

Rising Star: Morgan Lewis' Alana F. Genderson

By Benjamin Morse

Law360 (August 12, 2024, 2:06 PM EDT) -- Alana Genderson of Morgan Lewis & Bockius LLP has played a key role in helping companies navigate a maze of safety and health requirements, including developing COVID-19 policies for some of the world's largest employers, earning her a spot among the compliance practitioners under age 40 honored by Law360 as Rising Stars.

The most interesting case she's worked on lately:

Genderson said that the most interesting thing she has worked on lately was not a case, but rather a task force at Morgan Lewis to advise clients on health and safety regulations during the start of the COVID-19 pandemic.

Genderson said the team received an avalanche of "questions regarding safety and health, EEOC" — referring to the U.S. Equal Employment Opportunity Commission — "and discrimination laws and really just how employers should operate their business" during the health crisis.

As co-chair, "I helped review all the advice to businesses that went out the door," Genderson said. "We reviewed safety and health law, and OSHA law, and made sure all of the advice from all of our different subject experts here at the firm were synchronized and went out."

Genderson added that it was an around-the-clock operation and said she is proud of the work she and her colleagues did to help businesses operate and protect their employees during the pandemic.

The biggest case she's worked on:

Genderson said that her compliance and litigation skills were most on display in *Secretary of Labor v. MasTec*, an employee fatality case that she won on appeal before the Occupational Safety and Health Review Commission.

To show the intricate safety measures used while building power systems, "we built an electrical power line in the courtroom," Genderson said. She got the head of safety at the company to get up from the witness stand and

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Alana F. Genderson

Morgan Lewis

Age: 39

Home base: Washington, D.C.

Position: Partner

Law school: George Washington University Law School

First job after law school: Fellow at D.C. Legal Aid Society

demonstrate the setup "so the judge could understand just how many safety steps are taken, inch-by-inch, in the process of building the power line." She then took photos and submitted each step as demonstrative evidence.

Genderson said that she is particularly proud of the case because "it really helped shape how the judge was able to view the case and even beyond the judge, our record on appeal, where we ultimately prevailed for the client. Even an appellate court was able to understand, based on photographs [of the powerline demonstration], here's exactly how this works."

She added that "Until you see it, it's hard to grasp some of these safety programs and measures, so we always follow the rule 'show, don't tell' — we make it painstakingly clear how our client complied with the legal standards at issue, and then some."

Why she chose to go into compliance law:

Genderson said that part of the reason she went into compliance law is because it is "results driven."

"When I give advice, you can see the impact that it has on clients and employees and that alone is really gratifying," Genderson said.

She also cited that her area of expertise, safety and health, is "a really niche practice within the employment practice and you get to get out from behind your desk and really see how things work."

She said she enjoys that she gets to work with clients "hand-in-hand" to shape their workplace initiatives.

How she thinks the practice and the legal industry will change in the next 10 years:

Genderson said that within the safety and health field, heat and its impact on working conditions will be a major area of focus in the coming years.

"Heat is an issue that is pervasive," Genderson said. "I think it's the next COVID or maybe it already is. The world is getting hotter, workplaces are getting hotter and it is something that all employers, regardless of industry, are going to have to start to deal with."

She said that state, local and federal regulators are already "laser-focused" on the issue.

She added that this focus on heat will hold in "10 years, in 20 years, in 30 years; this is an issue that all employers are going to have to grapple with moving forward," adding that it is increasingly part of her day-to-day conversations and counseling.

--As told to Benjamin Morse. Editing by Michael Watanabe.

Law360's Rising Stars are attorneys under 40 whose legal accomplishments belie their age. A team of Law360 editors selected the 2024 Rising Stars winners after reviewing nearly 1,200 submissions. Attorneys had to be under 40 as of April 30, 2024, to be eligible for this year's award. This interview has been edited and condensed.