

Daniel R. Stern

Member

San Antonio

Weston Centre
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Areas Of Practice

Employment Counseling

Health Care

Labor & Employment

Wage & Hour

Nonprofits & Tax-Exempt
Organizations

Litigation

Industries

Food & Beverage

Financial Industry Group

Education

Bar Admissions

Texas, 1990

Court Admissions

United States Court of Appeals
Fifth Circuit

United States District Court
Northern, Southern, Western and
Eastern Districts of Texas

Education

- St. Mary's University School of Law, J.D., *cum laude*, Staff, *St. Mary's Law Journal*, 1990
- Southwest Texas State University, B.B.A., 1984

Certifications

Board Certified in Labor and
Employment Law by the Texas
Board of Legal Specialization

Dan Stern advises employers on labor and employment matters including affirmative action plans; wage and hour issues; and discrimination and harassment claims. By recommending and developing effective employment policies and procedures, he helps clients reduce the risk of employment-related lawsuits. He is Board Certified in Labor and Employment Law by the Texas Board of Legal Specialization.

Experience

Dan works with employer clients to bring their existing workplace policies into compliance with best practices in the human resources field, and he provides day-to-day counseling which enables clients to make wise decisions in human resource matters. Understanding the frequent and complex employment issues continually faced by today's employers, Dan has designed his practice so that he is readily and quickly available to his clients. He is a frequent speaker and author on employment matters and labor-related legislative changes, with a particular focus on wage and hour issues.

His experience includes the following:

Employee Relations Counseling and Compliance

- Representation of companies in the drafting of affirmative action plans and during onsite audits of those plans by the Department of Labor, Office of Federal Contract Compliance Programs
- Representation during OSHA investigations, responding to citations and during settlement conferences
- Provided guidance to client who was the target of a phishing scheme where employee data was breached
- Represented multiple clients in audits conducted by the Department of Labor's Wage and Hour Division
- Development and presentation of in-house training for clients concerning human resources issues including harassment, hiring, firing, disciplining and documentation
- Conduct audits of clients' policies, procedures and compliance
- Developed, reviewed and maintained employee handbook, policies and procedures, including Family and Medical Leave, social media, and termination provisions

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- Daily ongoing consultation with clients in varying industries on hiring, disciplining, terminating and leave of absence issues along with many other concerns
- Assisted large financial institution in developing hiring process related to background checks to comply with new EEOC guidance
- Preparing separation agreements at time of termination for executives with confidential information and large reductions in force with Older Worker Benefit Protection Act implications

Employment Litigation

- Representation of a local company in a lawsuit filed by the Equal Employment Opportunity Commission (EEOC) alleging harassment and retaliation; settled matter for nominal amount
- Representation of companies in workers' compensation retaliation lawsuits, each settling for amounts less than defense costs
- Defended multiple EEOC charges for clients of varying sizes and wide ranging industries
- Obtained a summary judgment in favor of a University who was being sued by a doctor alleging national origin discrimination claiming she was terminated because of her heavy accent

Seminars & Speeches

Webinar: The Families First Coronavirus Response Act (FFCRA) – What Employers Need To Know
March 25, 2020

Webinar: Managing Coronavirus (COVID-19) in the Workplace

Avoiding the Adrenaline Rush: Managing Employment Risk, San Antonio Manufacturers Association (SAMA) 2020
Employment Law Seminar
February 27, 2020

Don't Look Here or Here: Workplace Privacy
August 23, 2019

The Most Important Employment Law Issues in the World!, Association of Legal Administrators – Alamo Chapter
June 20, 2019

Proposed White Collar Exemption Regulation Changes, San Antonio Chapter of the American Payroll Association
May 6, 2019

Let's Be Safe Out There (Workplace Violence)
May 3, 2019

I'm Harassing ? No, You're Harassing: Addressing the Complexities of Workplace Harassment, South Texas Manufacturers Association
April 23, 2019

Employment Law Primer for Community Banks, IBAT Education Foundation HR Summit
April 4, 2019

I Don't Want To Work and You Can't Make Me! Attendance, Leaves of Absence & Reasonable Accommodation, SHRM Rio Grande Valley March Meeting 2019
March 27, 2019

Back to the Basics – The Nuts and Bolts, San Antonio Manufacturers Association Employment Law Seminar
February 22, 2019

Investigations and Harassment, Lower Valley Chapter of the Society of Human Resource Management
January 9, 2019

Here Today, but not Tomorrow or the Next: Leaves of Absence
November 7, 2018

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Key Issues for Employers: Investigations and Harassment
Tuesday, October 2 or Thursday, October 4, 2018

Blockin' & Tacklin': Discussing the Fundamentals to Complex Employment Issues
August 3, 2018

Please Make It Stop: Confronting Harassment in the Social Media Age, American Payroll Association
May 10, 2018

'I don't want to work, and you can't make me' – Attendance, Leaves of Absence and Reasonable Accommodations,
Independent Bankers Association of Texas HR & Operations Summit
April 25, 2018

The Best Defense to Employment Law Claims: Good Investigations, Independent Bankers Association of Texas HR &
Operations Summit
April 24, 2018

Sexual Harassment & the #MeToo Movement, Public Risk Management Association – Texas Chapter
April 12, 2018

The Best Defense to Employment Law Claims: Good Investigations
January 24, 2018

The Best Defense to Employment Law Claims: Good Investigations
December 12, 2017

The Best Defense to Employment Law Claims: Good Investigations
November 3, 2017

Prohibited Workplace Harassment and Current Employment Law Trends
September 12 & 13, 2017

Key Compliance Issues, Texas Trucking Alliance Annual Conference
August 3, 2017

Employment Issues under the New Presidential Administration, Rio Grande Valley Chapter of the Society of Human
Resource Management
June 28, 2017

Cyber Theft (and Regular Theft) of Employee and Company Data
May 5, 2017

Employment Issues under the New Presidential Administration, Alamo Chapter of the American Payroll Association
April 20, 2017

Policy and Enforcement Changes Under the New Presidential Administration, Laredo Association for Human Resources
Management
April 12, 2017

Employment Law Under the Trump Administration - What Does the Future Hold and Should We "Tweet" About It?
February 3, 2017

Are You Ready for the New Overtime Regulations?
October 13, 2016

Harassment, Retaliation and the Pending November Elections
September 15, 2016

An Employment Triple Threat: New OSHA Regulations, New Wage Hour Regulations, and Use of Independent Contractors,
South Texas Manufacturers Association
August 23, 2016

Navigating the DOL's Overtime Exemption Regulations—San Antonio
June 10, 2016

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The Most Interesting Employment Issues in the World for Home Care and Hospice, Texas Association for Home Care and Hospice
November 17, 2015

How to Handle the Truth: Workplace Investigations, Adult Day Care Association of Texas
September 10-11, 2015

Balance of Power: Respecting Employees' Privacy and Protecting Company Assets Coastal Bend SHRM, Corpus Christi, Texas
August 20, 2015

Workplace Investigations, Dykema Cox Smith Workshop, San Antonio, Texas
August 7, 2015

"Are You a Government Contractor and Don't Know It?" CLE Labor and Employment Workshop - Dallas
March 26, 2015

Labor and Employment Workshop: Are You a Federal Government Contractor and Don't Know it? - CLE Event
February 27, 2015

"What's Up With That?: Issues with Privacy, Harassment and Retaliation in the Nonprofit Sector," Speaker Dan Stern, SAAF Legal and Accounting Institute for 2014
December 5, 2014

San Antonio Manufacturers Association (SAMA) – 9th Annual CEO Event
October 24, 2013

IBAT Operations Compliance Summit, Speakers Thomas Alleman, Karen Neeley and Daniel Stern
June 20, 2013

From Fiscal Cliff to Employment Cliff - 2012 in Review, Cox Smith Employment and Employer Rights Workshop, El Paso, Texas
March 28, 2013

HR 101 - The Nuts and Bolts Every HR Professional Must Know, Cox Smith Employment and Employer Rights Workshop, El Paso, Texas
March 28, 2013

From Fiscal Cliff to Employment Cliff - 2012 in Review, Cox Smith Seminar
February 22, 2013

San Antonio Manufacturers Association – 8th Annual CEO Event
October 18, 2012

Cox Smith Employment and Employer Rights Workshop: Who is Investigating Whom?
July 13, 2012

Cox Smith Employment Rights Workshop - San Antonio
February 24, 2012

Cox Smith Employment FLSA Workshop – Wage and Hour Law
November 11, 2011

San Antonio Manufacturers Association (SAMA) – 7th Annual CEO Event
October 27, 2011

"2011 Perspective: Entertaining and Enlightening Employment Cases of this Year," presenter Dan Stern, LAHRM Human Resources Update: Voyage into the Unknown
October 12, 2011

Cox Smith Employment and Employer Rights Workshop, El Paso, Texas
August 25, 2011

ADAA/Privacy/GINA – What you need to know and what you should not know, Cox Smith Employment and Employer Rights Workshop

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July 21, 2011

ADA Amendments/GINA/Privacy - What you Need to Know and What You Should Know, Cox Smith Employment and Employer Rights Workshop

May 6, 2011

Publications

"Are You Compliant With COVID-19 Leave Laws?"

April 2, 2020

Industry Week

"Employer/employee confidential information: Who is protecting who and from what?"

August 6, 2015

Inside Counsel

"Mortgage Loan Officer Status Clarified by U.S. Supreme Court," by Karen M. Neeley and Daniel R. Stern, Dykema Banking Blog

March 11, 2015

News

DBusiness Magazine References Dykema's "Families First Coronavirus Response Act" Webinar

March 24, 2020

Bloomberg Law Highlights Dykema's COVID-19 L&E Webinar

March 16, 2020

CNN Business Talks to Daniel Stern Regarding What Employers Should Do If an Employee is Infected with COVID-19

March 12, 2020

Dan Stern Talks to *Business News Daily* About Investigating Workplace Incidents

January 31, 2018

Dan Stern Comments on Sexual Harassment Prevention in *Law360* Article

January 1, 2018

Dan Stern Proffers "Stern" Advice Regarding Workplace Revelry to *Corporate Counsel*

December 14, 2017

Dan Stern Predicts More Wage History Bans in *Human Resource Executive Online*

March 9, 2017

Karen Neeley and Daniel Stern to Lead Independent Bankers Association of Texas 2015 Operations Compliance Summit

July 29, 2015

Blog Posts

Listen Closely, Managers Need Training on Family and Medical Leave Act Procedures

Wake Up Federal Contractors; Key Affirmative Action Issues for 2016

Diversity Guidance for Banks: A Light Hand!

Memberships & Involvement

- Texas Bar Association, Labor and Employment Law Sections
- San Antonio Bar Association

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Community/Civic Activities

- Laredo Human Resource Management Association, Former Board Member
- Society of Human Resource Management – Rio Grande Valley, Speaker
- San Antonio Human Resource Management Association
- San Antonio Manufacturer Association, Speaker
- South Texas Manufacturers Association, Speaker

Awards & Recognition

- *San Antonio Magazine*, "2019 Top Attorneys," Labor Employment
- Recipient of an AV[®] Preeminent[™] Rating by *Martindale-Hubbell*
- Recognized in *The Best Lawyers in America*[®] for Employment Law - Individuals; Employment Law - Management; Labor Law - Management; Labor Law - Union; Litigation - Labor and Employment, 1999-Present. Copyright 2015 by Woodward/White, Inc., Aiken, SC
- Named by *The Best Lawyers in America*[®] as San Antonio Employment Law (Management) "Lawyer of the Year," 2015
- *S.A. Scene*, "San Antonio's Best Lawyers," Labor & Employment, 2005-2007, 2014, 2016, 2018-2019