

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

Associate Professor

Fox School of Business, Temple University  
1810 North 13th Street, Speakman Hall - 204D  
Philadelphia, PA 19122  
(215) 204-6672  
leora.eisenstadt@temple.edu

**CURRENT POSITION**

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**FOX SCHOOL OF BUSINESS, TEMPLE UNIVERSITY, Philadelphia, Pennsylvania**

*Research Assistant Professor*, July 2013 – July 2016

*Assistant Professor*, July 2016 – June 2020

*Associate Professor with Tenure*, July 2020 – Present

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

Awards & Honors: Fox School Award for Excellence in Policy Research (2019)  
Fox School Dean's Research Honor Roll (top 10 scholars in 2019)  
Ralph Hoeber Memorial Award for Outstanding ABLJ Article (2019)  
Academy of Legal Studies in Business Distinguished Proceedings Award (2019)  
Jackson Lewis Outstanding Employment Law Paper Award (2019)  
Best Conference Paper, Mid-Atlantic Academy of Legal Studies in Business (2018)  
Jackson Lewis Outstanding Employment Law Paper Award (2018)  
Academy of Legal Studies in Business Distinguished Proceedings Award (2017)  
Jackson Lewis Outstanding Employment Law Paper Award (2017)  
Dean's Teaching Fellow (2017-2019)

Grants & Funding: Fox School Young Scholars Interdisciplinary Award Funding (2018)

**EDUCATION**

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**TEMPLE UNIVERSITY BEASLEY SCHOOL OF LAW, Philadelphia, Pennsylvania**

L.L.M. – Legal Education, May 2013

Teaching/Collaborating: Employment Discrimination, Torts, Family Law, Legal Research & 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: Professor Sylvia Law, *Research Assistant* (Summer 2005)

Law Women, *Co-Chair* (2002-2003) & NYCLU - Reproductive Rights Project, *Intern* (2002)

**TEL AVIV UNIVERSITY, Tel Aviv, Israel**

*Fulbright U.S. Student Grant*, 2003-2004

Research: Israeli equal employment opportunity laws; Jewish law; Sociology. Published article on sex equality.

**YALE UNIVERSITY, New Haven, Connecticut**

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

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

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

## **PUBLICATIONS**

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### **Articles:**

- Whistleblowing in the Compliance Era*, forthcoming GEORGIA L. REV. (2020) (with Jeffrey Boles and Jennifer Pacella).
- Data Analytics and the Erosion of the Work/Non-Work Divide*, 56 AMERICAN BUSINESS LAW JOURNAL (ABLJ) 445 (2019).
- Whistleblowers Need Not Apply*, 55 AMERICAN BUSINESS LAW JOURNAL (ABLJ) 665 (2018) (with Jennifer Pacella).
- Enemy and Ally: Religion in Loving v. Virginia and Beyond*, 86 FORDHAM L. REV. 2659 (2018).
- Suppressed Anger, Retaliation Doctrine, and Workplace Culture*, 20 UNIVERSITY OF PENNSYLVANIA JOURNAL OF BUSINESS LAW 147 (2018) (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.)

### **Book Chapters:**

- Employer or Big Brother? Data Analytics and Incursions into Workers' Personal Lives* in PERFORMANCE APPRAISAL IN MODERN EMPLOYMENT RELATIONS: AN INTERDISCIPLINARY APPROACH (Tindara Addabbo et. al, eds.) (Palgrave Macmillan, 2019).
- Employment Law & Policy* (with Elizabeth Brown, et. al.), in LAW & PUBLIC POLICY (Kevin Fandl ed., 2018).

**WORKS IN PROGRESS**

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*#MeToo Bots and the AI Workplace*

*Sexual Harassment Claims and Corporate Board Diversity: An Empirical Study* (with Jeffrey Boles)

*NDAs and their Potential Stranglehold on Discrimination Claims*

*The “Minority Report” Workplace*

**PRESENTATIONS**

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*Data Analytics and the Erosion of the Work/Non-Work Divide*

The Wharton School, University of Pennsylvania  
Legal Studies and Business Ethics Series (Invited Guest Lecture)  
Philadelphia, PA  
(November 2019)

*Data Analytics and the Erosion of the Work/Non-Work Divide*

Academy of Legal Studies in Business Annual Conference (Jackson Lewis Award Winner, Distinguished Proceedings, and Ralph Hoeber Memorial Award Winner (Refereed Proceedings))  
Montreal, Canada  
(August 2019)

*When Compliance Exceeds Law* (with Jeffrey Boles and Jennifer Pacella)

Academy of Legal Studies in Business Annual Conference (Development Track)  
Montreal, Canada  
(August 2019)

*Scholarly Writing Workshop: How to Write and Place an Article* (Invited Panel)

Academy of Legal Studies in Business Annual Conference  
Montreal, Canada  
(August 2019)

*Experiential Learning and Business Law* (Invited Panel)

Academy of Legal Studies in Business Annual Conference  
Montreal, Canada  
(August 2019)

*Promoting Research to Increase Impact* (Invited Panel)

Academy of Legal Studies in Business Annual Conference  
Montreal, Canada  
(August 2019)

*When Compliance Exceeds Law* (with Jeffrey Boles)

ComplianceNet Conference on Business Ethics, Villanova University Charles Widger School of Law  
Villanova, PA  
(June 2019)

*Panels: Business Law Leadership through Innovative Majors and Programs; The Value of Legal Knowledge for Interdisciplinary Research in Business; Integrating Corporate Compliance into Business School Teaching, Research, and Programs*  
Summit on the Academic Profession of Business Law, University of Connecticut (Invited Panelist)  
Hartford, CT  
(May 2019)

*Data Analytics and the Erosion of the Work/Non-Work Divide*  
Department of Business Law and Ethics (Invited Talk)  
Kelley School of Business, Indiana University  
Bloomington, Indiana  
(October 2018)

*Whistleblowers Need Not Apply*  
Academy of Legal Studies in Business Annual Conference (Jackson Lewis Award Winner)  
Portland, Oregon  
(August 2018)

*Data Analytics and the Erosion of the Work/Non-Work Divide*  
Academy of Legal Studies in Business Annual Conference (Development Track)  
Portland, Oregon  
(August 2018)

*Future of Work 2.0: What Trends Will Shape the Future of Employment and the Law* Panel (Presentation on Employee Monitoring)  
Academy of Legal Studies in Business Annual Conference (Invited Panel)  
Portland, Oregon  
(August 2018)

*#MeToo Too: Employer Response to (Alleged) Off-Site Employee Sexual Misconduct*  
Academy of Legal Studies in Business Annual Conference (Invited Panel)  
Portland, Oregon  
(August 2018)

*Data Analytics and the Erosion of the Work/Non-Work Divide*  
XVI International Conference in commemoration of Prof. Marco Biagi (Selected Paper, Publication offer)  
Assessing Worker Performance in a Changing Technological and Societal Environment: An Interdisciplinary and Multifaceted Perspective  
Modena, Italy  
(March 2018)

*Data Analytics and the Erosion of the Work/Non-Work Divide*  
Huber Hurst Seminar, University of Florida (Selected Paper)  
Gainesville, Florida  
(February 2018)

*Religion in Loving v. Virginia*  
Fordham Law Review: Fifty Years of *Loving v. Virginia* and the Continued Pursuit of Racial Equality (Invited Panelist)  
New York, New York  
(November 2017)

*Whistleblowers Need Not Apply: Legal Reform for Whistleblower Job Applicants*  
Academy of Legal Studies in Business Annual Conference (Development Track)  
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 (Invited Talk)  
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  
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)

*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 (Selected Paper)  
Seattle, Washington  
(August 2014)

*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**

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*Our work-from-home world is proving more job flexibility is possible*, Chicago Tribune (May 8, 2020)

*A Diverse and Inclusive Culture Can Benefit Your Business and the Local Economy*, CEOReport.com (February 27, 2019)  
(with William Bunting)

*Spotlight: When victims of harassment fall victim to the legal system: Interview with Leora Eisenstadt & Deanna Geddes*, Scholastica (June 8, 2018)

*Why victims of harassment don't speak up — the law protects harassers*, San Francisco Chronicle (December 19, 2017)

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

*Anger in the workplace will grow without change in the law*, San Francisco Chronicle (June 21, 2017) (with Deanna Geddes)

*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)

*Context is Everything*, Concurring Opinions (August 2, 2012)

## **TEACHING**

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### Fox School of Business:

- 2019-2020 Term: Legal and Policy Issues in the Workplace (Online); Legal and Policy Issues in the Workplace (Hybrid); Pre-law Internship and Seminar
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- 2018-2019 Term: Legal and Policy Issues in the Workplace (Online); Legal and Policy Issues in the Workplace (Hybrid); Pre-law Internship and Seminar
- 2017- 2018 Term: Honors Legal Environment of Business; Legal and Policy Issues in the Workplace; Pre-law Internship and Seminar
- 2016- 2017 Term: Legal and Policy Issues in the Workplace (created course); Pre-law Internship and Seminar
- 2015-2016 Term: Honors Legal Environment of Business; Pre-law Internship and Seminar (created course)
- 2014-2015 Term: Honors Legal Environment of Business; Legal Environment of Business (multiple sections)
- 2013-2014 Term: Honors Legal Environment of Business; Legal Environment of Business (multiple sections)

### Beasley School of Law:

- 2012-2013 Term: Legal Research & Writing; Advanced Employment Discrimination (created course); Family Law (collaboration)
- 2011-2012 Term: Legal Research & Writing; Torts (collaboration); Employment Discrimination (collaboration)

## **PROFESSIONAL SERVICE**

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### National and Regional:

#### Academy of Legal Studies in Business, Labor and Employment Section

- *President* (2016-2017)
- *Vice President* (2015-2016)
- *Secretary* (2014-2015)

#### Mid-Atlantic Academy of Legal Studies in Business

- *Treasurer* (2018 – 2019)

#### American Business Law Journal

- *Reviewer* (2014 – present)

#### Atlantic Law Journal

- *Staff Editor* (2014 – present)

#### Signs Journal

- *Ad hoc Reviewer* (2016)

Temple University:

International Labor Organization Centennial Planning Committee (2018-2019)

- *Organizer of Centennial Event* (speakers included Senator Bob Casey and Mayor Jim Kenney)
- *Panel Moderator* (Discrimination and Inequality in the Future of Work Panel)

Faculty Senate Committee on the Status of Women

- *Member* (2015 – 2018)

University Nominating Committees

- *Member*, Truman Scholarship (2014 – 2015)
- *Member*, Rhodes, Marshall, and Mitchell Scholarships (2015)
- *Member*, Fulbright Scholarship (2019)

Fox School of Business:

Faculty Responsibility and Student Grievance Committee

- *Chair* (2017 – 2018)
- *Member* (2015 - 2017)

Executive DBA Dissertation Committees

- *External Reader* for two candidates (Spring 2018)
- *Mentor* for Jodi Detjen, DBA Candidate 2021 (2019 - present)

Undergraduate Programs Committee

- *Member* (Fall 2017)

Fox School *Pre-Law Advisor* (2014 – 2017)

Law Scholars *Program Director* (2014 – present)

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

AACSB Peer Review Team (February 2015)

Department of Legal Studies:

Co-chair, Compliance Minor Proposal Committee (2018-19)

Organizer and Moderator, Law Week Events:

- Same Sex Marriage in Pennsylvania: (February 2014)
- Uber and the Sharing Economy: Law, Ethics, and Policy (February 2016)
- #MeToo: Sexual Harassment, Workplace Culture, and the Law (February 2018)
- Career Possibilities with a Legal Education (March 2018)

Committee Member, Academic Journal Selection Committee (2017-18)

**CLERKSHIP**

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**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**

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**TEMPLE UNIVERSITY BEASLEY SCHOOL OF LAW**, Philadelphia, Pennsylvania

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

Teaching: Legal Research and Writing; Advanced Employment Discrimination Law; collaborations in Torts, Employment Discrimination, Family Law. 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, and 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 Group / Health and Reproductive Rights Group, 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, 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.