



Yendelela Neely Holston

Partner

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Services

Employment Litigation & Class
Actions
Labor & Employment
Litigation
OSHA Compliance & Litigation
Wage & Hour

Yendelela Neely Holston focuses her practice on labor and employment law and also serves as the firm's Chief Diversity & Inclusion Officer. She litigates and counsels clients in the areas of employment discrimination, occupational safety and health, wage and hour, background checks, and credit reporting. Yendelela advises her clients through all aspects of the employment relationship including policy creation and implementation, resolution of difficult employment issues, and development of strategies to avoid employment disputes. She understands that a critical part of helping clients address employment issues is understanding the clients' business structure, values, and aspirations.

Yendelela is also an experienced litigator, having successfully defended employers in a variety of industries against discrimination, retaliation, harassment, wage and hour matters in federal and state courts. A significant portion of her litigation experience has involved multi-plaintiff and class and collective actions. Yendelela has also successfully represented numerous employers in negotiations with the Occupational Safety and Health Administration and in administrative proceedings before the Occupational Safety and Health Review Commission. Additionally, she has handled administrative charges, onsite investigations, and systemic investigations by the Equal Employment Opportunity Commission and various state Equal Employment Opportunity agencies.

Prior to rejoining the firm, Yendelela was Assistant Vice President-Senior Legal Counsel with AT&T Services, Inc. where she developed strategy and managed outside counsel in class and collective action litigation involving employment matters against AT&T-related entities. Yendelela also worked proactively with her business clients to determine ways to meet the needs of the business while avoiding practices that had previously resulted in litigation. Yendelela routinely assisted in mitigation of legal risk across the organization. She worked to increase diversity within the legal profession and AT&T's legal department through involvement of with the diversity



committee and creation of a two-day intensive law school readiness program. Yendelela also co-chaired the legal department's national internship program and the Company's pro bono efforts in the Southeast. Previously, Yendelela was an associate and then partner at Kilpatrick Townsend from 2006 through 2015 where she worked on employment discrimination, occupational health and safety, and wage and hour cases. Yendelela also actively counseled clients with policies and initiatives related to diversity and inclusion including guidance on Title VII and 42 U.S.C. §1981. She was also an active member of the firm's diversity and pro bono committees.

While in law school, Yendelela served as a Staff Editor of the *Duke Law & Contemporary Problems Journal* and the Community Service Director for the entire Southern Region of the National Black Law Students Association. She received the Duke University School of Law 2006 Award for Outstanding Achievement in Family Law. Yendelela worked on articles dealing with the latest trends in discrimination-colorism and intrarace discrimination as a research assistant.

Yendelela was selected by *Chambers and Partners* as its 2020 USA Diversity & Inclusion Lawyer of the Year. She was honored as a high-achieving in-house counsel at the 2018 Corporate Counsel Awards, sponsored by *Atlanta Business Chronicle* in partnership with the Association of Corporate Counsel Georgia Chapter. Yendelela is a recipient of Women Works Media Group's 2018 Law & Justice Award. She is also a recipient of AT&T's 2017 Southeast Pro Bono Award. Yendelela was recognized in 2013, 2014 and 2015 as a Georgia "Rising Star" in the area of Labor & Employment by *Super Lawyers* magazine. She is listed in the 2013, 2014 and 2015 editions of *Chambers USA: America's Leading Lawyers for Business* for Labor & Employment Law. In 2014, Yendelela was honored by the National Bar Association with its Trailblazers Under 40 Award. She was named one of Atlanta's "40 Under 40" in 2015 by the *Atlanta Business Chronicle* and a "40 under Forty Rising Star" in 2014 by the *Daily Report*. Yendelela was also named to "Lawyers of Color's Hot List" in 2014. She was honored with the 2015 Anti-Defamation League (ADL) Young Lawyer Award for going above and beyond her legal practice in furtherance of ADL's mission.

Experience

Defended large corporation in baseless employment discrimination matter brought by former employee. Convinced plaintiff of the futility of his claim without conducting any discovery or incurring large costs for the client. Obtained a stipulated dismissal with prejudice without paying any damages to the plaintiff.

Represented a number of construction employers and general contractors in matters involving alleged major violations of the Occupational Safety and Health Act. Applied nuanced Occupational Safety and Health Review Commission law to facts to successfully resolve cases in the clients favor, including on occasion convincing the Secretary of Labor to withdraw the citations and complaint.

Represented a provider of technology solutions to the financial world and successfully defended the corporation



in race, age, gender, and disability discrimination litigation by former employee. Achieved dismissal of the matter after filing for summary judgment on the basis of plaintiff's failure to list the action as an asset in prior bankruptcy proceedings. Obtained favorable resolution for the client with minimal discovery and without taking any depositions.

Successfully represented a national telecommunications company and an individual manager in a very sensitive case brought in North Carolina by six current or former employees who alleged claims of discrimination, harassment, and retaliation under Title VII, the ADA, and the FMLA.

Represented a major airline against an age discrimination and Railway Labor Act case brought by 21 former pilots in the Eastern District of New York. Confident that the law did not support the Plaintiffs' claims, despite a lack of case law to that affect, aggressively pursued and obtained dismissal of all of the plaintiffs' claims prior to any discovery.

Represented a number of employees in various industries against single plaintiff case actions asserting violations of the Fair Labor Standards Act. All of the matters have been resolved on very favorable terms prior to trial and with minimal discovery costs.

Conducted a wage and hour audit of 47 different positions in several states for a document management software company. Worked with the client to develop a low cost and efficient mechanism for conducting the audit, without alerting employees.

Audited a university's classification of all of its employees, working closely with the client to develop a strategy for rolling out the results of the audit with minimal impact. Prepared a thoughtful analysis of each position that the client could later use in defense of future litigation.

Represented a drilling company that used an alternative means of breaking rocks. The North Carolina Occupational Safety and Health Administration issued citations to the client under the mistaken treatment of their operations as involving explosives. Although the material was recognized by some agencies as explosives, convinced the North Carolina Occupational Safety and Health Administration to drop the explosives citations on the grounds that the client's methods were safer than explosives.

Represented a national chemical manufacturing company against Process Safety Management and various other citations resulting from a chemical spill. Convinced the North Carolina Occupational Safety and Health Administration to completely withdraw the Process Safety Management citations and to significantly rewrite the other items in the citation.



Represented a drilling company against an Occupational Safety and Health Administration (“OSHA”) citation for an injury that occurred during down-hole entry. If OSHA succeeded in its position, it would have shut down the company’s entire business because they would no longer be able to engage in down-hole entry. Obtained a settlement with a year-long abatement period to allow the company to continue operations while researching alternative methods.

Represented a major North American beverage company in a putative class action brought by several convenience store owners asserting violations of 42 USC 1981. Utilized creative discovery motion practice to bring the issues with class certification to the Court’s attention early. Successfully defeated class certification and then settled the individual claims on terms favorable to the client.

Successfully represented an insurance company in jury trial brought by former employee alleging breach of contract and various torts under Georgia state law.

Successfully represented a large background check company in putative class action under the Fair Credit Reporting Act. Implemented creative discovery strategy positioning the matter for favorable resolution prior to class certification motion practice.

Education

Duke University School of Law J.D. (2006) *cum laude*

Furman University B.A. (2003) Political Science and History, *magna cum laude*

Admissions

Georgia (2006)

Court Admissions

Georgia Court of Appeals (2007)

Supreme Court of Georgia (2007)

U.S. Court of Appeals for the Eleventh Circuit (2016)

U.S. Court of Appeals for the Sixth Circuit (2016)

U.S. District Court for the Middle District of Georgia (2008)

U.S. District Court for the Northern District of Georgia (2007)

U.S. District Court for the Southern District of Georgia (2014)

Professional & Community Activities



Furman University, Secretary and Board of Trustees, Member

Jumpstart Atlanta, Advisory Board, Chair, and National Board of Directors, Member

Atlanta Legal Aid Society, Executive Committee, Member, and Board of Directors, Secretary

Families First, Board of Directors, Member

Leadership Atlanta, Class of 2020, Member

LEAD Atlanta, Class of 2013, Member

Leadership Council on Legal Diversity, 2014 Class of Fellows, Member

Atlanta Workforce Development Agency, Local Workforce Investment Board, Former Vice-Chair

Georgia Association of Black Women Attorneys, Former Community Service, Co-Chair and Former Working Mothers Section, Co-Chair

Triple Pink Foundation, Inc., Former Fundraising Chair

Insights

News Releases

Kilpatrick Townsend Honors International Women's Day 2022

March 8, 2022

Perspectives

International Women's Day 2022 | Yendelela Neely Holston

March 8, 2022

News Releases

Kilpatrick Townsend Once Again Earns Top Score in Human Rights Campaign Foundation's 2022 Corporate Equality Index

January 27, 2022

Events

Leading in a Hybrid Work Environment

January 25, 2022

News Releases

Taylor Higgins Ludlam Named 2022 Leadership Council on Legal Diversity Fellow

January 25, 2022