akerman

People

Damien P. DeLaney

Co-Chair, Wage and Hour Practice

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vCard

Damien DeLaney is a seasoned employment litigator and advisor with more than 15 years of experience helping solve employment law problems for clients large and small in a wide array of industries including retail, hospitality, food and beverage, real estate, construction, engineering, manufacturing, education, nonprofit, professional services, technology, fashion, sports, and entertainment. Clients come to Damien for creative and value-driven approaches to their most important employment litigation matters, as well as for proactive risk management to avoid liabilities before they emerge.

Damien routinely represents clients in class actions and complex litigation matters, including wage and hour class actions, California Private Attorneys General Act actions, and Fair Credit Reporting Act class actions. His track record of success in class actions includes defeating class certification motions, obtaining summary judgment prior to certification, and obtaining favorable settlements for his clients. In addition to his complex litigation practice, Damien's litigation practice runs the gamut from employment discrimination and whistleblower claims to trade secret and restrictive covenant claims, and he has represented clients in state and federal courts at the trial and appellate level as well as in arbitration. He also advises employers on a wide range of employment issues, including wage and hour compliance, workplace investigations, employee discipline, employee separations, and policy and procedure review. Damien provides clients with practical, business-oriented advice on implementing equal employment opportunity, anti-discrimination, and diversity, equity, and inclusion policies.

Damien frequently presents on employment law topics of interest to small business owners, in-house counsel, and human resources professionals.

Notable Work

California Business Expense Reimbursement Statute: Successfully defeated class certification in a case involving a novel issue under

Areas of Experience

Employment Litigation
Labor and Employment
Employment Training and Compliance
Wage and Hour
Class Action Defense
Franchise and Licensing
Staffing Law
Sports and Entertainment Law

Education

J.D., Washington and Lee University School of Law, 2003, cum laude
B.A., College of William and Mary, 1999

Admissions

Bars

California

Courts

U.S. District Court, Eastern District of California
U.S. District Court, Northern District of California
U.S. District Court, Southern District of California
U.S. Court of Appeals, Sixth Circuit
U.S. Court of Appeals, Seventh Circuit

Related Content

Daily Journal Names Damien DeLaney Top Labor & Employment Lawyer
August 07, 2024

Is the Wicked Witch Really Dead? California Passes Long Anticipated PAGA Reforms, But Do They Really Help Employers?
July 16, 2024

Akerman Angle Wage and Hour Podcast: Department of Labor's Final Rule
June 24, 2024

California's business expense reimbursement statute.

Wage and Hour: Defeated class certification for a large manufacturing company in a case asserting claims for missed meal and rest breaks.

Related Professional Experience

- Law Clerk to the Honorable John M. Rogers, Circuit Judge, U.S. Court of Appeals for the Sixth Circuit

Affiliations

- State Bar of California, Labor and Employment Section, Member
- Los Angeles County Bar Association, Member

Published Work and Lectures

- HR Defense Blog, Editor and Contributor
- Beverly Hills Chamber of Commerce, Speaker, "Navigating the Duty to Reasonably Accommodate & Engage in the Interactive Process," July 11, 2023
- Akerman Labor & Employment Law Summit, Podcast Host, "Live Akerman Angle Podcast," May 4, 2023
- Akerman Labor & Employment Law Summit, Co-Moderator, "Wage and Hour Challenges of a Remote Workforce," April 29, 2022
- *Ethikos*, Co-Author, "Striking the Balance Between LGBTQ+ and Religious Employee Rights," April 1, 2022
- Akerman Labor & Employment Law Virtual Summit, Breakout Co-Moderator, 2 "Federal Discrimination and Anti-Harassment Law May Be About to Expand (BE HEARD Act, Equality Act, etc.)," April 22, 2021
- *Daily Journal* Employment Law Forum, Speaker, "Navigating Accommodations and Leaves of Absence," July 11, 2019
- *California Labor and Employment Law Review,* Co-Author, Vol. 26, Is. 4, "Brinker v. Superior Court: Implications for Employers," 2012

Honors and Distinctions

- *Lawdragon* 2020-2024, Listed as a "Lawdragon 500 Leading U.S. Corporate Employment Lawyer"
- *The Daily Journal*, 2024, Named One of the "Top Labor & Employment Lawyers"
- *Los Angeles Business Journal*, 2023, "Leaders of Influence: Labor & Employment Attorneys," Honoree
- *Los Angeles Business Journal*, 2022, "Leaders of Influence: Minority Attorneys," Honoree