

LEORA F. EISENSTADT, J.D., L.L.M.

Assistant Professor
Fox School of Business
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CURRENT POSITION

FOX SCHOOL OF BUSINESS, TEMPLE UNIVERSITY, Philadelphia, Pennsylvania

Assistant Professor, July 2013 – Present

Teaching: Honors Legal Environment of Business; Legal Environment of Business; Pre-law Internship Seminar; Legal and Policy issues in the Workplace; Mini-MBA Program. Teaching at Temple University's Beasley School of Law included: Advanced Employment Discrimination Law; Legal Research and Writing.

EDUCATION

TEMPLE UNIVERSITY BEASLEY SCHOOL OF LAW, Philadelphia, Pennsylvania

L.L.M. – Legal Education, May 2013

Teaching: Employment Discrimination, Torts, Family Law, Legal Writing

NEW YORK UNIVERSITY SCHOOL OF LAW, New York, New York

J.D., *cum laude*, May 2005

Journal: *Journal of International Law & Politics*, Staff Editor, 2002-2003

Activities: *Research Assistant* to Professor Sylvia Law, Summer 2005

Law Women, Co-Chair, 2002-2003

Uncontested Divorce Project, Participant 2001-2002

NYCLU - Reproductive Rights Project, Intern, Spring 2002

TEL AVIV UNIVERSITY, Tel Aviv, Israel

Fulbright Scholar, 2003-2004

Research: Israeli equal employment opportunity laws; Jewish laws on women; Sociology in Israel.

Completed a paper on conceptions of sex equality in Israeli employment laws.

YALE UNIVERSITY, New Haven, Connecticut

B.A. in History, *cum laude*, May 1999

Senior Thesis: *Mama, Nona, Madonna: The Role of the Female in the Religion of First Generation Italian Americans*

Honors: Honors in History Major; Phi Alpha Theta Honors Society; Mellon Research Fellowship

HONORS AND AWARDS

Distinguished Proceedings Award (2017)

Academy of Legal Studies in Business Annual Conference – Savannah, GA
Presented to the top five papers submitted to the conference.

Jackson Lewis Outstanding Employment Law Paper Award (2017)

Academy of Legal Studies in Business Annual Conference – Savannah, GA
Presented to the top paper on Employment Law.

PUBLICATIONS

Suppressed Anger, Retaliation Doctrine, and Workplace Culture, UNIVERSITY OF PENNSYLVANIA JOURNAL OF BUSINESS LAW (forthcoming) (with Deanna Geddes)

Intent and Liability in Employment Discrimination, 53 AMERICAN BUSINESS LAW JOURNAL (ABLJ) 607 (2016)
(with Jeffrey Boles)

Fluid Identity Discrimination, 52 AMERICAN BUSINESS LAW JOURNAL (ABLJ) 789 (2015)

Causation in Context, 36 BERKELEY J. EMP. & LAB. L. 1 (2015).

The N-Word at Work: Contextualizing Language in the Workplace, 33 BERKELEY J. EMP. & LAB. L. 299 (2012)

Privileged but Equal? A Comparison of U.S. and Israeli Notions of Sex Equality in Employment Law, 40 VAND. J. TRANSNAT'L L. 357 (2007)

Separation of Church and Hospital: Strategies to Protect Pro-Choice Physicians in Religiously-Affiliated Hospitals, 15 YALE J.L. & FEMINISM 135 (2003)

The Ever-Expanding World of Retaliation: The Supreme Court Continues the Trend, BNA DAILY LABOR REPORT (June 2011) (with Alan D. Berkowitz)

Managing Workplace Conflict: Violence in the Workplace – Part II, BLOOMBERG LAW REPORTS – LABOR & EMPLOYMENT, Vol. 5, No. 26 (2011) (with Vernon Francis, et. al.)

WORKS IN PROGRESS

Whistleblowers Need Not Apply: Legal Reform for Whistleblower Job Applicants (with Jennifer Pacella, Zicklin School of Business, Baruch College)

Religious Protection as the Gateway for Fluid Identity in the Law, FORDHAM L. REV. (forthcoming)

Employer or Big Brother? The Interaction Between Data Analytics and Existing Common Law and Statutory Protections for Employees, for Fifteenth International Conference In Commemoration Of Professor Marco Biagi, Modena, Italy (March 2018)

PRESENTATIONS

Whistleblowers Need Not Apply: Legal Reform for Whistleblower Job Applicants

Academy of Legal Studies in Business Annual Conference

Savannah, Georgia

(August 2017)

Suppressed Anger, Retaliation Doctrine, and Workplace Culture

Academy of Legal Studies in Business Annual Conference (Refereed Proceedings)

Savannah, Georgia

(August 2017)

Incentivizing Suppression: Retaliation Doctrine's Negative Impact on Expressions of Workplace Anger

LeBow College of Business, Drexel University

(May 2016)

Incentivizing Suppression

Mid-Atlantic Academy of Legal Studies in Business Conference

New York, NY

(April 2016)

Intent-Based Liability: Criminal Law as a Model for Reimagining Remedies in Employment Discrimination Cases

Colloquium on Scholarship in Employment and Labor Law

Indiana University Maurer School of Law & Kelley School of Business

(September 2015)

Fluid Identity Discrimination

Academy of Legal Studies in Business Annual Conference (Refereed Proceedings)

Philadelphia, Pennsylvania

(August 2015)

Intent-Based Liability: Criminal Law as a Model for Reimagining Remedies in Employment Discrimination Cases

Academy of Legal Studies in Business Annual Conference (Development Track)

Philadelphia, Pennsylvania

(August 2015)

What the Business Law Professor Needs to Know About Pre-Law Advising

Academy of Legal Studies in Business Annual Conference (Panel)

Philadelphia, Pennsylvania

(August 2015)

Employment Law Panel: Topics in Labor and Discrimination

Academy of Legal Studies in Business Annual Conference (Chair)

Philadelphia, Pennsylvania

(August 2015)

Developments in Workplace Law

Mini-MBA for Lawyers (Temple University Fox School of Business & Beasley School of Law)

(April 2015)

Fluid Identity Discrimination

Title VII: Fifty Years Later Colloquium - Selected Scholar

Ross School of Business at the University of Michigan

Ann Arbor, Michigan

(October 2014)

Blurred Lines and Fluid Identities: Rethinking Race and Sex under Title VII

American Business Law Journal Invited Scholars Colloquium - Invited Scholar/Presenter

Seattle, Washington

(August 2014)

Putting Causation in Context

Academy of Legal Studies in Business Annual Conference (Refereed Proceedings)

Seattle, Washington

(August 2014)

Identity Discrimination

Eighth Annual Colloquium on Current Scholarship in Labor and Employment Law, University of

Nevada, Las Vegas- William S. Boyd School of Law

(September 2013)

The N-Word at Work: Contextualizing Language in the Workplace

Mid Atlantic Law and Society Association Conference, Earle Mack School of Law of Drexel University

(October 2012)

MEDIA PIECES

Risk of employer retaliation must be removed for workers who claim discrimination, Newsworks.org (June 23, 2017)

Anger in the workplace will grow without change in the law, San Francisco Chronicle (June 22, 2017)

Employment Laws Slow to Catch Up to Society's Perception of Fluid Identity, Temple 10-Q (March 25, 2016)

Sexual Harassment and Retaliation, Concurring Opinions (August 30, 2012)

Is "Racial Balance" Always Discriminatory?, Concurring Opinions (August 23, 2012)

The Parenting Debate, Concurring Opinions (August 9, 2012)

Identity, Language, and Discrimination, Concurring Opinions (August 6, 2012)

PROFESSIONAL SERVICE

President, Academy of Legal Studies in Business, Labor and Employment Section (2016-2017)
Vice President, Academy of Legal Studies in Business, Labor and Employment Section (2015-2016)
Secretary, Academy of Legal Studies in Business, Labor and Employment Section (2014-15)

American Business Law Journal, Reviewer (2014 – present)

Atlantic Law Journal, Staff Editor (2014 – present)

Faculty Responsibility and Student Grievance Committee, Chair (2017 –present); Member (2015 - 2017)

Director, Law Scholars Program for Fox School of Business (2014 – present)

Faculty Senate Committee on the Status of Women, Member (2015 – present)

Fox School of Business Pre-Law Advisor (2014 – 2017)

Core Course Coordinator, Legal Environment of Business Course (2015 - 2016)

Nominating Committee, Temple University Truman Scholarship (2014 – 2015)

Nominating Committee, Temple University Rhodes, Marshall, Fulbright, and Mitchell Scholarships (2015)

CLERKSHIP

HONORABLE R. BARCLAY SURRICK

UNITED STATES DISTRICT COURT, EASTERN DISTRICT OF PENNSYLVANIA, Philadelphia, Pennsylvania
Judicial Clerk for the Honorable R. Barclay Surrick (September 2005 – August 2007)

Drafted published and unpublished opinions on a variety of civil, criminal, federal and state law matters.

ACADEMIC/PROFESSIONAL EXPERIENCE

TEMPLE UNIVERSITY BEASLEY SCHOOL OF LAW, Philadelphia, Pennsylvania

Abraham L. Freedman Teaching Fellow, June 2011 – May 2013

Teaching: Legal Research and Writing (2011-2013); Advanced Employment Discrimination Law (Spring 2013); collaborations in Torts (Fall 2011), Employment Discrimination (Spring 2012), and Family Law: Theory, Policy, and Practice (Fall 2012). LLM in Legal Education (May 2013).

DECHERT LLP, Philadelphia, Pennsylvania

Associate, October 2007 – May 2011

Practice in the Labor and Employment group focusing on discrimination cases under Title VII, ADA, ADEA, FMLA, §1981; wage and hour class actions under FLSA and state laws; and advice on WARN Act and state laws. Additional practice representing educational institutions in Title IX litigation. Pro Bono practice included family court custody litigation, prisoner civil rights litigation, First Amendment litigation with ACLU of Philadelphia. Overall practice included depositions, trial preparation, brief-writing, discovery, and drafting employment, severance, and settlement agreements.

MORRISON & FOERSTER LLP, New York, New York

Summer Associate, 2003 and 2004 (offer extended)

Research and writing in securities litigation, criminal law, labor law, and corporate law.

NATIONAL WOMEN'S LAW CENTER, Washington, D.C.

Law Clerk - Employment and Health and Reproductive Rights Groups, June-August 2002

Researched amicus brief, drafted questions for Senate judicial confirmation hearings, drafted memoranda on reproductive rights.

FEDERAL DEFENDER DIVISION - THE LEGAL AID SOCIETY, E.D.N.Y., Brooklyn, New York

Legal Assistant, August 2000-June 2001

Represented clients at pre-sentence interviews, interviewed clients in correctional facilities, occupied second seat at trial.

CORO FELLOWS PROGRAM IN PUBLIC AFFAIRS, New York, New York

Coro Fellow, September 1999-June 2000

Eight field placements in politics, business, government, media, labor, and non-profit sectors.