

GILLIAN LESTER

COLUMBIA LAW SCHOOL
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EMPLOYMENT

- 2015- **Columbia Law School**
Alphonse Fletcher, Jr. Professor of Law
Dean and Lucy G. Moses Professor of Law, 2015-2024
Columbia University Nicholas Murray Butler Medal, for distinguished contributions in academic administration, 2022
Harlan Fiske Stone Society Award, for leadership in annual giving, volunteerism, civic engagement, and contributions to and achievements within the legal profession, 2024
- 2006-2014 **Berkeley Law School**
Interim Dean, 2012-14
Alexander F. & May T. Morrison Professor of Law
Werner and Mimi Wolfen Research Professor
Associate Dean for J.D. Program and Curricular Planning, 2010-13
Director, Berkeley Center for Health, Economic and Family Security, 2010-12
- 1994-2006 **UCLA School of Law**
Professor of Law, 1999-2006
Associate Professor of Law, 1994-99
- Visiting professorships**
Harvard (2008-09); Berkeley (2004-05); Georgetown (2000)
- Courses taught**
Contracts, Employment, Employment Policy, Comparative Law & Social Policy
- 1990-91 **Supreme Court of Ontario, Court of Appeal**
Clerk to Chief Justice Charles Dubin and Justices Marvin Catzman and Louise Arbour
- 1986-87 **University of British Columbia**
Laboratory Technician, Dept. Psychology/Biopsychology

EDUCATION

- J.S.D. 1998 **Stanford Law School**
Grey Fellow
Laidlaw Foundation Fellowship

Social Sciences & Humanities Research Council of Canada Doctoral Fellowship
Queen Elizabeth II British Columbia Centennial Scholarship, for “highest all-round
contribution to academic life in British Columbia”

- LL.B. 1990 **University of Toronto, Faculty of Law**
Dean's List, 1990
Editor-in-Chief, U. T. FACULTY OF LAW REVIEW
Judy LaMarsh Prize
Osler, Hoskin & Harcourt Prize
J.S.D. Tory Foundation Award
Samuel and Clara Shime Prize in Law and Medicine
- B.Sc. 1986 **University of British Columbia, Department of Psychology**
Faculty of Science Dean's List, First in class
Morris Belkin Prize
British Columbia Post-Secondary Scholarship

PROFESSIONAL ASSOCIATIONS & SERVICE

- American Academy of Arts & Sciences (elected 2021)
Law section new member selection committee, 2021-23
- American Bar Association (elected 2014)
Planning Committee, Section on Legal Education and Admissions to the Bar, Law School
Development Conference, San Diego, 2016
- American Law Institute (elected 2014)
Advisor, Restatement 3d Employment Law, 2002-14
- Association of American Law Schools
Executive Committee 2018-21
Deans' Steering Committee 2018-21
Nominating Committee for AALS President-Elect and Executive Committee 2017, 2021
Planning Committee for Annual Meeting Workshop on Work, Workers and the Law in the 21st
Century, 1999
- Knight First Amendment Institute, Board of Directors, 2017-24
- Legal Aid Society of New York, Board of Directors, 2014-24
- New York City Bar Task Force on Civic Education, 2022-23
- State of New York Independent Review Committee for Nominations to the Commission on Ethics and
Lobbying in Government (appointed by Governor Hochul), 2022-24

New York State Bar Association Special Committee to Examine the Selection of Judges for the Court of Appeals, 2023-24

New York State Bar Association Task Force on Advancing Diversity (Co-chair, Academia Group), 2023

Columbia University

Co-Chair, Middle States Accreditation Review Working Group on Ethics and Integrity, 2023-24

University Executive Compliance Committee, 2023-

University Affirmative Action Task Force, 2023

Convenor/Chair, Education Working Group 2020-22 (Campus COVID-19 crisis response team)

Chair, University Senate Appeals Board, 2018-21

Dean Search Committee, School of International and Public Affairs, 2021-22

Dean Search Committee, Columbia Business School 2018-19

University Senate Appeals Board 2017-18

UCLA

U.C. Chancellor Review Committee, 2003

Council of Faculty Chairs, 1999-00, 2003-04, 2004-05

Chair, Vice-Chancellor's Workgroup on Sexual Harassment Policy & Procedure, 1999-00

Academic Senate, 1998-00

Decanal Search Committee, 1997-98

Other Service, Memberships & Recognitions

External Review Committees:

University of Michigan Law School, 2024

Vanderbilt Law School Decanal Review, 2023

University of British Columbia Law School, 2014

University of Colorado Law School, 2014

Higher Education Power 50, City and State, 2019, 2020

Women's Forum of New York, 2017-20

Mentor, 92nd Street Y Women in Power Fellowship Program for Rising Leaders, 2016-20

Executive Board, International Society for Labour Law & Social Security, 2014-16

Advisory Committee, Labour Law Research Network, 2011-

National Advisory Board, Hofstra Labor & Employment Law Journal, 2004-06

Member, City of Los Angeles Special Committee on Investigative Oversight, 2003-05

Consultant on Health Legislation, World Health Organization, 1993-94

PUBLICATIONS

Books

OXFORD HANDBOOK OF THE LAW OF WORK (Oxford U. Press, 2024) (with Guy Davidov and Brian Langille).

EMPLOYMENT LAW CASES AND MATERIALS, SEVENTH ED. (LexisNexis, 2022) (with Steven L. Willborn, Stewart J. Schwab & John F. Burton, Jr.), plus teacher's manual and statutory supplement

_____, SIXTH ED (2017)

_____, FIFTH ED (2012)

_____, FOURTH EDITION (2007)

PHILOSOPHICAL FOUNDATIONS OF LABOUR LAW, (Oxford U. Press, 2018) (with Hugh Collins & Virginia Mantouvalou)

FAMILY SECURITY INSURANCE: A NEW FOUNDATION FOR ECONOMIC SECURITY. Policy Platform (171 pp.). Workplace Flexibility 2010 and Berkeley Center for Health, Economic and Family Security (December 2010)

EMPLOYMENT LAW (Foundation Press, 2008) (with Samuel Estreicher)

EMPLOYMENT LAW STORIES (Foundation Press, 2006) (with Samuel Estreicher)

JUMPING THE QUEUE: AN INQUIRY INTO THE LEGAL TREATMENT OF STUDENTS WITH LEARNING DISABILITIES (Harvard University Press, 1997) (with Mark Kelman)

- Excerpted as a chapter in LEFT LEGALISM / LEFT CRITIQUE (W.B. Brown & J. Halley, eds., Duke University Press, 2002)

Articles and Chapters

Introduction, in Guy Davidov, Brian Langille, and Gillian Lester (eds.), OXFORD HANDBOOK OF THE LAW OF WORK pp. xv-xxv (Oxford U. Press, 2024)

Richard Gardner: Scholar, Statesman, Columbian, 57 COLUM. J. TRANSNAT'L L. 462 (2019)

Introduction: Does Labour Law Need Philosophical Foundations? in Hugh Collins, Gillian Lester and Virginia Mantouvalou (eds.), PHILOSOPHICAL FOUNDATIONS OF LABOUR LAW (Oxford U. Press, 2018)

Age Discrimination and Labour Law in the United States, in Mia Ronnmar & Ann Numhauser-Henning (eds.), AGE DISCRIMINATION AND LABOUR LAW: COMPARATIVE AND CONCEPTUAL PERSPECTIVES IN THE EU AND BEYOND (Kluwer Law International, 2015)

"Keep Government Out of My Medicare": The Search for Popular Support of Taxes and Social Spending, in Michael Sherraden and Marion Crain (eds.), WORKING AND LIVING IN THE SHADOW OF ECONOMIC FRAGILITY (Oxford U. Press, 2013)

Beyond Collective Bargaining: Modern Unions and Social Solidarity, in Brian Langille and Guy Davidov (eds.), THE IDEA OF LABOR LAW, pp. 329-343 (Cambridge University Press, 2011)

Can Joe the Plumber Support Redistribution? Law, Social Preferences, and Sustainable Policy Design, 64, TAX LAW REVIEW, pp. 313-375 (2011)

Choice of Law and Employee Restrictive Covenants: An American Perspective, 30, COMPARATIVE LABOR LAW & POLICY JOURNAL, pp. 389-423 (2010)

The Aging Workforce and Paid Time Off, in DISABILITY AND AGING DISCRIMINATION: PERSPECTIVES IN LAW AND PSYCHOLOGY pp. 71-91 (Richard L. Wiener & Steven L. Willborn, eds., 2010)

La Baja Retribuida en Los Estados Unidos y el Modelo Californiado (Paid Family Leave in the United States and the California Model), in MEDIDA DE CONCILIACION DE LA VIDA PERSONAL, LABORAL Y FAMILIAR: HACIA UN RESPETO IGUALITARIO DE LAS REFORMAS PARENTALES, pp. 87-114 (M. Cardona Rubert, ed., 2009)

A Defense of Paid Family Leave, 28, HARVARD JOURNAL OF LAW & GENDER, pp. 1-83(2005)

- Reprinted in LEFCOURT, WOMEN AND THE LAW (West Group, 2005)
- Excerpted in BOWMAN, ET AL, FEMINIST JURISPRUDENCE: CASES AND MATERIALS, 3D ED. (West, 2006), and 4TH ED. (2011)

Unemployment Insurance and Wealth Redistribution, 49, UCLA LAW REVIEW, pp. 335-393 (2001)

- Excerpted in WILLBORN, ET AL., EMPLOYMENT LAW: CASES AND MATERIALS, THIRD ED. (Matthew Bender & Co., 2002), and WILLBORN ET AL., FOURTH ED. (2007)

Restrictive Covenants, Employee Training, and the Limits of Transaction-Cost Analysis, 76, INDIANA LAW JOURNAL, pp. 49-76 (2001)

- Excerpted in LEAVELL ET AL., EQUITABLE REMEDIES, RESTITUTION AND DAMAGES, 7TH ED. (West Group, 2005)
- Excerpted in CARLSON, EMPLOYMENT LAW, pp. 847-50 (Aspen, 2005)

Careers and Contingency, 51, STANFORD LAW REVIEW, pp. 73-145 (1998)

- Reprinted in GLOBAL COMPETITION AND THE AMERICAN EMPLOYMENT LANDSCAPE—AS WE ENTER THE 21ST CENTURY: PROCEEDINGS OF NEW YORK UNIVERSITY 52D ANNUAL CONFERENCE ON LABOR, pp. 105-83 (S. Estreicher, ed., Kluwer Legal Publishers, 2000)

Equality in Employment, in LABOUR AND EMPLOYMENT LAW: CASES, MATERIALS AND COMMENTARY, SIXTH EDITION (Industrial Relations Centre Press, Queen's University, 1998) (with David Beatty)

State Disparities in the Diagnosis and Placement of Pupils with Learning Disabilities, 30, JOURNAL OF LEARNING DISABILITIES, pp. 599-607 (1997) (with Mark Kelman)

The International Code of Marketing of Breast-Milk Substitutes: Survey of Legislation and Other Measures Adopted (1981 - 1991), World Health Organization Document WHO/HLE/NUT/92.1 (English, French, Spanish) (1992)

Toward the Feminization of Collective Bargaining Law, 36, MCGILL LAW JOURNAL, pp. 1181-1221 (1991)

The Regulation of Foreign Banks in Canada: Milelli Marks a Decade of Ambiguity, 17, CANADIAN BUSINESS LAW JOURNAL, pp. 430-454 (1991)

Other Publications

Incentives, Investment, and Legal Protection of Trade Secrets (with Eric L. Talley) (2000)
USC Law School, Olin Research Paper No. 00-15; Georgetown Law and Economics Research Paper No. 246406. Working paper available at <http://ssrn.com/abstract=246406>

Which Students Are 'Special'? Federal Law Relies More on Politics than Civil Rights or Science, LEGAL TIMES (Editorial, April 20, 1998) (with Mark Kelman)

Beta-Endorphin Inhibits and Facilitates Lordosis Behaviour in Rats Depending on Ventricular Site of Administration, 31, NEUROPEPTIDES 517 (1997) (with B.B. Gorzalka, G.M. Heddema, and L.A. Hanson)

Effect of Novel and Familiar Mating Partners on the Duration of Sexual Receptivity in the Female Hamster, 49, BEHAVIOURAL & NEURAL BIOLOGY 398 (1988) (with Boris Gorzalka).

Oxytocin-Induced Facilitation of Lordosis Behaviour in Rats is Progesterone-Dependent, 10, NEUROPEPTIDES 55 (1987) (with Boris Gorzalka).

PRESENTATIONS

Panelist, *Fireside Chat with Women Leaders*, Chiefs in Intellectual Property (ChIPs) Network, New York, October 3, 2022

Panelist, *Leading the Change: The Potential and Power of Women in Law*, McGill Center for Human Rights and Legal Pluralism, New York, March 12, 2021

Panelist, *Equal in Law and Life: Tribute to Justice Ruth Bader Ginsburg*, UN Women, New York, Dec 10, 2020

Keynote Speaker, *The Evolving Role of the University in Civil Society*, Annual Goodman Lecture, University of Toronto Faculty of Law, Toronto, January 9, 2020

Keynote Speaker, *National Security and Civil Liberties*, West Point United States Military Academy, New York, November 12, 2019

Keynote Speaker, *Ushering in the Next Generation: What Can Law Student Culture Today Tell Us About the Legal Workforce of the Future?* Epstein Becker Green General Counsel Roundtable Event, New York, March 29, 2019

Panelist, #MeToo—The Courts, The Academy and Law Firms, AALS Annual Meeting, New Orleans, Jan 5, 2019

Plenary Speaker, Miami-Dade County Bar Association Annual Meeting, Feb. 10, 2017

Plenary Speaker, *An Industry Perspective on the Class of 2017*, National Association for Law Placement Annual Professional Development Conference, Washington D.C., Dec. 3, 2014

Age Discrimination Law in the United States, Age Discrimination and Labour Law Workshop, Faculty of Law, Lund University, Lund, Sweden, April 24-25, 2014

Paradoxical Preferences on Social Spending and Taxes: Implications for Regulatory Design, Chapman Dialog, Chapman School of Law, April 3, 2014

Supreme Court Round-Up, Practicing Law Institute Employment Law Update, San Francisco, Sept. 10, 2013

Work, Taxes, and the Social Safety Net, Work & Liveable Lives Interdisciplinary Conference, Washington University, February 26-27, 2012; University of Padua, Italy, March 8, 2013; Labor Law Research Network Conference, Barcelona, Spain, June 14-16, 2013

Commentator, Panel on The Economics of the Family (commented on *Mobility Measures*, by Naomi Schoenbaum), Law & Society Conference, June 3, 2011

Family Security Insurance: A New Foundation for Economic Security, Washington D.C. Press Club, U.S. Department of Labor, and The White House (Presentation of Policy Platform), December 2, 2010

Beyond Collective Bargaining: Modern Unions and Social Solidarity, Conference on The Idea of Labour Law, Cambridge, England, April 8-9, 2010

Income Redistribution Policies for Low-Wage Workers, Conference on Securing a Basic Income: Balancing Minimum Wage, Social Security and Welfare, Kobe University, Japan, January 23, 2010

Keynote Speaker, *Universal Work-Family Policies*, International Society for Labour and Social Security Law, XIX World Congress, Sydney, Australia, September 3, 2009; paper also presented at Radcliffe Institute for Advanced Study Conference on Gender and the Law, March 12-13, 2009

Commentator, Conference on the Free Market Mindset, Harvard Law School, March 7, 2009.

The Aging Workforce and the Formation of Social Preferences, University of Nebraska-Lincoln Conference on Aging and Disability: Perspectives in Law and Psychology, Nov. 10-12, 2008.

Can Joe the Plumber Support Redistribution?, U.S.C. Gould School of Law Faculty Workshop, April 18, 2008; University of Minnesota School of Law Public Law Workshop, February 5, 2009; University of Connecticut Law School Faculty Workshop; Yale Law School Workplace Theory and Policy Seminar, March 23, 2009; Harvard Law School Faculty Workshop, April 6, 2009; University of Tel Aviv Law School, May 20, 2010; University of Toronto Legal Theory Workshop, February 18, 2011; University of Chicago Faculty Workshop, March 8, 2011, University of Michigan Business School, November 2011, University of British Columbia School of Law, February 2012

Paid Family Leave in California, presentations at University of Valencia Faculty of Law, Conference on "Effectiveness in Family and Work Conciliation: Towards Egalitarian Respect of Parental Reforms,"

Valencia, Spain, November 15-16, 2007; and University of Pompeu Fabra Workshop on Public Policies and Gender, Barcelona Spain, April 25, 2008

Trade Secrets, Restrictive Covenants, and Choice of Laws, Berkeley Center for Law & Technology Conference on “Current Issues in Trade Secret Law,” Berkeley, October 13, 2006; International Assn. of Boalt Alumni Annual Meeting, Brussels, Belgium, June 9, 2007; Bar Association of San Francisco Labor & Employment Law Section, CLE Program, Nov. 24, 2007; Research Institute of Economy, Trade and Industry, Tokyo, Japan, July 15, 2008

Bringing Theory into an Employment Policy Seminar, Labor Law Group Meeting, Saratoga Springs, June 26, 2006

Paid Leave and Gender Equality, Bar Association of San Francisco Labor & Employment Law Section Annual Meeting, Yosemite, February 27, 2006

Keynote Speaker, Annual Supreme Court Round-Up, Bar Association of San Francisco Labor & Employment Law Section, July 26, 2005

Keynote Speaker, Berkeley Journal of Employment and Labor Law Annual Luncheon, April 16, 2005

Commentator, *The Autonomy Myth: A Theory of Dependency* (by Martha Fineman), presented at UCLA School of Law as joint event of the UCLA Globalization and Labor Standards Project, and UCLA Center for the Study of Women, February 28, 2005

Rapporteur (conference summary presentation), *Precarious Work, Women and the New Economy: The Challenge to Legal Norms*, Conference at the International Institute on the Sociology of Law, Oñati, Spain, June 30-July 3, 2004

A Defense of Paid Family Leave, Faculty Workshops at Washington U. School of Law, April 7, 2003; Duke Law School, April 22, 2003; Minnesota Law School, May 1, 2003; UCLA School of Law, September 29, 2004; U. Texas Law School, October 10, 2004; Cornell Law School, November 12, 2004, U. Virginia Law School, December 10, 2004; Boalt Hall Law School, February 8, 2005

Co-organizer, RAND Institute for Civil Justice / Los Angeles Law Schools Forum on Civil Justice, February 27, 2004

Panel Chair and Commentator, *The Unemployed, the Widowed, and the Crippled: Law and the Making of Twentieth-Century American Social Provision Policy* (papers by John Witt, Ariela Dubler and Deborah Malamud), American Society for Legal History, San Diego, November 7-8, 2002

Restrictions on Competition, Practising Law Institute Program on Corporate Raiding, San Francisco, April 25, 2001

Controversies in Implementing the Individuals with Disabilities Education Act, U. Michigan Law School, Symposium on Disability Rights and Education, November 3-4, 2000

Commentator, *Reasonable Accommodation of Workplace Disabilities* (by Stewart Schwab and Steven Willborn), U. Virginia Law School Conference on the Americans with Disabilities Act, April 7, 2000

Contractual Regulation of Workplace Opportunism: The Future of Restrictive Covenants, Indiana U. School of Law, Symposium on Regulating the Employment Relationship in the Twenty-first Century, Sept. 23, 1999

Unemployment Insurance and Wealth Redistribution, Presentations at UCLA School of Law, April 9, 2001; Cornell Law School, January 26, 2001; Georgetown U. Law Center, November 28, 2000; the Canadian Law & Economics Assn. Meeting, September 22-23, 2000; NYU School of Law, Oct. 5, 1999; Loyola (Los Angeles) Law School, Sept. 17, 1999; Quinnipiac Law School, April 19, 1999; USC Law School Olin Workshop, April 10, 1999

Underemployment and Path-Dependency, Association of American Law Schools Annual Meeting Workshop on Work, Workers and the Law in the 21st Century, Jan. 7, 1999

Commentator, *The Macrosociology of (Paid) Domestic Labor* (Ruth Milkman, Ellen Reese & Benita Roth), Center for the Study of Women Feminist Research Seminar, UCLA, April 6, 1996

Antidiscrimination Rights and Pedagogical Policy: An Empirical and Ethical Inquiry into the Legal Treatment of Students with Learning Disabilities, Workshops at UCLA School of Law, Dec. 2, 1994; UCLA Institute of Industrial Relations Seminar, June 5, 1995

Women and Union Organizing. Plenary commentary, Conference on Labor and Employment Law and Social Welfare Policy in International Perspective (organized jointly by Harvard and Northeastern Law Schools), Andover, Massachusetts, Oct. 14-17, 1994

Collective Bargaining Law: A More Relational Approach, Learned Societies Conference, Canadian Law and Society Association Section, Victoria, May 29 - June 1, 1990

The Oxytocin Fragment Prolyl-Leucyl-Glycinamide Facilitates Sexual Behaviour in the Female Rat, 18th Annual Meeting of the North American Society of Neuroscience, Toronto, Nov. 14-18, 1988 (with Boris Gorzalka and Kim Luck)

PERSONAL

Married to Eric Talley. Two children b. 2001, 2004