

MVP: Morgan Lewis' Nicole A. Buffalano

By Daniela Porat

Law360 (September 10, 2021, 4:13 PM EDT) -- Nicole Buffalano of Morgan Lewis & Bockius LLP helped the National Women's Soccer League be the first U.S. professional team sport to take to the field following pandemic shutdowns, guided health care providers through ever-changing COVID-19 protocols, and represented Amazon during the unionization effort at an Alabama facility, earning her a spot as one of Law360's 2021 Employment Law MVPs.

HER BIGGEST CHALLENGE IN THE PAST YEAR:

Virtual, remote work during the COVID-19 pandemic upended what Buffalano considers to be the "cornerstone" of labor relations: face-to-face interaction.

The foundation of labor relations is relationships and meeting with people at a physical negotiating table, she said.

"We sit down in person to negotiate a contract," she said.

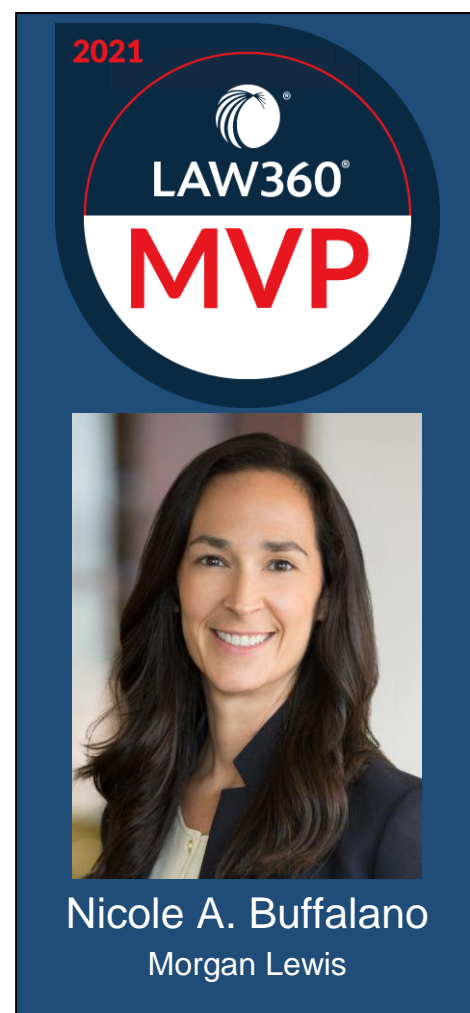
In fact, early on in the pandemic, clients and unions put off negotiations in the hope that in-person meetings would soon return, she said.

Once it became clear, however, that meeting in the flesh was not going to be possible, the resistance to virtual gatherings gave way, which Buffalano said was a "pretty big adjustment for everybody."

Buffalano said she worked at a "breakneck pace" to help her clients navigate negotiations over COVID-19 safety protocols in addition to standard labor relations issues.

For example, Buffalano negotiated three collective bargaining agreements for Covenant Care California, a health care provider, amidst a public health emergency.

"Every client that we helped make it through the last year and a half has been an accomplishment," she said. "Our clients were in a really unprecedented situation trying to keep doors open and keep employees safe while navigating this ever-evolving legislative landscape nationally and here locally in California, especially."



HER PROUDEST MOMENT IN THE PAST YEAR:

Buffalano is particularly proud of her negotiations with the Women's National Team Players Association on behalf of the United States Soccer Federation to allow players to take part in the National Women's Soccer League Challenge Cup in the summer of 2020.

Women's soccer became the first professional sport to return to play, in part, due to these efforts, which Buffalano said offered a "bright spot" for a lot of people during difficult times.

"People love to root for their teams," she said. "And so I think having sports, having a team to root for, was a big deal, and I think pretty important in the American psyche."

WHY SHE IS A LABOR LAW ATTORNEY:

John Higgins, who worked at the National Labor Relations Board for nearly 50 years and was one of Buffalano's professors at law school, served as a major influence in her career trajectory as a labor attorney.

She followed in his footsteps and worked for the NLRB as a board attorney. She said she enjoyed digging into companies, and that's where she realized that although compliance with labor law is not that hard, employers nevertheless strayed.

"While I was sort of looking at all these cases and thinking through them, I was also shocked at how many employers violated labor law," she said. "I saw a lot of cases where employers didn't really help themselves so I knew I could help, and I knew that my experience would be valuable to employers who are looking to do it right."

HER ADVICE FOR JUNIOR ATTORNEYS:

Labor law has traditionally been a male-dominated field, and Buffalano said there are times when she is the only woman at the negotiating table.

But the field has changed, and she said she has felt inspired by how many women are now working in labor relations.

"When you're younger and starting out, it can feel pretty intimidating, but I think it's really important to have a diverse set of voices there at the table, helping the company and helping the negotiations along," she said.

Her advice: don't stop once you get in the door.

"If you're lucky enough to be the first person through the door, or the first person there that looks like you, or thinks like you, don't stop pushing," she said. It's not because you don't belong there."

— *As told to Daniela Porat*

Law360's MVPs are attorneys who have distinguished themselves from their peers over the past year through high-stakes litigation, record-breaking deals and complex global matters. A team of Law360 editors selected the 2021 MVP winners after reviewing nearly 900 submissions.