FORDHARRISON

DAVID M. KALTEUX

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David Kalteux defends employers in high-stakes employment litigation and advises them on proactive strategies to reduce legal risk.

David Kalteux is a dedicated advocate for employers, focusing his practice on high-stakes employment litigation and proactive legal strategies to minimize risk and ensure compliance. Throughout his career, David has exclusively represented employers, earning a reputation as a versatile and strategic legal partner providing effective solutions on a wide range of issues.

David represents clients ranging from small family-owned businesses to Fortune 100 companies across a broad spectrum of employment disputes, including, but not limited to:

- Wage and hour matters, including complex class and collective actions
- Claims of wrongful termination, discrimination, harassment, and retaliation
- Disability accommodation and medical leave violations
- Worker misclassification (independent contractor vs. employee; exempt vs. non-exempt)
- Breach of employment contracts and restrictive covenant enforcement
- Trade secret misappropriation and related business litigation
- Disability access compliance under Title III
- Employment-related Fair Credit Reporting Act claims

A member of the firm's Wage/Hour practice group, David defends employers in wage disputes under the Fair Labor Standards Act (FLSA) and state laws, including large-scale collective and class actions. His commercial litigation experience further strengthens his ability to represent employers in business-to-business disputes, particularly those involving contract breaches and the enforcement of non-compete and non-solicitation agreements.

Beyond litigation, David devotes a substantial part of his practice to

EDUCATION

- Stetson University College of Law (J.D., *cum laude*, 2015)
- University of South Florida (B.S., 2012)

BAR ADMISSIONS

- Florida

COURT ADMISSIONS

- U.S. District Court for the Middle District of Florida
- U.S. District Court for the Southern District of Florida
- U.S. District Court for the Northern District of Florida
- U.S. Court of Appeals for the Eleventh Circuit

helping clients prevent employment claims and mitigate risk through strategic counsel. He advises on issues that include:

- Employee handbook and workplace policy development
- Employment agreements, including non-competes and commission structures
- Severance negotiations and agreement drafting
- Compliance audits and HR best practices
- Wage and hour evaluations and classification reviews
- Workplace training for managers and HR personnel
- Internal investigations into allegations of misconduct or policy violations
- Day-to-day employment counsel and issue resolution

By taking a proactive approach, David helps employers minimize risk, maintain compliance, and foster a legally sound and productive workplace.

David is also a key contributor to the firm's Restaurants industry practice group. Drawing from firsthand experience working in various restaurant roles—from dishwasher to bartender—he brings practical insight and legal acumen to employment issues specific to the hospitality industry, such as tip credit and tip pooling disputes.

In addition, David is an active member of the firm's Healthcare industry practice group. He has successfully represented several of the nation's largest healthcare systems and healthcare-related employers in a variety of employment litigation, providing him with a deep understanding of the sector's legal intricacies.

David remains highly engaged in his professional community. He currently serves on the Board of Directors for the Hillsborough County Bar Association's Young Lawyers Division and participates in various regional networking organizations. A lifelong Tampa Bay resident, David has built a strong network of legal and business professionals, which he leverages to benefit his clients.

Outside of his legal work, David enjoys spending time with his wife and their two children, as well as their two dogs. He's an enthusiastic supporter of the Tampa Bay Buccaneers as well as the Rays and enjoys fitness, poker, and the occasional round of golf.

Representative Experience

- Successfully argued and won an appeal before the Eleventh Circuit Court of Appeals following oral argument, resulting in

the affirmation of the prior decision granting summary judgment on all claims he previously obtained for a healthcare company in a disability discrimination and retaliation claim.

- Successfully argued and won an appeal before the Fifth Circuit Court of Appeals, resulting in the affirmation of a prior decision granting summary judgment on all claims he previously obtained for a healthcare company in a race discrimination.
- Obtained summary judgment for a healthcare company on all claims in a disability discrimination and FMLA lawsuit, involving an employee's request to work remotely due to COVID-19.
- Defeated conditional certification in a potential FLSA collective action of 1000+ employees and successfully negotiated a favorable resolution thereafter.
- Obtained summary judgment on all claims for a hospital in a highly contentious religious discrimination lawsuit involving the failure to accommodate a schedule based on the employee's observance of Sabbath.
- Obtained summary judgment on all claims for a healthcare company in a disability and age discrimination lawsuit.
- Obtained summary judgment on all claims for a school board in a race discrimination and retaliation lawsuit.
- Successfully argued and won an appeal before the Eleventh Circuit Court of Appeals resulting in the affirmation of an order granting summary judgment on all claims in favor of the client he previously obtained in a lawsuit where the plaintiff brought over six different claims under a number of different statutes and successfully disposed of many of those claims on a motion to dismiss and the rest of the claims on summary judgment.
- Represented a non-profit organization in two different lawsuits filed by the same plaintiff – involving claims for unequal pay, retaliation, and discrimination based on sex, disability, and race – and successfully obtained summary judgment in the client's favor on all claims for both lawsuits.
- Represented clients in complex hybrid class/collective wage and hour lawsuits and have obtained favorable resolutions for the clients.

Honors & Awards

- *Best Lawyers in America: Ones to Watch* - Labor and Employment Law - Management and

Litigation - Labor and Employment (2021 - 2027)

- 2016 Hillsborough County Bar Association Leadership Institute Class
- "Florida Rising Stars" *Super Lawyers Magazine* (2018 - 2024)

Memberships

The Hillsborough County Bar Association Leadership Institute, Class of 2016-17

The Hillsborough County Bar Association Board of Directors (2022-present)

Florida Restaurant and Lodging Association (2021-present)

Stetson Alumni Association (2015-present)

News & Insights

- August 17, 2023 - Nineteen Florida-Based FordHarrison Attorneys Listed in the 2024 Best Lawyers in America and Eight Listed in Ones To Watch
- June 26, 2023 - Sixteen Florida-Based FordHarrison Attorneys Listed as 2023 Super Lawyers and Rising Stars
- December 02, 2021 - The COVID-19 Conundrum: How to Navigate the Competing Federal and Florida COVID-19 Vaccine Laws
- November 22, 2021 - The COVID-19 Conundrum - How to Navigate the Competing Federal and Florida COVID-19 Vaccine Laws

Events

- February 20, 2025 - Navigating the Future – 2025 Employment Law Update
- November 18, 2024 - Navigating Employment Laws for Small Law Firms, Hillsborough County Bar Association
- August 09, 2024 - Recent Employment Law Developments Trivia Challenge, Association of Corporate Counsel Tampa Bay
- February 15, 2024 - Labor & Employment Look Ahead for 2024: Where Are We Now and What Comes Next, Association of Corporate Counsel Tampa Bay
- August 11, 2023 - Navigating the Legal Labyrinth: A Role-

Playing Journey to Professionalism and Compliance in Workplace Investigations, Association of Corporate Counsel

Offices

- *Tampa:*
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