer and leader of the traditional labor relations practice group of a large international law firm, Dan has both a deep knowledge base and broad experience representing management in the full spectrum of union-related labor relations matters. This includes unfair labor practice charge and representation case proceedings before the NLRB and federal appellate courts, union organizing campaigns, formulating collective bargaining strategy and conducting at-the-table collective bargaining negotiations, and developing and implementing strike and secondary boycott contingency plans and response strategies, as well as representing management in grievance arbitration proceedings.

In addition to his traditional labor relations practice, Dan helps employers navigate the day-to-day complexities of managing local, regional, multistate and international workforces in an increasingly complicated, highly regulated workplace compliance environment. From leading sensitive workplace investigations to crafting executive employment, retention, and separation agreements, designing and supporting large-scale organizational restructurings, and advising clients on strategic labor and employment issues arising in merger and acquisition transactions, Dan's focus is to find the right – and business-sensible – solution for employers.

When solutions cannot be found and matters turn to litigation, Dan represents clients nationwide in federal and state courts, before administrative agencies, and in arbitration and mediation proceedings, in disputes arising under the array of federal and state employment laws, including discrimination, harassment, retaliation, whistleblower, wrongful termination, ERISA denial of benefits, wage and hour collective and class action, unfair competition, trade secret, and non-compete and non-solicitation covenant cases.

Dan is a long-time contributor and currently is a chapter editor of *The Developing Labor Law*, the definitive treatise on US labor law, and is a regular contributor to print and online legal media on labor and employment topics. Dan also leads our firm's effort to deliver as-they-happen updates on developments affecting employers through its *Employment Law Worldview* blog.

Dan has received recognition in *Chambers USA* since 2010 on the strength of feedback received from clients, commenting that he is "superb in every interaction" and "tenacious," and noting his "polished performances in the courtroom." *Chambers USA* noted that "clients describe him as 'plain-speaking, responsive and helpful'" and praise his "ability to assess the situation quickly and offer sound guidance." Dan has also been annually listed since 2012 in *The Best Lawyers in America* in the labor law, employment law, and employment litigation categories.

Credentials

Education

- University of Illinois, J.D., *cum laude*, 1994
- University of Illinois at Urbana-Champaign, B.S., 1991

Admissions

- Arizona
- Illinois

Courts

- U.S. Supreme Court
- U.S. Ct. of App., Third Circuit
- U.S. Ct. of App., Fifth Circuit
- U.S. Ct. of App., Seventh Circuit
- U.S. Ct. of App., Ninth Circuit
- U.S. Ct. of App., District of Columbia Circuit
- U.S. Dist. Ct., Dist. of Arizona
- U.S. Dist. Ct., Dist. of Colorado
- U.S. Dist. Ct., N. Dist. of Illinois

Recognitions

- Recognized by *Chambers USA* 2010-2026, an annual listing of the leading lawyers and law firms in the US, for Labor & Employment in Arizona
- Listed in *The Best Lawyers in America* 2012-2027, an honor based on an exhaustive peer-review process, in the Employment Law – Management, Labor Law – Management and Litigation – Labor and Employment Law categories

Expertise

Services

- Labor & Employment

Industries

- Sports & Entertainment

Publications

- Chapter Editor, "The Developing Labor Law", BNA Bloomberg, Chapter 33: Judicial Review and Enforcement, 7th and 8th Editions and Annual Cumulative Supplements (2018-present).
- Author, "The NLRB's Evolving Joint-Employer Standard: Browning-Ferris Industries of California, Inc.," *ABA Journal of Labor & Employment Law*, Volume 31, Number 2, Winter 2016.
- Author, "One of These Things is Not Like the Other: The Continuing Battle Over the Meaning of Discrimination – Salmon Run Shopping Center v. NLRB and Guard Publishing Company v. NLRB," *The Labor Lawyer*, Volume 24, Number 3, Winter/Spring 2009.

About our firm

One of the world's strongest integrated law firms, providing insight at the point where law, business and government meet. We deliver commercially focused business solutions by combining our legal, lobbying and political capabilities and invaluable connections on the ground to a diverse mix of clients, from long-established leading corporations to emerging businesses, startup visionaries and sovereign nations. More than 1,500 lawyers in over 40 offices across four continents provide unrivaled access to expertise.