

**JOINT NEWSLETTER FOR AALS SECTIONS ON  
LABOR RELATIONS AND EMPLOYMENT LAW AND  
EMPLOYMENT DISCRIMINATION LAW  
2024**

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*This newsletter has been compiled by the secretaries of the Sections:*

***Blair Druhan Bullock*** (*University of Arkansas School of Law, Employment Discrimination Law Section*) &

***Shirley Lin*** (*Brooklyn Law School, Labor Relations and Employment Law Section*)

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## AALS Joint Section Events

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All times are Eastern Time.

### *Section on Employment Discrimination Law Programs & Events*

Wednesday, January 3, 2024, 5:00 pm – 6:00 pm, *Section on Employment Discrimination Law Business Meeting*

Thursday, January 4, 2024, 3:00 pm – 4:40 pm, *Race Consciousness in the Workplace*  
Employment Discrimination Law, co-sponsored by Labor Relations and Employment Law

**Moderator:** Blair Druhan Bullock, University of Arkansas School of Law

**Panelists:** Carol R. Ashley, Jackson Lewis  
Stacy Hawkins, Rutgers Law School  
Damon Hewitt, Lawyers' Committee for Civil Rights Under Law  
Michael Z. Green, Texas A & M University School of Law

This panel will explore the legal regulation of race consciousness in the workplace. Likely topics will include the relationship of the Harvard/UNC affirmative action cases to flagship workplace law affirmative action cases (e.g., *Weber*, *Johnson*, *Wards Cove*, *Ricci*) and laws (e.g., Executive Order 11,246), the impact of emerging anti-DEI/CRT initiatives at work, and other topics involving work law and race consciousness.

Friday, January 5, 2024, 12:00 pm – 1:40 pm, *New and Emerging Voices in Employment Discrimination Law and Labor and Employment Law*

Employment Discrimination Law and Labor Relations and Employment Law Joint Program

**Moderator:** Ryan Nelson, South Texas College of Law Houston

**Commentators:** Bernice Grant, Fordham University School of Law  
Madeleine Gyory, New York University School of Law  
Andrea Johnson, Rutgers Law School  
Shefali Milczarek-Desai, The University of Arizona James E. Rogers  
College of Law

This program showcases four works-in-progress by emerging workplace scholars. Each scholar will present a work-in-progress and receive comments from assigned commentators, after which attendee feedback is encouraged.

**Section on Labor Relations and Employment Law Programs & Events**

**Friday, January 5, 2024, 7:00 am – 8:00 am, Section on *Labor Relations and Employment Law Business Meeting***

**Friday, January 5, 2024, 8:00 am – 9:00 am, McDonnell Douglas at 50**

Labor Relations & Employment Law, Co-sponsored by Employment Discrimination Law

**Moderator:** Sandra Sperino, University of Missouri School of Law

**Speakers:** Katie Eyer, Rutgers Law School  
Wendy Greene, Drexel University Thomas R. Kline School of Law  
Chuck Henson, University of Missouri School of Law

Fifty years ago, in *McDonnell Douglas Corp. v. Green*, the U.S. Supreme Court created a framework for plaintiffs to prove employment discrimination using indirect evidence under Title VII of the Civil Rights Act of 1964. Since then, McDonnell Douglas has been both celebrated and maligned by scholars, judges, attorneys, and the workers and employers they represent. This panel will explore the watershed McDonnell Douglas opinion and its impact on employment discrimination law in the wake of its 50th anniversary in 2023.

**Friday, January 5, 2024, 10:00 am – 11:40 am, *Whistling a Different Tune: Shifts in Retaliation & Whistleblower Law***

Labor Relations and Employment Law, Co-sponsored by Employment Discrimination Law

**Moderator:** Sherley Cruz, University of Tennessee College of Law

**Speakers:** Alex B. Long, University of Tennessee College of Law  
Richard Moberly, University of Nebraska College of Law  
Nancy Modesitt, University of Baltimore School of Law  
Mark Pearce, Georgetown University Law Center  
Daiquiri Steele, University of Alabama School of Law

This program will discuss shifts in anti-retaliation and whistleblower law within the past decade and how these developments impact America's workers.

**Friday, January 5, 2024, 2:00 pm – 3:40 pm, *Are Antitrust and Consumer Law the New Work Law?***

Labor Relations and Employment Law, Co-Sponsored by Contract Law, Commercial and Consumer Law, and Employment Discrimination Law

**Moderator:** Jonathan Harris, Loyola Law School, Los Angeles

**Speakers:** Seth Frothman, Consumer Financial Protection Bureau  
Hiba Hafiz, Boston College Law School  
Luke Herrine, University of Alabama School of Law  
Pauline T. Kim, Washington University in St. Louis School of Law

Christopher L. Peterson, University of Utah, S. J. Quinney College of Law

Agencies like the Federal Trade Commission, Department of Justice Antitrust Division, and Consumer Financial Protection Bureau have increased their enforcement on behalf of workers. They have also signed MOUs with traditional worker rights agencies like the DOL and NLRB, to use their combined authority to rein in power imbalances between firms and workers. Meanwhile, unions and worker advocacy groups have brought innovative lawsuits against firms that use anticompetitive practices, in combination with or in lieu of traditional workplace law claims. Panelists will discuss the doctrinal implications of turning to competition and consumer protection policies in the service of workers.

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## Other AALS Programs of Interest

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### Wednesday, January 3, 2024:

**8:00 am – 9:40 am, *Emerging Issues in Retirement Equity***

Employee Benefits and Executive Compensation, Co-Sponsored by Aging and the Law, Minority Groups, and Poverty Law

**10:00 am – 11:40 am, *Can Companies Help?: Furthering Racial Equity Through Corporate & Securities Laws and Disclosures***

AALS Discussion Group

**1:00 pm – 2:40 pm, *Title IX, Sexual Harassment, Transgender Rights & Reproduction: 50+ Years, Two Rulemakings & Seemingly Infinite Controversies***

AALS Hot Topic Program

**1:00 pm – 2:40 pm, *Ethical Behavior in Unincorporated Business Associations and Agency Relationships***

Agency, Partnership, LLC's and Unincorporated

**1:00 pm – 2:40 pm, *Preparing for the Demands of an Aging Population***

Aging and the Law, Co-Sponsored by Disability Law, Law, Medicine and Health Care, and Poverty Law

**1:00 pm – 2:40 pm, *Groff v. DeJoy: Title VII, Employment Accommodations, and Lessons for Broader Exemption Regimes***

Law and Religion

**2:15 pm – 3:25 pm, *Poverty Law Scholars II***

Poverty Law, Co-Sponsored by Clinical Legal Education, Critical Theories, Pro-Bono & Access to Justice, Property Law, and Women in Legal Education

**3:00 pm – 4:40 pm, *Law Professors with Disabilities Junior Scholars Works-in-Progress Program***

Law Professors with Disabilities and Allies

**Thursday, January 4, 2024:**

**8:00 am – 9:40 am, *Democracy Demands Diversity***

AALS Discussion Group

**3:00 pm – 4:40 pm, *The Role of Self-Narrative in Legal Scholarship***

Law Professors with Disabilities and Allies and Scholarship Joint Program, Co-Sponsored by Disability Law, Sexual Orientation and Gender Identity Issues, and Women in Legal Education

**Friday, January 5, 2024:**

**10:00 am – 11:40 am, *Brown, Equal Education and the Future of Democracy: Honoring the 70th Anniversary of Brown v. Board of Education***

AALS Open Source Program

**10:00 am – 11:40 am, *The End of the COVID-19 Public Health Emergency: Lessons Learned and the Future of Pandemic Law***

Law, Medicine and Health Care, Co-Sponsored by Aging and the Law, Disability Law, and Poverty Law

**12:00 pm – 1:40 pm, *Best Practices for the Law Student with a Disability Experience***

Law Professors with Disabilities and Allies, Co-Sponsored by Disability Law and Student Services

**12:00 pm – 1:40 pm, *Feminism, the Development of Professional Identity, and Implementing Standard 303(b)***

Women in Legal Education

**2:00 pm – 3:40 pm, *Legislative Attacks on LGBTQ Equality***

Sexual Orientation and Gender Identity Issues

**Saturday, January 6, 2024:**

**8:00 am – 9:40 am, *Hot Labor Summer and Beyond: Strikes, Contracts, and the Future of Industrial Democracy***

AALS Hot Topic Program

**8:00 am – 9:40 am, *Leveraging Post-Graduate Law Programs to Expand Access and to Diversify the Legal Community***

Post-Graduate Legal Education

10:00 am – 11:40 am, *Politics, Expertise, and Accountability in Regulatory Review*  
Administrative Law1

10:00 am – 11:40 am, *Policing and Surveillance of People with Disabilities*  
Disability Law, Co-Sponsored by Law Professors with Disabilities and Allies

10:00 am – 11:40 am, *Multiracial Democracy After Allen v. Milligan and Students for Fair Admission v. Harvard College*  
Election Law

3:00 pm – 4:40 pm, *New Voices in Administrative Law*  
Administrative Law

3:00 pm – 4:40 pm, *Exploring the Taboo*  
Women in Legal Education

## Faculty News

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**Susan Bisom-Rapp** (California Western School of Law) was appointed the Dean Steven R. Smith Professor of Law effective August 1, 2023. Her appointment as Vice Dean for Academic Affairs ended July 31, 2023.

**Stephanie Bornstein** recently moved from the University of Florida Levin College of Law to Loyola Law School, Los Angeles, where she now serves as Professor of Law and William M. Rains Fellow.

**Keith Cunningham-Parmeter** lateraled from Willamette to Lewis & Clark Law School.

**Sherley Cruz** received the 2023 University of Tennessee College of Law's John Reginal Hill Faculty Scholar Award.

**Dallan Flake** (Gonzaga Law School) was appointed Associate Dean of Faculty Scholarship.

**Doron Dorfman** (Seton Law) was awarded the 2023 Michael J. Zimmer Memorial Award for a rising scholar who has made a significant contribution to the field of work law at the Colloquium on Scholarship in Employment & Labor Law (COSELL). Dr. Dorfman reports multiple presentations, including the following: Third-Party Accommodations, COSELL, University of Minnesota Law School, Minneapolis, Minnesota, October 27-28 2023, and Fear of the Disability Con in Conference on Empirical Legal Studies (CELS), University of Chicago Law School, Chicago, Illinois, October 13-14, 2023.

**Ruben J. Garcia** (UNLV Boyd School of Law) recently completed his next book, *CRITICAL WAGE THEORY: WAGE JUSTICE AS RACIAL JUSTICE* (forthcoming 2024, University of California Press). Spring 2024, he will be a Visiting Professor at the University of California, Berkeley School of Law, teaching Constitutional Law and seminar on Race, Equity and Workplace Law. He recently was appointed to the Board of Governors of the College of Labor and Employment Lawyers, and appeared on several media outlets to discuss the state of collective bargaining in Nevada and the United States, including KNPR-FM, Fox5 Las Vegas, the *Las Vegas Review Journal*, Gray Washington Bureau, Bloomberg, Marketplace Radio, and the Power at Work podcast.

**Sharona Hoffman** was awarded the 2023 Case Western Reserve University School of Law Distinguished Research Award. Professor Hoffman reports multiple presentations, including the following: Book talk, "Aging with a Plan: How a Little Thought Today Can Vastly Improve Your Tomorrow," at numerous local and national venues throughout 2023, and "The Patient's Voice: Patient Reported Outcome Measures and Telemedicine," Arizona Telemedicine Summit, Phoenix, AZ, October 24, 2023.

**Michael Z. Green** (TAMU Law) was selected as Selected Fellow, American Bar Foundation (ABF), a global honorary society that recognizes attorneys, judges, law faculty and legal scholars whose public and private careers have demonstrated outstanding dedication to the highest principles of the legal profession and to the welfare of their communities (March 31, 2023). Professor Green reports multiple presentations, including the following: Presenter, "Diversity Alarmists: What You Gonna Do When They Come for You?," Plenary: "DEI Efforts in the Workplace after the Supreme Court's 2023

Affirmative Action Case,” 39<sup>th</sup> Annual Public Sector Labor Relations and Labor Law Conference, Chicago-Kent College of Law, Chicago, Illinois (December 1, 2023), and Presenter, “Organizing Black Labor Matters,” Critical (Legal) Collective Inaugural Conference, “Bargaining for the Common Good: Organizing” Panel, Duke University School of Law, Durham, North Carolina (November 10, 2023).

**Tristin Green** will be joining Loyola Law School, Los Angeles, as Professor of Law, William M. Rains Fellow, and Associate Dean for Research.

**Michael Hayes** (Baltimore Law) is on leave to serve, as Chair of Maryland’s Public Employee Relations Board, an appointee of Maryland Governor Wes Moore.

**Jonathan Harris** (LMU Loyola Law School, Los Angeles) was named a senior fellow of the Student Borrower Protection Center, where he researches employer-driven debt.

**Andrea Johnson** (Rutgers Law, Equity & Inclusion Fellow) accepted a position as Associate Professor of Law at New York Law School, effective July 1, 2024.

**Marcy Karin** (UDC Law) was the 2023 Distinguished Scotland Fulbright Scholar and Gender Fellow at the Institute for Advanced Studies in Humanities at the University of Edinburgh.

**Ariana Levinson** (Louisville Law) has been appointed to the Frost, Brown, Todd Professorship effective January 1, 2024.

**Shirley Lin** (Brooklyn Law) co-convened the Critical (Legal) Collective’s Inaugural Conference at Duke Law School (November 10-12, 2023), entitled *Organizing for Democracy and Liberation: The Right to Learn, The Right to Teach & The Right to Thrive*, and moderated the plenary, “Bargaining for the Common Good in Unionized Higher Ed.” Approximately 200 faculty, activists, students, and officials attended. On August 10, 2023, she also convened and co-moderated the CLC’s post-SFFA/303 Creative national critical pedagogy workshop, *Criticality, Pedagogy, and the Legitimacy of “Law.”* Law professors, advocates, and students from across 25 law schools, as well as legal advocacy organizations, participated.

**Martin Malin** (Emeritus, IIT Chicago-Kent College of Law) presented the Edwin C. Baker Memorial Lecture at West Virginia University Law School (April 11, 2023) and “The Supreme Court, the First Amendment and the Erosion of Public Employer Managerial Authority.” He received the 2023 Paul Steven Miller Memorial Award for outstanding academic and public contributions to the field of labor and employment law scholarship, at COSELL, University of Minnesota on October 27, 2023.

**Shefali Milczarek-Desai**, formerly an Associate Clinical Professor of Law and Director of the Workers' Rights Clinic at the University of Arizona College of Law, joined the tenure-track faculty at Arizona Law in Fall 2023 to teach Employment and Labor Law, seminars on Migration and Labor, and Torts.

**Orly Lobel** (San Diego)’s new book *THE EQUALITY MACHINE: HARNESSING TOMORROW’S TECHNOLOGIES FOR INCLUSION AND EMPOWERMENT* (PublicAffairs/Perseus-Hachette) was the subject of a *Yale Journal on Regulation* Symposium in 2023. During 2023, Professor Lobel served as an Advisory Board Member for the Future of Privacy Forum, a Council Member for the SIIA Data Policy Advisory Council, a mentor for the Racial Equity in Technology Policy Accelerator, Federation of



American Scientists and the Kapor Center, and the G7 Representative to the Japan Task Force on Digital Transformation reporting to the World Economic Forum. Professor Lobel was awarded the 2023 IP Vanguard Award, which is granted to one academic by the California State Bar, was named Legal Pioneer by *San Diego Magazine*, received an International Advisor Council Grant, and served as a keynote speaker at the 2023 Geneva United Nations Summit.

**Seema N. Patel** was appointed as a Thomas C. Grey Fellow & Lecturer in Law at Stanford Law School (Fall 2023).

**Ani B. Satz's** (Emory Law) Project on Health Law, Policy & Ethics is partnering with Emory University's Native American and Indigenous Studies Initiative on a program about food sovereignty and health. Professor Satz reports multiple presentations, including the following: Featured Scholar, "What We've Been up To (in Health Law)," Center for International and Comparative Law, Emory University School of Law, Atlanta, GA (Oct. 20, 2023) (with Matthew Lawrence), and Roundtable Participant, Workshop on Labor and Employment Law, Disability and Work, Current Events in Health Law and Bioethics, Southeastern Association of Law Schools Annual Meeting, Boca Raton, FL (July 28-Aug. 2, 2023).

**Naomi Schoenbaum** (George Washington University Law School) was promoted and is now the William Wallace Kirkpatrick Dean's Research Professor of Law.

**Deborah Widiss** (Indiana University Maurer School of Law) was named the John F. Kimberling Chair.

## 2023 Advocacy and Publications

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### Advocacy Efforts

**Rachel Arnow-Richman** (Florida) would like to announce the launch of her new project Converge for Impact, which promotes collaboration between workplace law academics and attorneys on emerging issues of research and legal strategy. The Project is interested in hearing about workplace law faculty writing practice-relevant scholarship or interested test-running legal theories on the ground. Please check out the beta version of the project [website](#) and click “Connect with Converge.”

**Ruben Garcia**, Signatory Letter of Labor Law Scholars to Congress in Support of NLRB Joint Employer Rule.

**Jonathan Harris**, Comment Letter to FTC on Proposed Rule on Non-Compete Clauses (Apr. 19, 2023). Harris also testified before the CA Assembly Judiciary Committee on Training Repayment Agreement Provisions (TRAPs) on Apr. 25, 2023. Over 80 academics, regulators, advocates, and workers attended the December 4-5, 2023 conference, *Workers, Training Repayment Agreement Provisions (TRAPs), and the Economy*, hosted by UC Irvine School of Law, the University of California Student Loan Law Initiative, and the Student Borrower Protection Center. Conference sponsors issued the following compendium of memos on abusive TRAPs and other stay-or-pay contracts: *Stay or Pay: Federal Actions to End Modern-Day Indentured Servitude Across the Economy* (contributors: Jonathan Harris, Reed Shaw & Anna Rodriguez).

**Marcy Karin**, Comment in Response to EEOC-3046–ZA02 (Proposed Enforcement Guidance on Harassment in the Workplace) (Nov. 1, 2023).

**Marcy Karin, Deborah Widiss**, et al., Comment in Response to EEOC-2023-0004 (Proposing Regulations to Implement the Pregnant Workers Fairness Act) (Oct. 10, 2023).

**Marcy Karin & Bettina Bildhauer**, Comment in Response to the Northern Ireland Period Products (Free Provision) Act 2022 Consultation (Sept. 18, 2023).

**Ariana Levinson**, *Extend the Ending Forced Arbitration Act to Statutory Employment Claims*, Scholars Strategy Network Policy Recommendation (December 12, 2023), *available at* <https://scholars.org/contribution/extend-ending-forced-arbitration-act-statutory>.

**Shirley Lin** (Brooklyn Law) designed and co-launched the Critical (Legal) Collective’s [Critical Teaching Resources](#) hub in conjunction with CLC’s Summer 2023 National Pedagogy Workshop, an open-access platform to further access to Critical Race Theory (CRT) and critical-inquiry syllabi, exercises, and pedagogy materials. Through the generous contributions of dozens of colleagues, it contains up-to-date syllabi for CRT, Race and the Law, and adjacent courses throughout the legal curriculum. Contributions of potential material, questions, and requests to join our CLC Curriculum & Pedagogy Committee or Critical Work Law efforts may be submitted to via this [form](#).

**Shefali Milczarek-Desai**, as co-counsel, successfully litigated *Molina v. Dempsey’s Adult Care Homes LLC, et al.*, 2023 U.S. App. LEXIS 9587 (9th Cir. 2023), which upheld an immigrant woman long-

term care aide's workers' rights to overtime and anti-retaliation damages under the Fair Labor Standards Act and Arizona's minimum wage and paid sick leave law.

**Orly Lobel** led the drafting on a bill strengthening California's labor market competition policy signed by Governor Newsom in 2023. She also served as the Founding Director of the Center for Employment and Labor Policy.

**Martin H. Malin & Theodore St. Antoine**, Amicus Brief on Behalf of the National Academy of Arbitrators in *Michigan AFSCME Council 35 v. The County of Wayne*, No. 164435 (Mich. S. Ct.).

**Samantha Prince** with UNLV Policy Institute Students (faculty advisor Benjamin Edwards) drafted U.S. Federal Trade Commission Banning Non-competes Proposed Rule Response with supporting signatures from law professors and students across the country on April 18, 2023.

### **New Publications**

#### **Books**

**DEBORAH L. BRAKE, MARTHA CHAMALLAS & VERNA L. WILLIAMS**, OXFORD HANDBOOK OF FEMINISM AND LAW IN THE U.S. (2023).

**MARTHA CHAMALLAS**, PRINCIPLES OF EMPLOYMENT DISCRIMINATION LAW (West Publishers, 2d ed. 2023).

**KENNETH G. DAU-SCHMIDT, ROBERTO L. CORRADA, CHRISTOPHER DAVID RUIZ CAMERON, CÉSAR F. ROSADO MARZÁN, MICHAEL M. OSWALT & RAFAEL GELY**, LABOR LAW IN THE CONTEMPORARY WORKPLACE (4th ed. 2024).

**TRISTIN K. GREEN**, RACIAL EMOTION AT WORK: DISMANTLING DISCRIMINATION AND BUILDING RACIAL JUSTICE IN THE WORKPLACE (UC Press 2023).

Laura Rothstein, **Ann C. McGinley** and **D'Andra Millsap Shu**, DISABILITY LAW: CASES, MATERIALS, PROBLEMS (7th ed. 2024) (available now).

#### **Book Chapters & Articles**

**Catherine Albiston & Shelley Correll**, *Law's Normative Influence on Gender Schemas: An Experimental Study on Counteracting Workplace Bias against Mothers and Caregivers*, 00 L. & SOC. INQUIRY, FIRST VIEW 1 (2023).

**Rachel Arnow-Richman & Orly Lobel**, *The business case for a nationwide ban on noncompetes*, THE HILL, Jan. 15, 2023.

**Susan Bisom-Rapp & Marco Peruzzi**, "Regulatory Choices and Legal Disputes in the Fight Against COVID-19 Infections in the Workplace: A Comparison between the Italian and US Contexts," *in* WORK BEYOND THE PANDEMIC (Tindara Addabbo et. al. eds., Palgrave Macmillan 2023).

**Blair Druhan Bullock**, *Frivolous Floodgate Fears*, 98 IND. L. J. 1135 (2023).

**Jeannette Cox**, *“Essential Functions” Hurdle to Disability Justice*, 84 OHIO ST. L. J. 493 (2023).

**Sherley Cruz**, *Working Towards Justice on Difficult Ground, Justice for Migrants at Work and in the Community*, 90 TENN. L. REV. 3 (Spring 2023).

**Sherley Cruz**, Karen Tokarz, Becky L. Jacobs, Kendall L. Kerew, Andrew King-Ries, & Carwina Weng, *ABA Standard 303(c) and Divisive Concepts States and Regulations: Challenges and Opportunities*, WASH. U. J.L. & POL’Y (forthcoming).

**Sherley Cruz**, *Four Ways to Update Personnel Policies that Need to Become Part of Your Annual Reviews*, 51 DICTA, 25 (Oct. 2023).

**Keith Cunningham-Parmeter**, *Discrimination by Algorithm: Employer Accountability for Biased Customer Reviews*, 70 UCLA L. REV. 92 (2023).

**Doron Dorfman**, *Approving Workplace Accommodations for Patients with Long Covid — Advice for Clinicians*, 388 NEW ENG. J. MED. 2115 (2023) (with Zackary D. Berger).

**Doron Dorfman**, *Physicians’ Refusal to Wear Masks to Protect Vulnerable Patients – An Ethical Dilemma for the Medical Profession*, JAMA Health Forum (2023) (with Mical Raz & Zackary D. Berger).

**L. Joe Dunman**, *Harmonizing State and Federal Anti-Discrimination Law: The Problem of the ADA/AAA*, 61 U. LOUISVILLE L. REV. 479 (2023).

**Katie Eyer**, *Disability and the Ongoing Federalism Revolution*, 133 YALE L. J. \_\_\_ (2023) (forthcoming) (with Karen Tani).

**Katie Eyer**, *Transgender Constitutional Law*, 171 U. PA. L. REV. 1 (2023).

**Katie Eyer**, *Transgender Equality and Geduldig 2.0*, 55 ARIZ. ST. L. J. 475 (2023).

**Dallan Flake**, *When ‘Close Enough’ Is Not Enough: “Accommodating the Religiously Devout,”* 49 BYU L. REV. 49 (2023).

**Michael Z. Green**, *Black and Blue Police Arbitration Reforms*, 84 OHIO STATE L. J. 243 (2023).

**Michael Z. Green**, *(A)Woke Workplaces*, 2023 WISCONSIN L. REV. 811 (2023).

**Jonathan Harris**, *Economic Duress in United States Employment*, 42 COMPAR. LAB. L. & POL’Y J. (forthcoming).

**Jonathan Harris**, *The “Protecting the Right to Organize Act” and the Radical Roots of Labor Law Reform*, ABA HUM RTS. MAG., Oct. 2023 (with Dylan Holmes).

**Sharona Hoffman & Andy Podgurski**, *The Patient’s Voice: Legal Implications of Patient-Reported Outcome Measures*, 22 YALE J. HEALTH POL’Y, L. & ETHICS 1 (2023).

Katharine Van Tassel & **Sharona Hoffman**, *Vulnerable Populations and Vaccine Injury Compensation: The Need for Legal Reform*, in COVID-19 AND THE LAW: DISRUPTION, IMPACT AND LEGACY (I. Glenn Cohen et al. eds., Cambridge University Press 2023).

**Sharona Hoffman**, *Key Considerations for Patient-Reported Outcome Measures*, THE BILL OF HEALTH, November 3, 2023.

**Sharona Hoffman**, *Employers and the Future of Public Health*, THE BILL OF HEALTH, February 22, 2023.

**David Allen Larson**, *Crossing the Cultural Chasm and the Power of Listening: How We Wrote a New Tenure Code*, 29 OHIO ST. J. DIS. RESOL. 170 (2023).

**Ariana Levinson**, *Unionize Starbucks. On Red Cup Day, show your support with a cup of coffee – elsewhere*, COURIER JOURNAL, Nov. 14, 2023.

**Ariana Levinson**, *Potential LAP layoff: Workers deserve unemployment pay*, COURIER JOURNAL, Oct. 22, 2023.

**Shirley Lin**, *Race, Solidarity, and Commerce: Work Law as Privatized Public Law*, 55 ARIZ. ST. L.J. 813 (2023).

**Shirley Lin**, *Affirmative Action and the Supreme Court's Alternate Racial Universe*, JURIST, June 26, 2023 (with Clara Williams).

**Marcy L. Karin**, Naomi Cahn, Elizabeth Cooper, Bridget Crawford, Margaret Johnson & **Emily Gold Waldman**, *Title IX and “Menstruation or Related Conditions”*, 30 Mich. J. Gender & L. 25 (2023).

**Marcy L. Karin**, *The Right to Dignified Menstruation and Related Conditions at Work?*, 49 ABA HUM RTS. MAG. 48 (Oct. 31, 2023).

**Marcy L. Karin**, *On Menstrual Justice*, Gender.Ed DOSSIER:REPRODUCTIVE JUSTICE, University of Edinburgh (Apr. 24, 2023).

**Orly Lobel**, *Remote Law: The Great Resignation, Great Gigification, Portable Benefits, and the Overdue Reshuffling of Work Policy*, 63 SANTA CLARA L. REV. 1 (2023).

**Orly Lobel**, *Affirmatively Disclosing Agency Legal Materials*, THE REGULATORY REV. (Sep. 11, 2023) (with Bernard W. Bell, Cary Coglianese, Michael Herz, & Margaret B. Kwoka).

**Orly Lobel**, *Platform Liability for Content Moderation in the Google and Twitter Cases*, BLUE BRIEFS (2023).

**Orly Lobel**, *Banning Noncompetes is Good for Innovation*, HARV. BUS. REV. (Feb. 6, 2023) (with Mark Lemley).

**Martin Malin**, *Are Collective Bargaining Agreements Still Special?*, 37 ABA J. LAB. & EMP. L. 125 (2023) (with Matthew Finkin).

**Ann C. McGinley**, “Masculinities Theory as Impetus for Change in Legal Theory and Doctrine,” in *THE OXFORD HANDBOOK OF FEMINISM AND THE LAW IN THE UNITED STATES* (Deborah L. Brake, Martha Chamallas & Verna L. Williams eds., 2023).

**Ann C. McGinley**, *Never Equals: Slavery, White Masculinities, and the Legacy of Law in Today’s Workplaces*, 56 CREIGHTON L. REV. 177 (2023).

**Shefali Milczarek-Desai**, *Opening the Pandemic Portal to Re-Imagine Sick Leave for Immigrant Workers*, 111 CALIF. L. REV. 1171 (2023)

**Shefali Milczarek-Desai & Tara Sklar**, *Immigrant Workers’ Voices as Catalysts for Reform in the Long-Term Care Industry*, 55 ARIZ. ST. L.J. 891 (2023)

**Ruben Garcia**, “Commentary on *Hoffman Plastic Compounds, Inc. v. NLRB*, 535 U.S. 137 (2002)”, in *FEMINIST JUDGMENTS: IMMIGRATION LAW OPINIONS REWRITTEN* (Kathleen Kim et al. eds., 2023).

**Ryan Nelson**, *An Employment Discrimination Class Action by Any Other Name*, 91 FORDHAM L. REV. 1425 (2023).

**Samantha Prince**, *Deducting Dobbs: The Tax Treatment of Abortion-Related Travel Benefits*, 98 TULANE L. REV. 1 (2023).

**Samantha Prince**, *ERISA Plan Fiduciaries and ESG Factors*, THE REGULATORY REVIEW (Penn Law Program on Regulation) (Apr. 26, 2023).

**Diana S. Reddy**, *After the Law of Apolitical Economy: Reclaiming the Normative Stakes of Labor Unions*, 132 YALE L.J. 1213 (2023).

**Ani B. Satz**, *Federalism, State Action, and Workers’ Medical Privacy*, 99 IND. L.J. (forthcoming 2023).

**Ani B. Satz**, *Disability, Vulnerability, and Public Health Emergencies*, in *RE-CONCEIVING EQUALITY AND FREEDOM: VULNERABILITY, DEPENDENCY, AND THE RESPONSIVE STATE* (Martha Fineman & Laura Spitz, eds., Routledge 2023).

**Ani B. Satz**, *Health In All Education: A Transdisciplinary Learning Outcomes Framework*, 11 AM. J. PREV. MED. 552 (2023) (with Rosemary M. Caron, Sabrina Neeley, Christina Eldredge, Allen C. Goodman, Daniel B. Oerther, Tanya Smith Brice & Dawn M. Whitehead).

**Naomi Schoenbaum**, *Dobbs and the Complicated Story of Women’s Progress at Work*, ON LABOR (Aug. 8, 2023).

**Naomi Schoenbaum**, *The Supreme Court Inadvertently Instituted Affirmative Action for White Men*, POLITICO MAG. (July 19, 2023).

**Michael Selmi**, *From Disparate Impact to Protecting White Men and Their Interests: The Early Development of Title VII*, 65 ARIZ. L. REV. 1009 (2023).

**E. Gary Spitko**, *Arbitration Secrecy*, 108 CORNELL L. REV. \_\_ (forthcoming 2023).

**Sandra Sperino**, *The Causation Canon*, 109 IOWA L. REV. 703 (2023).

**Sandra Sperino**, *Escaping Arbitration and Class-Action Waivers for Harassment Because of Pregnancy, Sexual Orientation and Gender Identity*, 84 OHIO ST. L.J. ONLINE 18 (2023).

**Daiquiri Steele**, *Enforcing Equity*, 118 NW. U. L. REV. 577 (2023).

**Daiquiri Steele**, *Rationing Retaliation Claims*, 13 U.C. IRVINE L. REV. 993 (2023).

**Ann E. Tweedy**, *Bisexual Erasure, Marjorie Rowland, and the Evolution of LGBTQ Rights*, 46 HARV. J. L. & GENDER 265 (2023).

**Ann E. Tweedy**, Lauren van Schilfgaarde, Aila Hoss, Sarah Deer, & Stacy Leeds, *Tribal Nations and Abortion Access: A Path Forward*, 46 HARV. J. L. & GENDER 1 (2023).

**Deborah A. Widiss**, *Privatizing Family Leave Policy: Assessing the New Opt-In Insurance Model*, 53 SETON HALL L. REV. 1543 (2023)

**Deborah A. Widiss**, *Time Off Work for Menstruation: A Good Idea?*, 98 N.Y.U. L. REV. ONLINE 170 (2023)

**Deborah A. Widiss**, *Pregnant Workers Fairness Acts: Advancing a Progressive Policy in Both Red and Blue America*, 22 NEV. L.J. 1131 (2022-23)

**Deborah A. Widiss**, *New Federal Law Ensures Pregnant Workers Can Get Support at Work*, 49 ABA HUM. RTS. J. 42 (Fall 2023).

## Upcoming Conferences, Lectures, Symposia, and Calls for Papers

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Case Western Reserve University School of Law is thrilled to announce its upcoming conference that will take place on March 1, 2024 and is entitled *Cognitive Decline and the Law*. Information about the conference can be found at <https://case.edu/law/centers-institutes/law-medicine-center>.

The 2024 *Colloquium on Scholarship in Employment and Labor Law (COSELL)* will be co-hosted by the University of San Diego School of Law and California Western School of Law on Friday, Sept. 13 - Saturday, Sept. 14, 2024 in San Diego, California. The conference organizers are Orly Lobel, Warren Distinguished Professor of Law & Director of the Center for Employment and Labor Policy (University of San Diego) and Susan Bisom-Rapp, Dean Steven R. Smith Professor of Law (California Western School of Law).

Southwestern School of Law will host ClassCrits XIV, *Demanding Justice in the Face of Retrenchment*, February 9 – February 10, 2024 in Los Angeles, California. Veena Dubal (UC Irvine School of Law), will be keynote speaker. Registration and other conference information can be found at: [https://www.classcrits.org/content.aspx?page\\_id=4002&club\\_id=459418&item\\_id=2122354](https://www.classcrits.org/content.aspx?page_id=4002&club_id=459418&item_id=2122354).