

SHIRLEY LIN

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ACADEMIC APPOINTMENTS

- Brooklyn Law School**, Brooklyn, NY
Assistant Professor of Law 7/2022–Present
Courses: Employment Law & Discrimination (“Work Law”); Critical Race Theory; Contracts
- Elisabeth Haub School of Law at Pace University**, White Plains, NY
Assistant Professor of Law 6/2021–6/2022
- New York University School of Law**, New York, NY
Acting Assistant Professor of Lawyering 6/2018–5/2021

JUDICIAL CLERKSHIP

- The Honorable Denny Chin**, U.S. Court of Appeals for the Second Circuit 2010–2011

PUBLICATIONS & WORKS IN PROGRESS

Law Beyond Liberalism (in progress).

Racial Privacy (in progress).

Mass Accommodations, 74 EMORY L.J. ___ (forthcoming 2024).

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

- Featured in *Lin Reconceptualizes Work Law*, WORKPLACE PROF BLOG (Jan. 31, 2024).

Bargaining for Integration, 96 N.Y.U. L. REV. 1826 (2021).

- Selected for AALS 2021 Annual Meeting Employment Discrimination & Labor Relations Sections New & Emerging Voices Panel.

Dehumanization “Because of Sex”: The Multiaxial Approach to the Title VII Rights of Sexual Minorities, 24 LEWIS & CLARK L. REV. 731 (2020) (lead article).

- Selected for AALS 2020 Annual Meeting New Voices in Sexual Orientation and Gender Identity Issues Panel (Washington, D.C.).

“And Ain’t I A Woman?”: Feminism, Immigrant Caregivers, and New Frontiers for Equality, 39 HARV. J. L. & GENDER 67 (2016).

- Cited in KATHARINE T. BARTLETT, DEBORAH L. RHODE, JOANNA L. GROSSMAN & DEBORAH L. BRAKE, GENDER AND LAW: THEORY, DOCTRINE, COMMENTARY (8th ed. 2020).

States of Resistance: The REAL ID Act and the Limits of Federal Deputization of State Agencies in the Regulation of Non-Citizens, 12 N.Y.C. L. REV. 329 (2009).

Book & Treatise Contributions

“Dehumanization Because of Sex,” in *GENDER JUSTICE AND THE LAW: THEORETICAL PRACTICES OF INTERSECTIONAL IDENTITY* (2020).

“LGBTQIA+ Discrimination,” in *EMPLOYMENT DISCRIMINATION: LAW AND LITIGATION* (Thomson West 2020) (with Ezra Cukor).

“LGBTQIA+ Discrimination,” in *EMPLOYMENT DISCRIMINATION: LAW AND LITIGATION* (Thomson West 2019).

THE FAMILY AND MEDICAL LEAVE ACT (Bloomberg BNA 2d ed. 2017) (contributor).

SELECT PUBLIC COMMENTARY

Affirmative Action and the Supreme Court’s Alternate Racial Universe, JURIST, June 26, 2023 (with Clara Williams ’23).

What’s Actually at Stake in the SCOTUS Challenge to Race-Conscious Admissions, IND. U. CTR. POSTSEC. RES. LAW SCH. SURVEY OF STU. ENGAGEMENT BLOG, Sept. 27, 2022 (with Clara Williams ’23).

The Uneasy Detente of Fulton v. City of Philadelphia, HUM. RTS. AT HOME BLOG, June 18, 2021.

The Law and Political Economy of Disability Accommodations, LPE PROJ. BLOG, Apr. 5, 2021.

SCOTUS’ Landmark Reading of Title VII “Sex” As Encompassing Sexual Orientation and Gender Identity, HUM. RTS. AT HOME BLOG, June 15, 2020 (discussed in SCOTUSblog, June 16, 2020).

Textualism, Plain Meaning, and Upheaval, HUM. RTS. AT HOME BLOG, May 24, 2020 (quoted in SCOTUSblog, May 26, 2020).

EDUCATION

City University of New York School of Law — J.D., 2010

Haywood Burns Fellow in Civil Rights & Human Rights, 2007–2010 (*full-tuition fellowship*)

Managing Articles Editor, *New York City Law Review*, 2009–2010

Co-Organizer, Race & Privilege Working Group, 2009–2010

Executive Board, Asian Pacific American Law Students Association, 2008–2009

Dartmouth College — Dual B.A. *cum laude* in Spanish & Women’s Studies, 2002

Honors: Hannah T. Croasdale Award for Advancing Women’s Rights; Pan Asian Council

Senior Leadership Award; Green Key Honor Society; Arthur J. Cohen ’37 Memorial Scholar;

Dartmouth College Fund Scholar

Co-Founder, Women of Color Collective

Founding Editor & Editor-in-Chief, *Main Street Magazine*

Universidad Autónoma de Madrid, Spain Study Abroad (Fall 1999)

SELECTED PRESENTATIONS

Racial Privacy

- May 30-31, 2024, Privacy Law Scholars Conference, Georgetown Law School (pending).

Mass Accommodations

- Feb. 9-10, 2024, ClassCrits XIV, *The History and Future of the Labor Union Movement*.
- July 19, 2023, Summer Writing Workshop, Brooklyn Law School.
- June 26, 2023, Works-In-Progress Workshop, AALS Disability Law Section.
- Oct. 21, 2022, Colloquium on Scholarship in Employment and Labor Law, Vanderbilt Law School, *Rethinking Accommodations* (panelist).
- Mar. 25, 2022, Jacobus tenBroek Disability Law Symposium, Closing Plenary, *A Broader Role for the ADA in a Post-Pandemic World* (panelist).

Race, Solidarity, and Commerce: Work Law as Privatized Public Law

- Feb. 9-10, 2024, ClassCrits XIV, *Race, Work, and Twenty-First Century Organizing* (pending).
- Jan. 3, 2024, AALS 2024 Annual Meeting, Poverty Law Scholars Main Panel II (pending).
- Oct. 15, 2023, LPE NYC Junior Scholars Workshop, NYU School of Law.
- Aug. 31, 2023, Drexel University Kline School of Law Faculty Workshop.
- June 2, 2023, *Public-Private Tensions & the Meaning of Work*, Law and Society Association 2023 Annual Meeting (chair & panelist).
- Mar. 14, 2023, UC Law SF Faculty Colloquium.
- July 28, 2022, Junior Faculty Workshop, Brooklyn Law School.
- July 9–11, 2022, Conference of the Society for the Advancement of Socio-Economics (SASE), *The Constitutive Power of Law*, University of Amsterdam (panelist).
- Oct. 15, 2021, Colloquium on Scholarship in Employment and Labor Law, Vanderbilt Law School, *Rethinking Work Law* (panelist).
- Oct. 8, 2021, LatCrit 2021, University of Denver Sturm College of Law, *Critical Jurisprudence* (panelist).

Bargaining for Integration

- Jan. 5, 2022, AALS 2022 Annual Meeting, Section on Disability Law, *The Future of Accommodations* (panelist).
- Jan. 6, 2021, AALS 2021 Annual Meeting Employment Discrimination & Labor Relations Sections New & Emerging Voices Panel (invited).
- Nov. 6, 2020, Loyola Constitutional Law Colloquium (panelist).
- Oct. 9, 2020, Colloquium on Scholarship in Employment and Labor Law, Louis D. Brandeis School of Law (panelist).
- July 29, 2020, AALS Employment Discrimination Virtual Workshop.
- May 31, 2020, Law and Society Association 2020 Annual Meeting (panelist).

Work Law as Privatized Public Law Series (convenor, moderator)

- *Disability Justice as Abolition*, Apr. 3, 2024, Brooklyn Law School (with Rohan Zhou-Lee (Blasian March), Jamelia Morgan (Northwestern Law), and Liat Ben-Moshe (University of Illinois Chicago)).

- *On CRITICAL WAGE THEORY*, Nov. 16, 2022, Brooklyn Law School (with Ruben Garcia (UNLV), Bethany Khan (Culinary Workers Union), Yanin Peña (Ain't I A Woman!?), and Chris Smalls (Amazon Labor Union)).

Additional Workshops & Presentations

Plenary, *Bargaining for the Common Good in Unionized Higher Ed*, Critical (Legal) Collective Inaugural Convening, Duke Law School, Nov. 10, 2023 (moderator).

Plenary, *Shared Governance in DEI*, AAPI/MENA Women in the Legal Academy Workshop, CUNY Law School, Oct. 20, 2023.

Opening Plenary, *LatCrit Anti-Subordination Response To The Supreme Court's Subordinating Term*, LatCrit 2023 Conference, Oct. 6, 2023.

Criticality, Pedagogy, and the Legitimacy of "Law" Workshop, Critical (Legal) Collective, Aug. 10, 2023 (national workshop co-convenor & moderator).

Town Hall: The Affirmative Action Cases, Brooklyn Law School, Jul. 10, 2023 (panelist).

The Right to Teach/The Right to Learn: Protecting Academic Workers in the Post-Neoliberal Culture Wars, Labor Research Action Network, June 8, 2023, Georgetown University Kalmanovitz Initiative for Labor and the Working Poor (panelist).

SIX FACES OF GLOBALIZATION, Mar. 27, 2023, Block Center, Brooklyn Law School (book commentator).

Being Seen in Dialogues for Diversity: A Discussion on Intersectional Feminism in the Legal Profession, Oct. 12, 2022, New York City Bar Association (invited panelist).

CRT: Racial Triangulation and Asian Americans, Apr. 26, 2022, Elisabeth Haub School of Law (co-convenor, panelist).

Labor and the Environment – Envisioning a Green New Deal, Apr. 1, 2022, Pace Environmental Law Review Symposium (moderator).

Critical Race Theory, Anti-AAPI Violence and Discrimination, Social Justice Week, Oct. 27, 2021, Elisabeth Haub School of Law (panelist).

"Teaching Race," Sept. 22, 2021, Faculty Development Workshop, Elisabeth Haub School of Law (workshop leader).

The Intersection of Racism, Gender, LGBTQIA+ and the Law, Apr. 6, 2021, NYU School of Law American Constitution Society (featured speaker).

The Supreme Court Decisions on Sexual Orientation and Transgender Discrimination, July 28, 2020, New York City Bar Association (panelist).

Feminist Legal Theory Summer Series Workshop, July 8, 2020, U.S. Feminist Judgments Project (moderator).

Dehumanization "Because of Sex"

- Jan. 3, 2020, AALS Annual Meeting, New Voices in Sexual Orientation and Gender Identity Issues (Washington, D.C.) (invited).

- Oct. 11, 2019, Colloquium on Scholarship in Employment and Labor Law (Las Vegas, NV) (panelist).
- May 31, 2019, Law and Society Association 2019 Annual Meeting (Washington, D.C.) (panelist).
- Mar. 23, 2019, 4th Annual National People of Color Legal Scholarship Conference, American University Washington College of Law (panelist).
- Mar. 2, 2019, 21st Annual Women's History Conference, *The Struggle Continues: Intersectional Activism in the Age of Gender Based Violence & Authoritarian Oppression*, Sarah Lawrence College (panelist).
- Jan. 24, 2019, Lawyering Scholarship Colloquium, NYU School of Law.

Gender & LGBTQ+ Discrimination at the Supreme Court, Oct. 17, 2019, NYU School of Law, OUTLaw, American Constitutional Society & Supreme Court Forum (moderator).

Bringing Our Full Selves to Work, April 3, 2019, NYU School of Law, APALSA Policy Luncheon (featured speaker).

#MeToo – Justice-Based Remedies for Sexual Harassment and Strategies for Legal Advocates, June 15 & 18, 2018, CUNY School of Law Community Legal Resource Network (presenter).

Arguing Discovery Motions While Considering the Consequences at Trial, March 23, 2017, ABA Labor & Employment Law Section Employment Rights and Responsibilities Committee Midwinter Meeting (Puerto Vallarta, Mexico) (presenter).

“And Ain’t I A Woman?”: Feminism, Immigrant Caregivers, and New Frontiers for Equality.

- Nov. 16, 2015, Author Talk, Harvard Law School.
- March 6, 2016, Feminism at Work Conference, University of Baltimore Law School Center for Applied Feminism (panelist).

The Duty of Fair Representation & Workplace Safety, Nov. 2, 2015, CUNY School of Law (guest lecturer).

Gender Pay Disparities: Enforcement, Litigation and Remedies, May 15, 2015, National Employment Lawyers Association–NY Spring Conference (moderator)

Addressing the Hurdles to Family-Friendly Work Environments: Pregnancy Discrimination, May 1, 2015, NYCLA Women in Law (presenter)

Stonewalling: Uncivil Civil Wars, March 27, 2015, ABA Section of Labor & Employment Law Ethics Committee Midwinter Meeting (Naples, FL) (presenter).

Using Gender Stereotyping Evidence to Support Gender Discrimination Claims on Behalf of LGBT Clients, June 19, 2014, National Employment Lawyers Association–NY (New York, NY) (presenter).

The Real Cost of Human Trafficking: How U.S. Immigration Law and the TVPRA Can Help, Nov. 3, 2012, ABA Annual Labor & Employment Law Section Conference (Atlanta, GA) (panelist).

Race and Privilege in Lawyering Workshop: Mobilizing Students to Engage and Lead Change, May 8, 2010, AALS Conference on Clinical Legal Education (Baltimore, MD) (co-presenter).

Labor’s Voices III Conference: Media for a New Workers’ Movement, Apr. 27, 2007 (New York, NY) (opening plenary moderator, planning committee).

Immigrant Organizing and Coalition Building in New York and New Jersey After 9/11, National Association for Asian American Studies Conference, Apr. 5, 2007 (New York, NY) (moderator).

SELECT MEDIA APPEARANCES

BBC, N.Y. TIMES, BNA WORKPLACE LAW REPORT, N.Y.L.J., BOSTON GLOBE, N.Y. DAILY NEWS, NEWSDAY, EL DIARIO/LA PRENSA, NY1, NY1 Noticias

Select Commentary:

- *The ‘Vibecession’ Driving Holiday Mass Layoffs*, BBC, Dec. 23, 2023.
- *Prior Sex Work Haunts Employees Returning to Traditional Jobs*, Bloomberg Law, May 25, 2022.
- *Long-Haul Covid Discrimination Emerges as Workplace Legal Risk*, Bloomberg Law, Aug. 2, 2021.
- *Pandemic, Racial Protests Driving New Wave of Pay Equity Bills*, Bloomberg Law, Feb. 16, 2021.
- *EEOC Kroger Suit Shows Rift at Border of Religious Rights, Bias*, Bloomberg Law, Dec. 2, 2020.

LEGAL & PROFESSIONAL EXPERIENCE

Outten & Golden LLP, New York, NY 2013–2018

Senior Associate – Counseled and represented clients in all aspects of labor and employment law, including race, religion, gender, LGBTQIA+, disability, and national origin discrimination, FMLA, FLSA, NLRA, whistleblower, § 1983, contracts, and tort claims. Conducted all phases of litigation including investigation, motion practice, managing discovery, court conferences and mediations, preparation and examination of witnesses, and settlement negotiations. *Pro bono* co-counsel in impact litigation with the Transgender Legal Defense & Education Fund and A Better Balance.

Asian American Legal Defense & Education Fund, New York, NY 2011–2013

Staff Attorney & Skadden Fellow – Represented immigrant and low-wage workers in wage-and-hour, labor trafficking, retaliation, and discrimination claims in state and federal court and before administrative agencies. Co-counsel in civil anti-trafficking and FLSA collective action in *David v. Signal International, LLC* and counsel to plaintiffs-intervenors in *E.E.O.C. v. Signal International, LLC*. Successfully represented survivors of labor trafficking in T-visa and green card applications before USCIS. Expanded community-legal collaborations with workers’ centers, including coauthoring New York State legislation to combat wage theft (the “SWEAT Bill”). Honored by Adhikaar for community-legal partnership with Spring for Justice Award.

Main Street Legal Services Immigrant & Refugee Rights Clinic, 2009–2010
CUNY School of Law, Flushing, NY

Clinical Intern – Represented two non-citizen habeas petitioners imprisoned at Guantánamo Bay, Cuba and Bagram Airfield, Afghanistan in appeals before the D.C. Circuit. Provided limited representation to individuals profiled by FBI, law enforcement, and private actors. Developed months-long holistic training in Spanish to support domestic violence survivors.

Center for Constitutional Rights, New York, NY Spring 2010

Legal Intern, Racial Justice Program & Immigration Docket

- Center for Reproductive Rights**, New York, NY Summer 2009
Legal Intern, U.S. Legal Program
- The Honorable Denny Chin**, U.S. District Court, S.D.N.Y. Spring 2009
Judicial Intern
- Make the Road New York**, Jackson Heights & Brooklyn, NY Summer 2008
Legal Intern
- Jan. 2008
- Mississippi Workers' Center for Human Rights**, Greenville & Jackson, MS
Legal Intern
- Asian American Legal Defense & Education Fund**, New York, NY 2005–2007
Communications Director – Directed media and coordinated policy strategy for national civil rights organization's programs addressing workers' rights, immigrants' rights, human trafficking, educational equity, voting rights, and language access. Held press briefings and authored press releases, policy statements, and fact sheets. Secured hundreds of new media placements.
- New Immigrant Community Empowerment**, Jackson Heights, NY 2002–2005
Director of Community Organizing; Coordinator, Civic Participation Project; Volunteer Canvasser – Waged campaigns addressing comprehensive immigration reform and local immigrants' rights initiatives, including access to drivers' licenses and NYPD harassment of immigrants post-9/11, on behalf of workers' center now affiliated with the National Day Laborer Organizing Network. Formed and co-led multiracial coalitions on national, state, and local issues. Trained and supervised a network of hundreds of volunteers across programs and campaigns. Convened citywide marches, rallies, town halls, and press events. Developed program guiding low-wage workers with *pro se* wage claims in small claims court. Formed advisory partnerships with non-profits and pro bono attorneys.
- Medicare Rights Center**, New York, NY 2002–2004
Communications Associate; Health Care Advocate; Volunteer Hotline Supervisor – Coordinated the “American Lives” public education project on behalf of elderly and disabled communities during Presidential primaries. Identified Medicare and Medicaid beneficiaries to provide public testimony during Medicare reform debate, highlighting systemic health-care failures. Supervised hotline volunteers offering counsel on health-care rights and options. Handled 20 clients' insurance appeals. Composed press releases, health policy updates, action alerts, and syndicated media column.

PROFESSIONAL SERVICE & LEADERSHIP

Institutional Service

- Brooklyn Law School
 Faculty Advisor, Women of Color Alliance (2023–Present)
 Workshops Committee (2023–Present)
 Curriculum Committee; Accommodations Committee (2022–2023; Spring 2024)
- Elisabeth Haub School of Law at Pace University
 Professional Development Committee (2021–2022)
 Advisory Board, Sustainable Business Law Hub (2021–2022)
 Environmental Law Committee, Sustainable Business Initiative (2021–2022)

NYU School of Law

Lawyering Curriculum Race, Bias, and Justice Committee (2020–2021)

Lawyering Curriculum Committees on Interpreting Facts (2020–2021); Oral Argument (2018–2020)

Screening Committee, NYC Bar Diversity Fellowship (2019)

Scholarship & Research

AALS Section on Labor Relations and Employment Law

Chair-Elect (2024–Present)

Executive Officer, Secretary (2023–2024)

Executive Board Member (2022–2023)

Member, Critical Legal Collective (2022–Present)

Coordinating Committee

Pedagogy & Curriculum Committee; CLC Critical Teaching Resources Hub (convenor)

Ad Hoc Peer Reviewer, *Columbia Law Journal* (2023–Present)

Co-Editor, HUMAN RIGHTS AT HOME BLOG (2020–Present)

Member, Society for the Advancement of Socio-Economics (2022–Present)

Member, Association for the Promotion of Political Economy and the Law (APPEAL)
(2021–Present)

Member, Law and Society Association (2019–Present)

Professional & Community Service

New York City Bar Association

Member, Civil Rights Committee (2019–2021; 2022–2024)

Member, Council on the Profession Subcommittee on the Bar Exam (2022–Present)

Member, Sex & Law Committee (2015–2020)

Member, Professional Ethics Committee (2014–2015)

Asian American Bar Association of New York (AABANY)

Co-Chair, Academic Committee (4/2023–3/2024)

Adhikaar for Human Rights & Social Justice

Board Member (2014–2020)

Skadden Fellowship Volunteer Advisor/Mock Interviewer (2013–Present)

American Bar Association Labor & Employment Law Section (2011–2018)

Member, ABA L&EL Trial & Appellate Advocacy Subcommittee (2015–2018)

BAR ADMISSIONS

New York; New Jersey (inactive)

LANGUAGES

Fluent in Spanish (legal representation level). Conversant in Cantonese.