

David C. Lindsay

Managing Partner, Raleigh Office

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OVERVIEW

David Lindsay is the managing partner of the firm's Raleigh office and a partner in the Labor, Employment, and Workplace Safety practice. He focuses his practice on defending employment discrimination lawsuits and class and collective wage and hour actions, advising businesses on complex employee relations issues and assisting clients on international employment matters. He advises clients on questions relating to state and federal employment law, including questions relating to the Family and Medical Leave Act, the Fair Labor Standards Act, the Americans with Disabilities Act, and OSHA regulations. As part of his practice, he also regularly enforces covenants not to compete on behalf of employers. David advises and represents healthcare and life sciences clients on a whole range of employment issues.

David has been listed in *The Best Lawyers in America*® since 2013 and is ranked in *Chambers USA* - North Carolina in the Labor & Employment category. He was named to the 2010 North Carolina Super Lawyers Rising Stars list and has been named to the North Carolina Super Lawyers list since 2013. He also has been honored in *Business North Carolina* magazine's "Legal Elite" in 2009, 2013-2016, and 2018-2026 as one of North Carolina's top employment attorneys. In 2021, David became a member of the magazine's “Legal Elite” Hall of Fame.

PROFESSIONAL BACKGROUND

Prior to joining the firm, David was a partner at an international law firm located in Raleigh.

ACHIEVEMENTS

- Recognized by *Chambers USA* for Labor & Employment in North Carolina, 2013-2026
- Martindale-Hubbell AV Preeminent® Rating, Labor and Employment, Litigation and Administrative Law, 2013-present
- Recognized in Business North Carolina's Legal Elite Hall of Fame for Employment, 2021-present
- Recognized in Business North Carolina's Legal Elite for Employment, 2009, 2013-2016, 2018-present

- Recognized by *The Best Lawyers in America*® for Litigation - Labor and Employment in Raleigh, NC, 2013-present
- Named to the Top 25 Raleigh Super Lawyers list, 2025
- Named to the Top 100 North Carolina Super Lawyers list, 2025
- Received a "Pro Bono Hero Award" from Legal Aid of North Carolina, 2024
- Named to the North Carolina Super Lawyers list, 2013-2023
- *BTI Client Service All-Stars*, Employment Litigation, 2022
- Named to the North Carolina Rising Stars list, 2010

PROFESSIONAL / CIVIC ACTIVITIES

- American Health Law Association, Labor and Employment Practice Group, Vice Chair - Member Engagement
- American Red Cross Triangle Area Chapter, Board of Directors (2012-2016)
- Literacy Council of Wake County, Past Vice President, Board Member (2000-2003 and 2004-2008)
- North Carolina State Bar, Member
- The Raleigh School, Legal Trustee (2013-2017)

SPEAKING ENGAGEMENTS

- "A Journey through Joint Employment in Health Care: Recent Developments and Guidance," North Carolina Society of Health Care Attorneys annual Meeting, September 2019
- "Policies, Practices, and Pitfalls: Internal and External Investigations in the Employment Context," K&L Gates "Under the Wire" CLE Seminar in Chapel Hill, North Carolina, January 2019
- Presenter, #MeToo: How the Movement Impacts the Way Your Company Addresses Sexual Harassment, *K&L Gates "Under the Wire" CLE Seminar*, February 2018
- Presenter, Ready for 2017? Changing Employment Regulations in a New Political Landscape" *K&L Gates "Under the Wire" CLE Seminar*, February 2017
- Presenter, The Obama Legacy – As His Term Wanes, The President Champions Regulatory Changes in the Employment Arena, K&L Gates "Under the Wire" CLE Seminar, February 2016
- Presenter, Human Resources Law: What You Need to Know, *National Business Institute*, November 2015
- Presenter, *Beyond the Locker Room: Bullying in the Workplace*, January 2014

EDUCATION

- J.D., Duke University School of Law, 1997 *(with honors)*
- B.A., University of North Carolina at Chapel Hill, 1994 *(with distinction and highest honors)*

ADMISSIONS

- Bar of North Carolina
- United States Court of Appeals for the Fourth Circuit
- United States District Court for the Eastern District of North Carolina
- United States District Court for the Middle District of North Carolina
- United States District Court for the Western District of North Carolina

THOUGHT LEADERSHIP *POWERED BY HUB*

- January 2026, January 2026 Accolades
- January 2026, 14th Annual "Under the Wire" CLE Webinar
- 6 November 2024, October 2024 Accolades
- 26 February 2024, 2023 Healthcare Employment Law Year in Review
- 27 November 2023, Working Wise: Psychosocial Risk and Regulation–A Global Overview
- 20 February 2023, 2022 Healthcare Employment Law Year in Review
- February 2023, Eleventh Annual "Under the Wire" CLE Webinar
- 31 January 2023, DOL Announces Expansion of OSHA's Authority to Issue Increased Instance-By-Instance Citations and Penalties
- 6 January 2023, FTC Proposes Sweeping Ban on Employee Noncompete Clauses: What Employers Need to Know, Proposed Alternatives, and Opportunity for Public Comment
- August 2022, New Risks of the Evolving Workforce – Labor, Employment, and Workplace Safety Issues
- April 2022, April 2022 Accolades
- 15 February 2022, Congress Passes #MeToo Bill to Nullify Forced Arbitration of Workplace Sexual Harassment and Assault Claims
- 10 February 2022, 2021 Health Care Employment Law Year in Review
- February 2022, Tenth Annual "Under the Wire" CLE Webinar

- September 2021, Preparing for the Biden Vaccine Mandates
- 11 June 2021, COVID-19: OSHA Opts to Limit COVID-19 Emergency Temporary Standard to Certain Healthcare Employers
- April 2021, April 2021 Accolades
- 16 September 2020, COVID-19: Regulatory Response: Department of Labor Publishes Revised Families First Coronavirus Response Act Regulations to Address Provisions Invalidated by New York District Court
- 25 June 2020, COVID-19: K&L Gates Working Wise: Reopening Resources for Business—Examining Employer Liability Series—Workers' Compensation and Civil Liability Concerns
- 4 June 2020, COVID-19: America's Return to Work: Liability and Risk Mitigation Outlook
- 29 May 2020, COVID-19: Reopening Resources for Business—Examining Employer Liability Series—Workers' Compensation and Civil Liability Concerns
- 4 February 2019, Employment Law in the Health Care Industry: 2018 Year in Review
- 1 February 2019, OSHA Removes Key Provisions of Obama-Era Electronic Reporting Rule
- 1 November 2018, As Harassment Claims and Recoveries Continue to Increase, EEOC Report Analyzes Root Causes and Remedies
- 3 May 2018, Working Wise: How the Supreme Court's New Overtime Decision May Impact the Future of FLSA Exemptions
- 4 April 2017, North Carolina Attempts to Clean Up the "Bathroom Bill": Legislature Repeals and Replaces Controversial Law
- 8 December 2016, Fifth Circuit Expedites DOL’s Appeal Involving Overtime Rule
- 23 November 2016, Federal Judge Blocks DOL Overtime Rule Implementation
- 16 September 2016, Considerations for Healthcare Industry Employers as They Continue to Prepare for New Salary Thresholds Under White-Collar Overtime Exemptions
- 8 April 2016, Beyond the Bathroom: North Carolina’s H.B. 2 Also Flushes Local Employee Protections
- 5 April 2016, North Carolina’s Strict Blue Pencil Doctrine is Written in Ink: The Supreme Court Rules That Courts Cannot Revise Noncompete Agreements

OTHER PUBLICATIONS

- "How Health Care Cos. Can Untangle Web Of Vaccine Mandates," *Law360*, 13 October 2021
- “The Social Media Epidemic: Managing the Side Effects in the Workplace,” *American Health Law Association*, 17 March 2021

- "Workplace Violence and the General Duty Clause: Measures Health Care Employers Can Take to Reduce Their Liability and Protect Health Care Workers from Patient Aggression," *American Health Law Association*, 15 April 2020
- EEOC Issues Final Regulations on Genetic Discrimination in the Workplace, *Employee Relations Law Journal*, 01 March 2011
- Recent Trends In Health Care Wage And Hour Law, *Law360*, 23 December 2009
- Complying with the New Expanded FMLA, *Law 360*, 11 November 2009
- Managing Risk in These Days of Mental Health Reform, *N.C. Providers Council*, 01 October 2009
- Staff Reductions in Tough Times, *N.C. Center for Nonprofits*, 01 September 2009
- Beyond Sarbanes-Oxley: State Law Protections in the Era of the Whistleblower, *Employee Relations Today*, 01 April 2007
- Zero-Tolerance Policies: When Are They Right for Your Business?, *Employment Relations Today*, 01 April 2006

NEWS & EVENTS

- 21 July 2026, K&L Gates Adds Labor and Employment Litigator in Raleigh
- 4 June 2026, K&L Gates Receives Nearly 235 Firm, Individual Rankings in 2026 *Chambers USA* Guide
- 10 November 2025, K&L Gates Advises Albemarle on Sale of a Controlling Stake in Ketjen to KPS Capital Partners
- 7 November 2025, K&L Gates Advises Carousel Capital on Recapitalization of CraneWorks
- 23 September 2025, K&L Gates Counsels Copeley Capital on Sale of OnSight Industries
- 24 July 2025, K&L Gates Assists Carousel Capital on Sale of Majority Interest in Landscape Workshop to Ares Management Corporation
- 5 June 2025, K&L Gates Receives More Than 240 Firm, Individual Rankings in 2025 *Chambers USA* Guide
- 6 June 2024, K&L Gates Receives More Than 200 Firm, Individual Rankings in 2024 *Chambers USA* Guide
- 1 June 2023, K&L Gates Receives Firm, Individual Rankings in 2023 *Chambers USA* Guide
- 2 February 2023, "Under the Wire" CLE Seminar
- 18 August 2022, More Than 350 K&L Gates Lawyers Named Among 2023 Best Lawyers in America, Ones to Watch
- 1 June 2022, K&L Gates Receives Firm, Individual Rankings in 2022 *Chambers USA* Guide

- 10 January 2022, K&L Gates Advises Blue Point Capital Partners on Platform Investment in National OnDemand
- 19 August 2021, Nearly 300 K&L Gates Lawyers Named Among 2022 Best Lawyers in America, Ones to Watch
- 21 May 2021, Chambers USA 2021 Guide Recognizes K&L Gates Labor, Employment, and Workplace Safety Practice, Lawyers Among Leaders
- 16 March and 23 March 2021, What You Need to Know About 2021's Trends and Developments in Labor and Employment Law
- 23 April 2020, K&L Gates, Lawyers Recognized in 2020 Chambers USA Guide
- 27 November 2019, K&L Gates Advises on Cross-Border $1.3 Billion Pending Tender Offer for Veloxis Pharmaceuticals
- 26 April 2019, Chambers USA 2019 Guide Ranks K&L Gates, Lawyers Among Leaders
- 6 October 2017, K&L Gates Advises Ridgemont Equity Partners on Acquisition of Tech-Enabled Medical Products Distributor
- 13 February 2017, K&L Gates Advises Hexagon AB on Pending Acquisition of MSC Software Corporation
- 23 June 2016, K&L Gates, Lawyers Recognized as Leaders in Chambers USA 2016 Guide

AREAS OF FOCUS

- Labor, Employment, and Workplace Safety
- Employment Disputes
- Employment Investigations
- Employment Issues in Business Transactions
- Healthcare and FDA
- Human Resource Advice and Compliance
- Wage and Hour
- Workplace Safety

INDUSTRIES

- Healthcare
- Life Sciences
- Technology

EMERGING ISSUES

- Artificial Intelligence (AI)

REPRESENTATIVE EXPERIENCE

- Represent an integrated biopharmaceutical solutions organization in charges alleging discrimination based on age, race, and disability
- Successfully represented nonprofit healthcare companies in multiple Department of Labor wage and hour investigations
- Investigated, defended and successfully resolved national origin discrimination claims filed in Massachusetts by more than 20 employees, former employees and job applicants of transportation company
- Played key role on team that obtained summary judgment for employer in complex multiplaintiff action alleging injury from chemical exposure
- Defended transportation company and obtained favorable settlement of collective action wage and hour lawsuit claiming off-the-clock work
- Successfully defended technology company against workers' compensation retaliation claim by former employee, obtaining summary judgment on all claims
- Appeared for oral argument in the US Court of Appeals for the Fourth Circuit and successfully defended grant of summary judgment in FMLA case for medical company
- Represented a national software provider in a highly publicized, multi-jurisdictional dispute with a direct competitor that hired several client employees
- Conducted employment due diligence and advised on employment matters in connection with transaction involving an ambulatory surgery center
- Conducted a highly confidential investigation into alleged employee disputes and threats among senior executives of an agricultural organization
- Obtained dismissal of an unfair labor practice charge on behalf of a national professional organization by the US National Labor Relations Board relating to alleged protected concerted workplace activity
- Advised a global software company on multiple international employee issues, including pay equity in various countries, compliance with local laws, including leave and wage and hour laws, and other policy matters
- Represented international medical transcription and health technology company in wage and hour class action
- Negotiated successful resolution of breach of contract claim by executive of healthcare company that provides services in 12,000 facilities in 43 US states

- Successfully resolved on behalf of national professional association by voluntary compliance agreement with the US Department of Justice claims of disability discrimination under Title III of the Americans with Disabilities Act against blind or low-vision candidates taking professional licensure examination
- Advised a national association, the world's largest member association in its profession, on wage and hour classification issues and reclassification project
- Obtained dismissal of charge of discrimination on the basis of race, national origin, age, and disability as well as retaliation by the Washington State Human Rights Commission on behalf of global technology consulting and services company
- Defended and successfully resolved lawsuit alleging national origin discrimination against IT company
- Successful resolution of litigation by a former employee of an international biopharmaceutical solutions organization alleging libel and negligent infliction of emotional distress under North Carolina law
- Represented technology company in defense of arbitration and Sarbanes-Oxley charge related to executive termination and successfully resolved dispute
- Obtained dismissal of charge of discrimination on the basis of national origin and disability by the Utah Labor Commission on behalf of a building supply company
- Obtained administrative dismissal by Equal Employment Opportunity Commission of racial discrimination and retaliation charge in favor of emergency medical services billing provider
- Represented a subsidiary of an industrial engineering and construction company in connection with a federal OSHA citation and successfully resolved matter
- Investigated employee occupational safety and health injury relating to electrical arc-flash for manufacturer of home building materials