

# SHIRLEY LIN

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## ACADEMIC APPOINTMENTS

### **Elisabeth Haub School of Law, White Plains, NY**

*Assistant Professor of Law* 2021–Present  
Courses: Employment Discrimination; Employment Law; Contracts; Corporations;  
Civil Rights; Critical Race Theory

### **New York University School of Law, New York, NY**

*Acting Assistant Professor* 2018–2021  
Courses: Lawyering; Legal Professional Practicum

### **City University of New York School of Law, New York, NY**

*Adjunct Professor* Fall 2019  
Course: Employment Law

## CLERKSHIP

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

## PUBLICATIONS & WORKS IN PROGRESS

### **Articles**

*Mass Accommodations* (in progress).

*Work Law as Privatized Public Law* (in progress).

*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 (peer reviewed).

*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.) (peer reviewed).
- Previewed in Lawrence Solum, LEGAL THEORY BLOG, Jan. 14, 2020.

*“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 (Wolters Kluwer 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 (FDU Press 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).

## **Selected Commentary**

*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).

*Aimee Stephens and Challenging Our Legal Discourse about Sex*, HUM. RTS. AT HOME BLOG, May 17, 2020 (discussed in SCOTUSblog, May 18, 2020).

## **EDUCATION**

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

Haywood Burns Fellow in Civil Rights & Human Rights, 2007–2010

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

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

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

### **Dartmouth College — B.A. *cum laude* in Spanish & Women’s Studies (dual major), 2002**

Hannah T. Croasdale Award for Advancing Women’s Rights, 2002

Arthur J. Cohen ’37 Memorial Scholarship, 1999–2002

Dartmouth College Fund Scholarship, 2001–2002

Pan Asian Council Leadership Award, 2002

Co-Founder, Women of Color Collective

## **LEGAL 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. Served as pro bono co-counsel in impact litigation with the Transgender Legal Defense & Education Fund, A Better Balance, and the Legal Aid Society Employment Law Unit.

- 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. Served as co-counsel in civil anti-trafficking and FLSA collective action in *David v. Signal International, LLC* and as 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 co-authoring 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*
- 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*

### PRESENTATIONS

#### *Work Law as Privatized Public Law*

- July 9–11, 2022, Conference of the Society for the Advancement of Socio-Economics (SASE) (Amsterdam).
- Oct. 15, 2021, Colloquium on Scholarship in Employment and Labor Law, Vanderbilt Law School, *Rethinking Work Law*.
- Oct. 8, 2021, LatCrit 2021, University of Denver Sturm College of Law, *Critical Jurisprudence*.
- July 28, 2021, Lawyering Scholarship Colloquium, NYU School of Law.

*CRT: Racial Triangulation and Asian Americans*, Apr. 26, 2022, Pace Law Asian American Law Students Association.

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

#### *Mass Accommodations*

- Mar. 25, 2022, Jacobus tenBroek Disability Law Symposium, Closing Plenary, “A Broader Role for the ADA in a Post-Pandemic World”

*Bargaining for Integration*

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

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

“*Teaching Race,*” Sept. 22, 2021, Faculty Development Workshop, Elisabeth Haub School of Law.

*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.*

*Feminist Legal Theory Summer Series Workshop, Moderator, July 8, 2020, U.S. Feminist Judgments Project.*

*Dehumanization “Because of Sex”*

- Jan. 3, 2020, AALS Annual Meeting, New Voices in Sexual Orientation and Gender Identity Issues (Washington, D.C.) (peer reviewed).
- October 11, 2019, Colloquium on Scholarship in Employment and Labor Law (Las Vegas, NV).
- May 31, 2019, Law and Society Association 2019 Annual Meeting (Washington, D.C.).
- Mar. 23, 2019, 4th Annual National People of Color Legal Scholarship Conference, American University Washington College of Law (Washington, D.C.).
- 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.
- Jan. 24, 2019, Lawyering Scholarship Colloquium, NYU School of Law.

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

*Bringing Our Full Selves to Work, April 3, 2019, NYU School of Law, APALSA Policy Luncheon.*

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

*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).*

*“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.

Guest Lecturer, Labor Law, CUNY School of Law, Nov. 2015.

*Gender Pay Disparities: Enforcement, Litigation and Remedies*, Moderator, May 15, 2015, National Employment Lawyers Association–NY Spring Conference (New York, NY).

*Addressing the Hurdles to Family-Friendly Work Environments: Pregnancy Discrimination*, May 1, 2015, NYCLA Women in Law (New York, NY).

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

*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).

*Using Publicity and Press: Ethical and Tactical Issues*, May 9, 2014, National Employment Lawyers Association–NY Spring Conference (New York, NY).

*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).

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

### **SELECT MEDIA APPEARANCES**

N.Y. TIMES; N.Y. Times City Room Blog, BNA WORKPLACE LAW REPORT, N.Y.L.J., BOSTON GLOBE, N.Y. DAILY NEWS, NEWSDAY, EL DIARIO/LA PRENSA, NY1, NY1 Noticias

### **Recent Commentary**

- *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.
- *Top Court Ruling on LGBT Workers Will Reverberate in States*, Bloomberg Law, June 16, 2020.
- *Companies Can Support Protesting Workers, But Fire Them Also*, Bloomberg Law, June 3, 2020.
- *Trump Health-Worker Religious Rule Is Tossed by Federal Judge*, Bloomberg Law, Nov. 6, 2019.
- *Facebook Job Ad Bias Claims Would Be Tough to Prove, Lawyers Say*, Bloomberg Law, Oct. 2, 2019.
- *Federal Arbitration Law Poses Barrier to #MeToo Era State Laws*, Bloomberg Law, Aug. 6, 2019.
- *Franchisers Ask EEOC for Anti-Harassment Guidance Post #MeToo*, Bloomberg Law, Mar. 22, 2019.

## PROFESSIONAL SERVICE & LEADERSHIP

Executive Board Member, Association of American Law Schools (AALS) Section on Labor Relations and Employment Law (2022–Present)  
Society for the Advancement of Socio-Economics, Member (2022–Present)  
Elisabeth Haub School of Law  
Member, Professional Development Committee (2021–Present)  
Member, Environmental Law Committee, Sustainable Business Initiative (2021–Present)  
Member, Advisory Board, Sustainable Business Law Hub (2021–Present)  
NYU School of Law  
Member, Lawyering Curriculum Race, Bias, and Justice Committee (2020–2021)  
Member, Lawyering Curriculum Committees on Interpreting Facts (2020–2021) & Oral Argument (2018-2020)  
Member, Screening Committee, NYC Bar Diversity Fellowship (2019)  
Skadden Fellowship Volunteer Advisor/Mock Interviewer (2013–Present)  
Co-Editor, HUMAN RIGHTS AT HOME BLOG (2020–Present)  
Association for the Promotion of Political Economy and the Law (APPEAL)  
Law and Society Association Collaborative Research Networks: Labor Rights; Feminist Legal Theory  
American Bar Association Labor & Employment Law Section (2011–2018, 2021–Present)  
Member, ABA L&EL Trial & Appellate Advocacy Subcommittee (2015–2018)  
New York City Bar Association  
Member, Civil Rights Committee (2019–2021)  
Member, Sex & Law Committee (2015–2020)  
Member, Professional Ethics Committee (2014–2015)  
Adhikaar for Human Rights & Social Justice  
Board Member (2014–2020); Board Secretary (2014–2016)

## PRIOR EXPERIENCE

**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, talking points, 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 federal 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 coordinated multiracial coalitions. 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 pursuing wage claims in small claims court *pro se*. 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 primary campaign. Identified Medicare and Medicaid beneficiaries to provide testimony to policymakers and journalists 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 column.

### **BAR ADMISSIONS**

New York; New Jersey

### **LANGUAGES**

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