

David Michael

Managing Partner



Connect with David

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Services / Industries

Litigation

Human Resources & Employment

Hospitality, Food & Beverage

Cannabis & Regulated Industries

Employee Benefits & Executive Compensation

Bio

Companies turn to David Michael for practical and experienced counsel informed by more than 31 years of handling complex human resources, employment and labor issues for management. David helps employers navigate the often-tricky nature of multilayered government laws and regulations and advocates for them in disputes at governmental agencies and in state and federal courts.

As the Chair of Gould & Ratner's Human Resources and Employment Law Practice, David represents a wide variety of clients, ranging from middle-market public and private companies to closely held and family-run businesses to not for profit organizations. He works closely with employers and their HR professionals, providing proactive advice on a variety of particularly complex employment-related topics including:

- navigating the provisions of the various laws allowing for employee leave, such as the Family and Medical Leave Act and the Americans with Disabilities Act
- counseling employers on employee discipline and discharge-related matters,
- effecting plant closings without liability,
- avoiding legal pitfalls when hiring employees,
- investigating sexual harassment complaints,
- accommodating pregnant or disabled employees,
- implementing strategies to ensure exemptions from overtime, and
- developing better systems to document disciplinary actions.

David has won numerous employment-related lawsuits involving all aspects of employment law, including race, national origin, age and disability discrimination, sexual harassment, restrictive covenants, workers' compensation retaliation, trade secret misappropriation, and breach of fiduciary duty.

In addition to litigation, David also assists employers with training their workforces on employment-related topics. He routinely conducts training seminars for employers and their employees on topics such as harassment prevention, performance management, employment discrimination basics, hiring and firing, accommodating disabled employees, leadership, workplace violence and risk management.

David frequently writes and speaks on current topics in human resources and employment law. In addition, he is the editor and a frequent contributor to Gould & Ratner's HR Law Blog. David has served in a similar capacity for the American Bar Association's Section of Litigation and authored articles for numerous magazines and newsletters on a wide variety of employment-related topics.

When David is not helping his clients solve complicated employee problems, you can find him running, playing guitar, designing furniture, serving on community and charitable boards or cheering on his beloved Manchester United to victory.

Credentials

Education

Indiana University

Loyola University Chicago School of Law

Bar Admissions

Illinois

Affiliations

- American Bar Association, Section of Litigation, Employment & Labor Relations Committee, former Newsletter Editor
- Human Resources Management Association of Chicago (HRMAC), former Co-Chair, Employee Relations Interest Group
- Lake Forest Club, Board Member
- City of Lake Forest Legal Committee
- The People's Music School, Board Member

Speaking Engagements

- [David Michael Spoke at the International Housewares Association CHESS Conference, October 6, 2021](#)
- [David Michael Discussed Minimizing Risk When Terminating Employees in a Financial Poise and West LegalEdCenter Webinar, September 4, 2019](#)
- [David Michael Presented at CCI and Great Dane Environmental, Health and Safety Conference , May 16, 2019](#)
- [David Michael Spoke at the ALA's 2018 Annual Conference and Expo, May 3, 2018](#)
- [Protecting Your Employee Assets: The Life Cycle of the Employment Relationship 2018, January 9, 2018](#)
- [WEBINAR: The New City of Chicago and Cook County Paid Sick Leave Ordinances: Is Your Company Ready?, June 21, 2017](#)
- [Great Dane Trailers Human Resources Conference Legal Update, February 14, 2017](#)
- [FLSA + NLRB HR Legal Updates, October 18, 2016](#)
- [Team Dynamics and Emerging Trends in Diversity, October 4, 2016](#)
- [Sex, Drugs, Guns and Crime \(and Other Hot Topics in HR Law\), January 2015](#)

Testimonials

"Even though we work on my biggest problems, collaborating with you remains one of the most rewarding parts of my professional journey – I appreciate you!"

– Hannah Martensen, Director of Safety and Human Resources at Mid-States Concrete Industries

Key Cases or Transactions

- Represented a Chicago-based digital healthcare agency in its sale to a global commercialization partner for the life sciences industry.
- **Making Law in the Circuit:** David represented a large international employer in a disability discrimination lawsuit filed by a current employee. The employee alleged that the company failed to accommodate her medical condition that required, among other things, frequent bathroom breaks. After securing admissions at the plaintiff's deposition that she believed her performance was far superior to the generally positive ratings she had received from her supervisors, the employer successfully convinced the court that since the plaintiff's self-assessed performance was so overwhelmingly above expectations that she was not entitled to a reasonable accommodation as a matter of law.
- **Winning at Summary Judgment:** David represented a golf course management company in an age discrimination lawsuit filed by a former employee laid off in a single employee reduction in force. After securing the plaintiff's admission at his deposition that the golf industry was "tanking" worse than the economy, Judge Shadur granted David's motion for summary judgment.
- **Winning at Trial:** David was part of the trial team that secured a defense verdict in the jury trial of a sexual harassment case filed under state law as an assault and battery case.
- **Winning on Appeal:** David represented an aggregate and stone mining company in a retaliatory discharge case. He successfully argued to the appellate court that the plaintiff falsified medical records and failed to establish the company terminated him for any other reason than his failure to return to work after he had recovered from a workers' compensation injury.
- **Enforcing a Non-Compete:** David represented a recruiting company in an action against a former employee for misappropriation of trade secrets, breach of his employment agreement and breach of his fiduciary duty of loyalty. The matter was resolved upon entry of a permanent injunction barring the former employee from utilizing any confidential or trade secret information from his former employer.
- **Defending a Wage and Hour Class Action:** David represented an employer in Indiana in a class action brought pursuant to the Indiana Wage Payment law. After removing that action to federal court, David used a procedural device under the Federal Rules of Civil Procedure to resolve the case prior to the certification of a class.

News

Sixteen Gould & Ratner Attorneys Named to Legal 500 City Elite List for Chicago, July 16, 2026

David Michael Elected to The People's Music School Board of Directors, June 23, 2026

Gould & Ratner Re-Elects Managing Partners, February 11, 2026

Six Gould & Ratner Lawyers Named to 2026 Illinois Super Lawyers and Rising Stars Lists, January 21, 2026

Gould & Ratner Selects Managing Partners, February 12, 2025

Gould & Ratner Selects Managing Partners, February 19, 2024

Five Gould & Ratner Lawyers Named Illinois Super Lawyers and Rising Stars for 2023, January 24, 2023

Eight Gould & Ratner Lawyers Named Illinois Super Lawyers and Rising Stars for 2022, January 28, 2022

Gould & Ratner Represented CC Industries in the Acquisition of Central Indiana Ethanol, December 22, 2021

Gould & Ratner Recently Closed the Sale of closerlook to Fishawack Health, June 9, 2021

Eight Gould & Ratner Lawyers Earn Illinois Super Lawyers, Rising Stars Designation for 2021, February 1, 2021

Eight Gould & Ratner Lawyers Earn Illinois Super Lawyers, Rising Stars Designation for 2020, January 30, 2020

Jessica Lingertat and David Michael Named to Crain's "2019 Notable Gen X Leaders in Law" List, May 30, 2019

3 Takeaways From 7th Circ.'s Watershed Gay Bias Ruling, April 4, 2017

EEO-1 Pay Reporting, Overtime Rule May Be Repealed Following Trump Order, March 19, 2017

Publications

Midyear Overview of the Labor Department's & EEOC's Shifting Focus: What Employers Need to Know About Evolving Discrimination Enforcement, June 24, 2026

Illinois Passes Amendment Providing Expanded Employer Responsibility for Employers Using E-Verify, February 17, 2026

Illinois Employment Law Updates for 2025 and Beyond: Key Changes Employers Should Know, November 10, 2025

Coldplay Gate: What if It Happened at Your Company?, July 23, 2025

SCOTUS: ADA Doesn't Extend to Retired Employees, July 21, 2025

Navigating the Summer Internship Wave: What Employers Need to Know, June 3, 2025

EEOC Breaks Silence on Employer DEI Policies, April 1, 2025

Is Your Workplace Prepared for a Raid by ICE?, January 31, 2025

Federal Judge Strikes Down U.S. Department of Labor's Rule Expanding Overtime Eligibility, November 25, 2024

Texas Federal Court Strikes Down FTC Noncompete Rule, August 21, 2024

The FTC vs. Noncompete Agreements: Ban on Noncompete Agreement Hits a Roadblock, July 5, 2024

Federal Judge Blocks U.S. Department of Labor's New Overtime Rule in Texas, July 5, 2024

The FTC vs. Noncompete Agreements: And the Winner Is...??, April 26, 2024

Cook County's New Paid Sick Leave Ordinance to Replace Earned Sick Leave, December 21, 2023

Amendment Delays Effective Date of Chicago's New Paid Leave and Paid Sick and Safe Leave Ordinance, December 20, 2023

Illinois Employers Will Face Expansive New Obligations in 2024, December 13, 2023

Governor Pritzker Signs DTLA Amendment Delaying Equal Pay and Benefits Provision, November 22, 2023

Chicago Enacts New Paid Leave and Paid Sick and Safe Leave Ordinance, November 17, 2023

Illinois House and Senate Pass Important Amendment to Day and Temporary Labor Service Act, November 10, 2023

Illinois' New Salary Transparency Law Takes Effect Jan. 1, 2025. Are You Prepared?, October 2, 2023

New DOL Proposal Would Expand Overtime Pay to Millions of Workers, August 31, 2023

NLRB Shifts to More Employee-Friendly Work Rule Standard, August 7, 2023

Sweeping Changes to Illinois Law Governing Temporary Staffing Agency Workers, August 7, 2023

Employers Must Use New Form I-9s, August 1, 2023

U.S. Supreme Court Changes Religious Accommodation Standard, July 24, 2023

U.S. Supreme Court Finds Employee Making \$200,000 Is Entitled to Overtime Pay, April 4, 2023

Illinois Enacts New Paid Leave Law, March 16, 2023

EEOC Releases New "Know Your Rights" Poster, October 31, 2022

EEOC Clarifies When COVID-19 May Be a Disability, December 15, 2021

NLRB Issues Guidance for Employers Enforcing OSHA's ETS on Vaccine Mandates, November 15, 2021

EEOC Issues Updated COVID-19 Guidance for Religious Exemption Requests, October 26, 2021

EEOC Updates Its Compliance Manual on Discrimination, February 5, 2021

The COVID-19 Vaccines Are Here – What Do Employers Need to Know and Consider?, December 22, 2020

EEOC Updates Technical Assistance Information for COVID-19, September 8, 2020

U.S. Department of Labor Issues Initial Q&A on the Families First Coronavirus Response Act, March 26, 2020

DHS Defers Form I-9 Physical Inspection Requirement Due to COVID-19, March 24, 2020

FAQs for Employers During the Coronavirus Pandemic, March 23, 2020

UPDATED: The Families First Coronavirus Response Act – What You Need to Know, March 19, 2020

U.S. House Passes Families First Coronavirus Response Act, March 16, 2020

What Employers Need to Know About the New I-9 Form, February 10, 2020

Illinois is Changing the Conversation on Salaries. How Do Employers Prepare?, August 28, 2019

Current Form I-9 Will Expire at the End of August 2019, August 20, 2019

Employers Facing New Rules on Overtime, Reporting Pay Data, March 14, 2019

Nursing Breaks Are Now Paid In Illinois!, September 3, 2018

Time To Rethink Mandatory Arbitration Agreements? U.S. Supreme Court Rules Class Action Waivers Are Legal, May 24, 2018

Court Provides Much-Needed Guidance on Employee Leaves of Absence, November 6, 2017

The New City of Chicago/Cook County Paid Sick Leave Ordinances: Is Your Company Ready?, June 29, 2017

Would Your Company's Non-Compete Survive a Challenge in Court?, February 29, 2016