

SHIRLEY LIN

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ACADEMIC APPOINTMENTS

Brooklyn Law School, Brooklyn, NY

Associate Professor of Law

7/2024–Present

Assistant Professor of Law

7/2022–6/2024

Courses: Employment Law & Discrimination (“Work Law”); Critical Race Theory;
Contracts; Directed Research

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

CLERKSHIP

The Honorable Denny Chin, U.S. Court of Appeals for the Second Circuit

2010–2011

PUBLICATIONS

Disparate Impact Redux (in progress).

Law Beyond Liberalism (in progress).

Race-Conscious Data: A Political Taxonomy (in progress).

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

SHORTER WORKS & BOOK CHAPTERS

Response to Carpenter, “*Strike with Pride*”: *Unionizing as an LGBTQ Rights Strategy*, 85 OHIO STATE L.J. ___ (2024) (with Richard Blum & Michael Nunn ’24) (*forthcoming* 2025) (invited).

“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).

OTHER COMMENTARY

Learning from Movements, Forum Response to Chapman, *The Future of Neurodiversity*, BOSTON REV. (May 29, 2024) (invited).

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 (LSSSE) BLOG, Sept. 27, 2022 (with Clara Williams ’23) (invited).

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

Juris Doctor, 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

Co-Organizer, Women of Color Collective

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

Dartmouth College

Dual B.A., *cum laude*, Spanish & Women’s Studies, 2002

Honors: 2002 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; Residential Life Distinguished Service Award
Co-Founder & Co-Organizer, Women of Color Collective
Founding Editor & Editor-in-Chief, *Main Street Magazine*
Universidad Autónoma de Madrid, Spain Study Abroad (Fall 1999)

SELECTED PRESENTATIONS

Race-Conscious Data: A Political Taxonomy

- July 9, 2024, Brooklyn Law School Faculty Workshop.
- May 30, 2024, Privacy Law Scholars Conference, Georgetown Law School.
- May 23, 2024, University of Richmond School of Law Junior Faculty Forum.

Mass Accommodations

- Nov. 11, 2024, Law & Inequality Colloquium, University of Virginia School of Law (forthcoming).
- Apr. 10, 2024, Brooklyn Law School Faculty Workshop.
- Feb. 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

- Nov. 11, 2024, Law & Inequality Colloquium, University of Virginia School of Law (forthcoming).
- Feb. 9, 2024, ClassCrits XIV, *Race, Work, and Twenty-First Century Organizing*.
- Jan. 3, 2024, AALS 2024 Annual Meeting, Poverty Law Scholars Main Panel II.
- 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) & 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!?) & Christian Smalls (Amazon Labor Union)).

Additional Workshops & Presentations

Critical Race Theory: Cultivating Courageous Pedagogies and Praxes to Protect Our Democracy, AALS Annual Meeting, Jan. 10, 2025 (discussant) (forthcoming).

Keynote, *The Path to Racial Equity: The Question of Affirmative Action*, Franklin H. Williams Judicial Commission, May 29, 2024.

Race and Social Reproduction by Law, Inaugural Spring Student Symposium, Brooklyn Law and Political Economy Collective, Apr. 19, 2024 (commentator).

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.

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).

Valuing Your Case & Persuading Others That You Are Right, June 23, 2017, National Employment Lawyers Association CLE, Annual Convention (San Antonio, TX) (panelist).

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 LBGT 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).

SELECTED MEDIA APPEARANCES

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

- *Reworking Remote*, YES! Magazine, May 23, 2024.
- *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.

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, Legal Aid Society, 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”).

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

Mississippi Workers’ Center for Human Rights, Greenville & Jackson, MS Jan. 2008

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 with workers’ center now affiliated with the National Day Laborer Organizing Network. Formed and co-led multiracial coalitions addressing national, state, and local issues. Trained and supervised 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 “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 healthcare failures. Supervised hotline volunteers offering counsel on healthcare rights and options. Composed press releases, health policy updates, action alerts, and syndicated media column.

SERVICE & LEADERSHIP

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 (co-curator)

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

Member, LPE Collective (née Association for the Promotion of Political Economy and the Law & ClassCrits) (2021–Present)

Member, Law and Society Association (2019–Present)

Institutional Service

Brooklyn Law School

Faculty Advisor, Women of Color Alliance (2023–Present)

Committees: Workshops (2023–2024); Accommodations Committee (2022–2023; Spring 2024); Curriculum Committee (2022–2023; Spring 2025)

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

Academic Careers Program Scholarship Clinic Commentator (2024)

Lawyering Curriculum Committees on Race, Bias, and Justice (2020–2021); Interpreting Facts (2020–2021); Oral Argument (2018–2020)

Screening Committee, NYC Bar Diversity Fellowship (2019)

Professional & Community Service

American Bar Association Labor & Employment Law Section (2011–2018; 2021–2022; 2024–Present)

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

Member, ABA L&EL Ethics Subcommittee (2014–2015)

National Employment Lawyers' Association & NELA-NY (2013–Present)
NELA-NY Gender Discrimination Committee (2014–Present)

Asian American Bar Association of New York (AABANY)
Co-Chair, Academic Committee (2023–2024)

New York City Bar Association
Member, Civil Rights Committee (2019–2021; 2022–2024)
Member, Council on the Profession Subcommittee on the Bar Exam (2022–2023)
Member, Sex & Law Committee (2015–2020)
Member, Professional Ethics Committee (2014–2015)

Adhikaar for Human Rights & Social Justice
Board Member (2014–2020); Executive Director Search Committee

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

PRIOR PROFESSIONAL GRANTS & AWARDS

- Skadden Foundation Research Scholar (2018)
- Adhikaar for Human Rights Spring for Justice Award (2013)
- Empire State Counsel Honoree for Significant Pro Bono Service (2013)

BAR ADMISSIONS

New York; Southern District of New York; Eastern District of New York

LANGUAGES

Spanish (legal representation level); Cantonese (conversant)