ArentFox Schiff LLP
Attorneys

Alexandra M. Romero

PARTNER

Alexandra focuses her practice on representing employers in all aspects of the Occupational Safety and Health Act and state and federal employment laws.

Industries

Cannabis

Practices

Labor, Employment & OSHA
— OSHA
Trade Secrets, Noncompetes & Employee Mobility

International

Australia

Education

University of Virginia School of Law, JD, 2012
Middlebury College, BA, 2007

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Alexandra has represented clients in numerous industries during agency proceedings, proposed rulemakings, mediations, arbitrations, and all phases of state and federal court litigation. This representation includes counseling clients regarding compliance with OSHA standards and regulations, investigating workplace incidents, contesting OSHA citations, defending employers in OSHA enforcement actions, and engaging in regulatory advocacy. Alexandra also has substantial experience conducting internal investigations regarding allegations of discrimination, sexual harassment, and whistleblower retaliation.

In addition, Alexandra is well-versed in the areas of Title VII, ADA/FMLA compliance and medical leave issues, enforcement of non-competes and other restrictive covenants, federal and state wage and hour laws, WARN Act compliance, ADEA/OWBPA compliance, state and federal public accommodations laws, and traditional labor matters.

Her experience includes civil trials, arguing dispositive motions, defending depositions and agency witness interviews, drafting public comments in response to agency rulemakings, drafting dispositive motions and other key pleadings, negotiating settlements, and conducting regular and expedited discovery.

Client Work

Recent examples of Alexandra's work include:

- Defended employers in numerous federal OSHA and state plan inspections and agency proceedings contesting citations alleging violations of the general duty clause and OSHA standards, particularly including process safety management (PSM), lock-out/tag-out (LOTO), hazard communication (HazCom), emergency response, personal protective equipment, recordkeeping, blood-borne pathogens, combustible dust, industrial hygiene, and machine guarding.
- Represented petitioner in appeal pending before Second Circuit regarding scope of OSHA's blood-borne pathogen standard and level of intent necessary to show willful violations of OSH Act.
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Represented petitioner in appeal pending before Fifth Circuit regarding a number of PSM issues of first impression, including whether the statute of limitations bars OSHA from enforcing alleged PSM violations for PHA and audit findings against a current employer where its predecessor conducted the PHAs and audits years prior to its ownership; and the definition and scope of a "process change" and "process equipment for the purpose of the PSM Standard."

- Represented ice manufacturer in administrative appeal of citations; engaged expert witnesses, reviewed expert reports and opinions, and prepared experts for deposition.
- Represented defense contractor in administrative appeal of citations; briefed employee misconduct affirmative defense and participated in settlement negotiations.
- Counseled provider of temperature-controlled supply chain services regarding compliance with Consent Agreement resolving alleged violations of EPA's RMP rule.
- Assisted with internal investigation regarding alleged prevailing wage violations of Davis-Bacon Act and violations of Occupational Safety and Health Act.
- Drafted public comments and assisted partner in preparing testimony for OSHA's public hearing regarding crystalline silica rulemaking.
- Drafted public comments regarding EPA's proposed Risk Management Program (RMP) rule.
- Drafted public comments on behalf of small entity representative during SBAR review of OSHA's proposed revisions to its PSM standard.
- Conducted internal investigation and drafted final report regarding fatal workplace accident for purpose of contesting MSHA penalties and defending follow-on wrongful death litigation.
- Defended numerous EEOC charges and unfair labor practice charges alleging violations of employee rights under Section 7 of the NLRA.
- Obtained favorable verdict in lawsuit brought by former employee seeking allegedly unpaid commissions.
- Managed all aspects of expedited discovery in civil action seeking preliminary injunction ("PI") and enforcement of non-compete.

Previous Work

Prior to joining ArentFox Schiff, Alexandra worked for a top employment law firm in Washington, DC.

Publications, Presentations & Recognitions

Presentations

- Speaker, "Mandating COVID-19 Vaccination for Workers: What Employers Should Consider," The District of Columbia Bar; March 24, 2021.

Recognitions

- *The Best Lawyers in America*, Labor and Employment Law - Employee, 2021-2025
- *The Legal 500 United States*, 2023-2025
- *Chambers USA*, 2024

Bar Admissions

Virginia
Maryland
District of Columbia