

JOSEPH E. SLATER

Distinguished University Professor
Eugene N. Balk Professor of Law and Values
University of Toledo College of Law
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EDUCATION

Georgetown University. Ph.D. in History, with Distinction, 1998. Dissertation: “Down by Law: Public Sector Unions and the State in America, World War I to World War II.” Passed comprehensive examinations with Distinction. Received full Fellowship and Scholarship.

University of Michigan Law School. J.D., *cum laude*, 1986. Certificate of Merit, Legal Ethics.

Oberlin College. B.A., with Highest Honors in History, 1983. Phi Beta Kappa; Comfort Starr Scholarship for Excellence in History; Carrie Life Scholarship for Distinguished Achievement in American History. **Bristol University, England**, 1980-81, study abroad.

TEACHING

University of Toledo College of Law. August 1999-present. Classes taught: Torts, Evidence, Labor Law, Employment Law, Public-Sector Labor Law, and Employment Discrimination.

Georgetown University. Law Center. Adjunct Professor, History of U.S. Labor Law, 1996.
History Department. Designed and team-taught America in the Age of Reform, 1994.
Teaching Assistant: American Diplomatic History, 1992-94; Empire & Independence, 1994.

OTHER CURRENT EMPLOYMENT

Member, Federal Service Impasses Panel, Federal Labor Relations Authority, beginning 2021.

ACADEMIC AWARDS

Paul Stephen Miller Memorial Award for Outstanding Academic and Public Contributions to the Field of Labor and Employment Law Scholarship, 2018;
Named Distinguished University Professor, 2018;
University Outstanding Faculty Research and Scholarship Award, 2016;
University Presidential Research Award, 2012;
University Student Impact Award, 2012;
University Outstanding Teaching Award, 2008;
Made Eugene N. Balk Professor of Law and Values, 2007;
Voted Outstanding Professor of the Year by the Law School Class of 2006;

Voted Professor of the Year in 2001 by the Black Law Students Association.

PUBLICATIONS

PUBLIC SECTOR EMPLOYMENT: CASES AND MATERIALS (West Publishing, 4th ed., forthcoming 2021), TEACHER'S MANUAL, and yearly SUMMER UPDATES for this casebook (with Marty Malin, Ann Hodges, Jeffrey Hirsch, Anne Lofaso, and Michael Oswald).

MODERN LABOR LAW IN THE PRIVATE AND PUBLIC SECTORS: CASES AND MATERIALS (Carolina Academic Press, 3rd ed. 2020), TEACHERS MANUAL, STATUTORY SUPPLEMENT, and yearly SUMMER UPDATES for this casebook.

Book Review, THE FALL OF WISCONSIN: THE CONSERVATIVE CONQUEST OF A PROGRESSIVE BASTION AND THE FUTURE OF AMERICAN POLITICS (2018), by Dan Kaufman 17 *Labor: Studies in Working-Class History* (Vol. 3) 140 (2020).

Congressional Testimony: *House Committee on Education and Labor Hearing, "Standing With Public Servants: Protecting the Right to Organize,"* https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3439645 (2019).

"The Teachers' Strikes of 2018 in Historical Perspective," 20 *MARQUETTE BENEFITS AND SOCIAL WELFARE LAW REVIEW* 191 (2019).

"Some Problems With NLRA Coverage: Independent Contractors and Joint Employers," in RICHARD BALES & CHARLOTTE GARDEN, EDs., *THE CAMBRIDGE HANDBOOK OF U.S. LABOR LAW: REVIVING AMERICAN LABOR FOR A 21ST CENTURY ECONOMY* (Cambridge University Press 2019).

"Strikes of Employees in Essential Services in the U.S.A." in MOTI MIRONI AND MONIKA SCHLACHTER, EDs., *REGULATING STRIKES IN ESSENTIAL SERVICES – A COMPARATIVE LAW IN ACTION PERSPECTIVE* (Walters-Kluwer, 2018).

"*Janus*: Damaging Labor," JURIST blog, <https://www.jurist.org/commentary/2018/06/joseph-slater-impact-janus/>

"Comments on the Restatement (Third) of Employment Law, Chapter 1" (with Charlotte Garden), 21 *EMPLOYEE RIGHTS AND EMPLOYMENT POLICY JOURNAL* 265 (2017).

"Will Labor Law Prompt Conservative Justices to Adopt a Radical Theory of State Action?" 96 *NEBRASKA L.REV.* 62 (2017).

"The National Labor Relations Act," in ROBERT RYCROFT, ED., *THE AMERICAN MIDDLE CLASS: AN ECONOMIC ENCYCLOPEDIA OF PROGRESS AND POVERTY* (VOL. 2) (2017).

MODERN LABOR LAW IN THE PRIVATE AND PUBLIC SECTORS: CASES AND MATERIALS (Carolina Academic Press, 2nd ed., 2016), TEACHERS MANUAL, STATUTORY SUPPLEMENT, and yearly SUMMER UPDATES for this casebook (with Seth Harris, Anne Lofaso, and Charlotte Garden).

Review essay, “JEFFREY KAHANA, THE UNFOLDING OF LABOR LAW: JUDGES, WORKERS AND PUBLIC POLICY ACROSS TWO POLITICAL GENERATIONS, 1790-1850 (2014), 10 NYU JOURNAL OF LAW & LIBERTY 404 (2016).

MASTERING LABOR LAW (with Paul Secunda, Jeffrey Hirsch, and Anne Lofaso) (Carolina Academic Press, 2014).

“Teaching Private-Sector Labor Law and Public-Sector Labor Law Together,” 58 ST. LOUIS UNIVERSITY LAW REVIEW 209 (2013).

“Public Sector Bargaining: Tumultuous Times” (with Robert Hebdon and Marick Masters), *in* COLLECTIVE BARGAINING UNDER DURESS: CASE STUDIES OF MAJOR NORTH AMERICAN INDUSTRIES (HOWARD STRANGER, PAUL CLARK, AND ANN FROST, EDS., 2013).

“Attacks on Public-Sector Bargaining as Attacks on Employee Voice: A (Partial) Defense of the Wagner Act Model,” 50 OSGOODE HALL LAW JOURNAL 875 (2013).

“The Strangely Unsettled State of Public-Sector Labor Law in the Past Thirty Years,” 30 HOFSTRA LABOR AND EMPLOYMENT LAW JOURNAL 511 (2013).

“Are Public-Sector Employees ‘Overpaid’ Relative to Private-Sector Employees? An Overview of the Studies” (with Elijah Welenc), 52 WASHBURN LAW JOURNAL 533 (2013), *reprinted in* MICHAEL GREEN AND SAMUEL ESTREICHER, EDS., THE CHALLENGE FOR COLLECTIVE BARGAINING: PROCEEDINGS OF THE NEW YORK UNIVERSITY 65TH ANNUAL CONFERENCE ON LABOR (LexisNexis 2013).

“Public Sector Bargaining Impasse Dispute Procedures as ADR: From 1919 to the Present,” 28 OHIO STATE JOURNAL ON DISPUTE RESOLUTION 387 (2013).

“The Rise and Fall of SB-5 in Political and Historical Context,” 43 UNIVERSITY OF TOLEDO LAW REVIEW 473 (2012).

“Public Sector Labor in the Age of Obama,” 87 INDIANA LAW JOURNAL 189 (2012).

“Employee Voice: Lessons from the Public Sector,” 94 MARQUETTE LAW REVIEW 917 (2011).

“The Assault on Public Sector Collective Bargaining: Real Harms and Imaginary Benefits,” *American Constitution Society for Law and Policy Issue Brief* (June 2011), available at http://www.acslaw.org/sites/default/files/Slater_Collective_Bargaining.pdf and in 5 ADVANCE (The Journal of the American Constitution Society Issue Groups) 58 (2011).

Essay, "Public Sector Labor in 2010: View of a Legal Historian," *Labor and Working Class History Association Newsletter* (Spring 2010).

Book Review, John F. Lyons, *Teachers and Reform: Chicago Public Education 1929-70*, 114 *AMERICAN HISTORICAL REVIEW* 783 (2009).

"Working Group on Chapter 1 of the Proposed Restatement of Employment Law: Existence of Employment Relationship," 13 *EMPLOYEE RIGHTS AND EMPLOYMENT POLICY JOURNAL* 43 (2009) (with Theodore St. Antoine, Dennis Nolan, and Alvin Goldman).

"Labor and the Boston Police Strike of 1919," in Aaron Brenner, Benjamin Day, Immanuel Ness, eds., *THE ENCYCLOPEDIA OF STRIKES IN AMERICAN HISTORY* (M.E. Sharpe, 2009).

Book Review: James B. Jacobs, *Mobsters, Unions, and Feds: The Mafia and the American Labor Movement*, 26 *LAW AND HISTORY REVIEW* 224 (2008).

PUBLIC SECTOR EMPLOYMENT: CASES AND MATERIALS, 2007 Professors' Update (with Professors Martin Malin and Ann Hodges).

Book Review: Dennis Gaffney, *Teachers United: The Rise of New York State United Teachers*, 94 *JOURNAL OF AMERICAN HISTORY* 1011 (2007).

"The 'American Rule' that Swallows the Exceptions," 11 *EMPLOYEE RIGHTS AND EMPLOYMENT POLICY JOURNAL* 53 (2007).

"The History of Public Workers," essay in *THE ENCYCLOPEDIA OF U.S. LABOR & WORKING-CLASS HISTORY*, Eric Arnesen, Bruce Laurie, Joe McCartin, Cindy Hahamovitch, Tera Hunter, and Leon Fink, eds. (2006).

"Do Unions Representing A Minority of Employees Have the Right To Bargain Collectively?: A Review of Charles Morris, *The Blue Eagle at Work*," 9 *EMPLOYEE RIGHTS AND EMPLOYMENT POLICY JOURNAL* 383 (2005).

"Homeland Security vs. Workers' Rights? What the Federal Government Should Learn from History and Experience, and Why," 6 *PENNSYLVANIA JOURNAL OF LABOR & EMPLOYMENT LAW* 295 (2004), *reprinted in* SAMUEL ESTREICHER AND MATTHEW BODIE, EDS., *WORKPLACE DISCRIMINATION, PRIVACY, AND SECURITY IN AN AGE OF TERRORISM: PROCEEDINGS OF THE NEW YORK UNIVERSITY 55TH ANNUAL CONFERENCE ON LABOR* (Kluwer Law Int'l, 2007).

PUBLIC WORKERS: GOVERNMENT EMPLOYEE UNIONS, THE LAW, AND THE STATE, 1900-62 (Cornell University Press, 2004).

"The Court Does *Not* Know 'What a Labor Union is': How State Structures and Judicial

(Mis)Constructions Deformed Public Sector Labor Law,” 79 OREGON LAW REVIEW 981 (2000).

“Petting the Infamous Yellow Dog: The Seattle High School Teachers Union and the State, 1928-31,” 23 SEATTLE UNIVERSITY LAW REVIEW 485 (2000).

“Public Workers: Labor and the Boston Police Strike of 1919,” 38 LABOR HISTORY 7 (1997).

“The Rise of Master-Servant and the Fall of Master Narrative: A Review of *Labor Law In America*,” 15 BERKELEY JOURNAL OF EMPLOYMENT & LABOR LAW 141 (1994).

“Policing Your Paycheck: Wage & Hour Law for Cops,” 1 *Police Union Quarterly* 113 (1989).

PROFESSIONAL ACTIVITIES

Organizations, Positions, Grants, and Legal Work

Beginning 2021, Member, Federal Services Impasses Panel, Federal Labor Relations Authority.

Testified before Congress, June 2019, “Standing With Public Servants: Protecting the Right to Organize.” Hearing on the Public Service Freedom to Negotiate Act and the Public Safety Employer-Employee Cooperation Act. Hearing available at:

https://edlabor.house.gov/media/videos/watch/standing-with-public-servants-protecting-the-right-to-organize-eventid-109711?fbclid=IwAR0i6UUGglXywQQoPzHrbUsrF_j9qVQCazITioXLjwZsijDq0NSYit1Br3w

Beginning in 2014, member of the College of Labor and Employment Lawyers, an invitation-only group of practitioners and scholars, promoting achievement, advancement and excellence in the practice of labor and employment law.

Beginning in 2011, member of the Employment Policy Research Network, an invitation-only group of scholars specializing in labor and employment relations, affiliated with the Labor and Employment Research Association.

Contributor to online journal Jotwell (Journal of Things We Like a Lot) (reviewing labor and employment law articles and books).

Beginning in 2007, member of the Labor Law Group, an invitation-only organization of law professors dedicated to producing quality scholarship and teaching materials on labor and employment law.

Expert witness on the history of labor law in *Wisconsin Educ. Ass’n Council v. Walker*, 824 F.Supp.2d 856 (W.D.Wisc., 2012); *Springfield Nat’l Educ. Ass’n v. Springfield Bd. of Educ.*, Case No. 0931-CV08322 (Cir.Ct. Greene Cty, MO 2009) and *Bayless Educ. Ass’n v. Bayless School District*, No. 09SL-CC1481 (Cir.Ct. St. Louis Cty, MO, Feb. 10, 2010).

Executive Board member, Labor and Employment Relations Association Section on Labor and Employment Law, 2009-2010.

Outside peer reviewer of book manuscripts for Cambridge University Press, New York University Press, University of Michigan Press, and University of Pennsylvania Press; outside peer reviewer of articles for *Law and History Review*, *Labor History*, *Law & Society Review*, and *Labor Studies Journal*.

Arbitrator for Toledo Federation of Teachers / Toledo Public Schools.

Editorial board member for the journal *Labor History*, beginning in 2003.

Chair, American Association of Law Schools (AALS) Employment Discrimination Section, 2004, Chair-elect, 2003, and Executive Board Member, 2002 and 2006.

Fellow, Willard Hurst Legal History Institute, University of Wisconsin Law School, June 2001, Madison, Wisconsin. This two-week program had more than 100 applicants and 11 Fellows.

Awarded the Albert Shanker Educational Research Fellowship from the Walter Reuther Labor Archives, Wayne State University, July 2001.

Conference Papers, Talks, Media, and Blogs

Many media appearances regarding labor and employment issues. Radio interviews, including NPR's "Marketplace," NPR's "Morning Edition," NPR's "The Takeaway," Wisconsin Public Radio, and the "Frank Beckman Show." Quoted in the blogs Salon, *ThinkProgress*, and Lawyers, Guns, and Money. Appeared on various Toledo TV stations and Al-Jazeera TV. Quoted in the New York Times, Washington Post, Christian Science Monitor, Atlantic, Bloomberg, BNA/Bloomberg, Law360, Fortune, MSNBC.com, Reuters, Al-Jazeera print, Boston Globe, Chicago Tribune, Minneapolis Post, Minneapolis Star-Tribune, Columbus Dispatch, Dubuque Telegraph Herald, Madison State Journal, Milwaukee Journal-Sentinel, Pittsburgh Post-Gazette, Washington Examiner, Toledo Blade, Le Monde (Paris, France), and Education Week. Op-eds in the Chicago Sun-Times, Cleveland Plain Dealer, Cincinnati Enquirer, and Toledo Blade.

Paper, "Garcetti and Other Legal Obstacles to Police Reform," 14th Annual Colloquium on Scholarship in Employment and Labor Law, University of Nevada Las Vegas, Oct. 2019.

Paper, "Private-Sector Union Security Clauses after *Harris* and *Janus*: The State Action Issue," Labor and the U.S. Constitution, Past, Present, and Future conference, Cornell ILR School, New York, NY, Sept. 2019.

"Testifying Before Congress," presentation to the Lucas County Bar Association, Toledo, OH, Sept. 2019.

Lunchtime speaker, “Ohio’s Public-Sector Law: History, Features, and Peculiarities,” Annual Conference of the Association of Labor Relations Agencies, Cincinnati, OH, July 2019.

Talk, “Public-Sector Unions: History and Future,” IRP Fall Speaker Series, Oak Park, MI, Oct. 2018.

Paper, “After *Janus*: Against Optimism,” 13th Annual Colloquium on Scholarship in Employment and Labor Law, University of South Carolina, Sept. 2018.

Blog post at JURIST, “*Janus*: Damaging Labor,”
<https://www.jurist.org/commentary/2018/06/joseph-slater-impact-janus/>

Paper, “International Comparisons to New York Law,” Keynote panel of the conference “The Taylor Act at 50: Bright Spots and Pressure Points,” Albany, NY, May 2018. *Published in* John Wirenius, ed., *THE TAYLOR ACT AT 50: PUBLIC SECTOR LABOR RELATIONS IN A SHIFTING LANDSCAPE* (2019).

Paper on U.S. law and commenter on paper on Canadian Law, Conference on Strikes in Essential Services, University of Haifa, Haifa, Israel, Jan. 2018.

Chair and Paper Commenter, “Public Sector Unions and Conservative Politics Since the 1970s,” Labor and Working Class History Association Annual Conference, University of Washington, Seattle, WA, June 2017.

Talk, “The Future of Public Sector Unions Under the New Supreme Court,” Vanderbilt University, American Constitution Society forum, April 2017.

Participant, conference on “Strikes in Essential Services,” Institut für Arbeitsrecht und Arbeitsbeziehungen in der Europäischen Union (Institute for Labor Law and Labor Relations in the European Union). University of Trier, Germany, Dec. 2016.

Paper, “Critique of Chapter 1 of the Restatement (Third) of Employment Law,” Labor Law Group Conference, University of Indiana (Bloomington), Nov. 2016.

Paper, “Will Labor Law Prompt Conservative Justices to Adopt a Radical Theory of State Action?” Employment & Labor Law Scholars Forum, Seton Hall Law School, Oct. 2016.

Paper, “Will Labor Law Prompt Conservative Justices to Adopt a Radical Theory of State Action?” Colloquium on Scholarship in Labor and Employment Law, University of Washington, Sept. 2016.

Paper, “The History of Public-Sector Labor and the *Friedrichs* Case,” City University of New York Conference, “Public Sector Unions on the Line,” New York, NY March 2016.

Commenter, “New and Emerging Voices in Workplace Law,” AALS Annual Conference, New York, NY, Jan. 2016.

Speaker, Case Western Reserve University Law School, American Constitution Society program on *Friedrichs v. California Teachers’ Ass’n*, Nov. 2015.

Panelist, “Joint Employer Status, Franchisors & Franchisees — Paying the Cost to be the Boss?” Bernard Gottfried Memorial Labor Law Symposium, Detroit, MI, Oct. 2015.

Keynote address, New England Consortium of State Labor Relations Agencies, 15th Annual Conference, Sturbridge, MA, July 2015.

Chair and panel commenter, “Race, Labor, Law: The Mid-Twentieth Century,” Biannual Conference of the Southern Labor Studies Association, Washington, DC, March 8, 2015.

Paper, “Do Private-Sector Labor Contracts Constitute ‘State Action’? *Harris v. Quinn* Revives a Puzzling Approach,” West Virginia University Law School Labor Law Conference, Oct. 2014.

Paper, “Did Just Alito Just Endorse *Shelley v. Kramer*? *Harris v. Quinn*’s Strange Take on State Action,” 10th Annual Colloquium on Labor and Employment Law, University of Colorado Law School, Sept. 2014.

Chair and Discussant, “Public Sector Unions and the State,” 38th Annual Meeting of the Social Science History Association, Chicago, IL, Nov. 2013.

Panelist, “The Constant Crisis: Public Sector Bargaining in the New Age,” ABA Section of Labor and Employment Law 7th Annual Conference, New Orleans, LA, Nov. 2013.

Panelist, “*Stare Decisis* v. Partisan Politics: What Controls in Board Decisions,” 21st Annual Bernard Gottfried Memorial Labor Law Symposium, Detroit MI, Oct. 2013.

Paper, “How to Teach Public and Private Sector Labor Law Together, and Why You Should,” 9th Annual Colloquium on Labor and Employment Law, University of Las Vegas Law School, Sept. 2013.

Moderator and Discussant, “Politics, Unions and Class Identity: Changing Opinions in the American Heartland,” Labor and Working Class History Association annual conference, New York, NY 2013, June 2013.

Moderator and Panelist, “Eroding Protection of Public Employees: Legal Developments and Messaging,” AFL-CIO Lawyers Coordinating Committee conference, Pittsburgh, PA, June 2013.

Paper, “Teaching Public-Sector Labor Law and Private-Sector Labor Law Together,” Saint

Louis University Law School, Teaching Employment and Labor Law, Feb. 2013.

Paper, "Are Public-Sector Employees 'Overpaid' Relative to Private-Sector Employees? An Overview of the Studies," Washburn University, Employment and Labor Law in the 21st Century: Changes in the Arenas of Conflict, Feb. 2013.

Paper, "The History of Federal Sector Labor Relations and Modern Debates on Collective Bargaining and National Security," Chicago-Kent Law School, 30th Annual Conference on Federal Sector Labor Relations and Labor Law, Sept. 2012.

Paper, "Attacks on Public-Sector Bargaining as Attacks on Employee Voice: A (Partial) Defense of the Wagner Act Model," 8th Annual Colloquium on Labor and Employment Law, Loyola and Northwestern University Law Schools, Sept. 2012.

Paper, "Are Public Sector Employees 'Overpaid'?: A Review of the Scholarship," New York University Center for Labor and Employment Law, 65th Annual Conference on Labor, June 2012.

Paper, "Legal Changes to Public Sector Collective Bargaining," National Academy of Arbitrators Annual Meeting, Minneapolis, MN, June 2012.

Talk, "Legislative Attacks On Teachers' Collective Bargaining Rights," American Federation of Teachers' Lawyers Conference, Washington, DC, April 2012.

Talk, "The Assault on Collective Bargaining Rights in the Public Sector," Rush McKnight Labor Law Lecture, Center for the Interdisciplinary Study of Conflict and Dispute Resolution, Case Western University Law School, March 2012.

Paper, "Attacks on Public Sector Bargaining as Attacks on Employee Voice: A (Partial) Defense of the Wagner Act Model," Voices at Work North American Workshop, Osgoode Hall Law School, York University, Toronto, Ontario, March 2012.

Paper, "Public Sector Labor Law in the U.S., and its Discontents," University of Western Ontario conference, "Faultlines & Borderlines in Labo(u)r Law," London, Ontario, March 2012.

Paper, "Public Sector Bargaining Impasse Dispute Procedures as ADR: From 1919 to the Present," Ohio State Journal on Dispute Resolution Symposium, "The Role of ADR Mechanisms in Public Sector Labor Disputes," Feb. 2012.

Paper, "State Legislators Target Public Sector Labor Rights," ABA Section of Labor and Employment Law, State and Local Government Bargaining & Employment Law Committee Midwinter Meeting, Puerto Vallarta, Mexico, Jan. 2012.

Debate, "In Defense of Public Sector Collective Bargaining," Federalist Society 14th Annual

Faculty Conference, Washington, DC, Jan. 2012.

Paper, "A Brief History of Public Sector Labor Law," AALS Section on Labor Relations and Employment Law panel, Washington, DC, Jan. 2012

Paper, "A Survey of Recent State Law Changes in Public Sector Labor Law," on the panel "Public Sector Bargaining in Crisis," ABA Section of Labor & Employment Annual Conference, Seattle, WA, Nov. 2011.

Paper, "SB-5: A Critique," University of Toledo College of Law Symposium, "Public Sector Labor Law at the Crossroads," Oct. 2011.

Panelist, "Ohio Senate Bill 5: What it Will Mean for Public Employees and Employers in Ohio if it Survives the Upcoming Referendum Vote," Cleveland-Marshall College of Law, Oct. 2011.

Paper, "Ohio SB-5: the Law and the Politics," University of Richmond College of Law / Labor Law Group conference, "Public Employment in Times of Crisis," Sept. 2011.

Paper, "State Legislators Target Public Sector Rights," American Bar Association Annual Meeting, Toronto, Ontario, Canada, Aug. 2011.

Paper, "Public Sector Impasse Procedures as ADR: From Wisconsin to Ohio," St. John's University School of Law Conference, "The Theology of Work and the Dignity of Workers," March 2011.

Paper, "Public Sector Labor in the Age of Obama," Indiana University Law School Conference, "Labor and Employment Law Under the Obama Administration: A Time for Hope and Change," Nov. 2010.

Paper, "Employee Voice: Lessons from the Public Sector," Marquette Law School Symposium on Labor and Employment Law, Sept. 2010.

Paper, "Is 'Collective Bargaining a Term of Art'? A Law Professor as Expert Witness," Fifth Annual Colloquium on Current Scholarship in Labor & Employment Law, St. Louis, MO, Sept. 2010.

Paper, "Collective Bargaining as a Term of Art? A Law Prof. As Expert Witness on What the History of Labor Relations Can Teach the Missouri Courts Today," Law & Society Annual Meeting, Chicago, IL, June 2010.

Chair and Commentator, Panel on "Creating a Culture of Professionalism," North American Labor History Conference, Detroit, MI, Oct. 2009.

Paper, "Pedagogy: Why We Should Teach Public and Private Sector Labor Law Together, and

How to Do It,” Fourth Annual Colloquium on Current Scholarship in Labor and Employment Law, Newark, NJ, Sept. 2009.

Paper, “Post-Pyett Decisions of the Lower Courts: Key Questions Remain,” South East Association of Law Schools Annual Meeting, Palm Beach, FL, Aug. 2009

Paper, “Teaching Private and Public Sector Labor Law Together,” AALS Mid-Year Meeting On Worklaw, Long Beach, CA, June 2009.

Chair, Panel on “Work, Discrimination, and Human Rights,” American Society for Legal History Annual Meeting, Ottawa, Ontario Canada, Nov. 2008.

Paper, “Recent Supreme Court and Appellate Court Decisions in Labor Law,” Region 8 NLRB/Ohio State Bar Association Labor Law Seminar, Toledo, OH, Sept. 2008.

Paper, “A Unified Theory of the Meaning of Collective Bargaining in the Public Sector,” Law & Society Annual Meeting, Montreal, Quebec, Canada, May 2008.

Paper, “Collective Bargaining Means What? Why the D.C. Circuit and Missouri Supreme Court are Still Struggling with Basic Labor Law Terms,” Second Annual Colloquium on Current Scholarship in Labor & Employment Law, Denver, CO, Sept. 2007.

Invited Commentator, panel on Comparative Labor and Employment law, Law & Society Annual Meeting, Berlin, Germany, July 2007.

Blog post, Workplace Prof. blog, “The Benoit Tragedy and Working Conditions in a Disreputable Industry” June 2007

http://lawprofessors.typepad.com/laborprof_blog/2007/06/the-benoit-trag.html

Invited Commentator, panel on the History of Public-Sector Labor Law, Joint Labor and Working Class History/Southern Labor Studies Conference, Duke University, May 2007.

Featured guest speaker, “Public Workers: History and Policy,” ABA Section on Labor and Employment Law, Committee on State and Local Government Bargaining, Riviera Maya, Mexico, Jan. 2007.

Paper, “The American Rule that Swallows the Exceptions,” First Annual Colloquium on Scholarship in Employment and Labor Law, Marquette Law School, Oct. 2006. Note: I was one of the three organizers of this conference, which drew over fifty participants.

Guest blogger, Prawfsblog, <http://prawfsblawg.blogs.com/prawfsblawg/> various stints, 2006-07.

Talk, “Supreme and Appellate Court Decisions in Labor and Employment Law,” National Labor Board Region 8 and Ohio State Bar Association Labor Law Seminar, Toledo, Ohio, Sept. 2006.

Paper, "How Employment At-Will Undermines Labor and Employment Discrimination Law" Law & Society Conference, Baltimore, MD, July 2006.

Paper, "Public Sector Labor Law, Past and Present," The Labor Law Group, Saratoga Springs, NY, June, 2006.

Paper, "The Birth of Public Sector Labor Law," North American Labor History Conference, Detroit, MI, Oct. 2004.

Keynote Speech, "Federal Sector Labor Relations," Chicago-Kent College of Law's 22nd annual Federal Sector Labor Relations & Labor Law Program, Sept. 2004.

Paper, "Labor's New Star: Wisconsin's Public Sector Labor Law Statutes of 1959 and 1961," Law & Society Association Conference, Chicago, IL, June 2004.

"The New FLSA Regulations," Toledo Bar Association, Toledo, OH, May 2004.

"Title VII of the Civil Rights Act in Historical Perspective" Owens Community College Commemoration of the 40th Anniversary of the Civil Rights Act," Toledo, OH, Jan. 2004

Paper, "Federalism and the Rights of Public Sector Workers in Historical Perspective," Law & Society Association Conference, Pittsburgh, PA, June 2003.

"Arbitration Agreements in Individual Employment," Toledo Bar Association, Toledo, OH, May 2003.

"Protecting Union Speech: Defamation and Intellectual Property in the Labor Relations Context," American Federation of Teachers' Lawyers Conference, New York, NY, April 2003.

"Current Issues in Public Sector Labor Law," University of Toledo College of Law/Federalist Society Conference on "The Future of Labor Law," April 2003.

"Supreme and Appellate Court Review of Recent NLRB Decisions," National Labor Board Region 8 and Ohio State Bar Association Labor Law Seminar, Toledo, OH, Sept. 2002.

Paper, "Labor's New Star: The Battle for Wisconsin's Public Sector Labor Law, 1951-62," Wisconsin Labor History Society, Madison, WI, April 2002.

"Lessons from the Public Sector," Bernard Gottfried Memorial Labor Law Symposium, Detroit, MI, October 2001.

"Recent Developments in Labor Law" and "Organizing in Cyberspace," The Employers Association Conference, Toledo, OH, March 2001.

Paper, "The Court 'Knows What a Union is'?: Explaining the Stunted Development of Public Sector Labor Law." North American Labor History Conference, Detroit, MI, Oct. 2000.

"Supreme Court and Appellate Court Review of Recent NLRB Decisions," National Labor Relations Board Region 8 and Ohio State Bar Association Labor Law Seminar, Toledo, OH, Sept. 2000.

Paper, "Petting the Infamous Yellow Dog: Teachers and Public Sector Labor Law in Seattle, 1928-31." American Society for Legal History Conference, Seattle, WA, Oct. 1998.

EMPLOYMENT AS A LAWYER

Beins, Axelrod & Kraft , P.C., Washington, D.C. Full-time associate 1990-1992, Of-Counsel and part-time 1992-1999. Represented unions and individual employees. Significant experience with public and private sector labor law, Title VII, the ADA, FLSA, and ERISA, and related state employment statutes. Appeared before courts, administrative agencies, and arbitrators. Was the chief negotiator on the first contracts for two AFSCME locals. Trained union members.

Zwerdling, Paul, Leibig, Kahn, Thompson & Driesen, Washington, D.C. Associate, 1987-90. Worked on labor law cases and employment law matters, especially involving the FLSA and ERISA. Revised two pension plans to bring them into conformity with major statutory amendments. Handled arbitrations and agency litigation.

McTeague, Higbee, Libner, Reitman, MacAdam & Case, Brunswick, Maine, 1986-87. Screened clients, handled workers' compensation and other labor and employment cases.

BAR ADMISSIONS

Admitted to practice in Washington, D.C. and in various federal courts.