

DIANA S. REDDY

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EDUCATION

UNIVERSITY OF CALIFORNIA, BERKELEY, Berkeley, CA

Distinguished Fellow; Ph.D. Candidate in Jurisprudence and Social Policy, *expected May 2023*
Emphasis in Sociology of Law; and Law, Social Movements, and the Political Economy of
Work, with Distinction in Doctoral Preliminary Exam

Dissertation: *The Law and Social Movement Dialectic: Labor Unions, Cycles of Protest, and a
Critique of (Historically Specific) Rights*

Dissertation Committee: Lauren Edelman (dissertation chair), Catherine Fisk, David Grewal,
Rebecca Goldstein, Kim Voss

Teaching Experience: Undergraduate Research Apprenticeship Program—Work Law and
Social Movements; Sociology of Law (section)

NEW YORK UNIVERSITY SCHOOL OF LAW, New York, NY

J.D., *magna cum laude*, Order of the Coif, 2008

Root Tilden Kern Public Interest Scholar

Student Articles Development Editor, *NYU Review of Law and Social Change*

STANFORD UNIVERSITY, Stanford, CA

M.A., Sociology, emphasis in Social Stratification and Inequality, 2003

B.A., Cultural and Social Anthropology, with Distinction and Honors, Phi Beta Kappa, 2003

TEACHING AND RESEARCH INTERESTS

Primary: Labor Law; Employment Law; Welfare Law; Contracts; Property

Secondary: Employment Discrimination Law; Civil Rights; Work, Power, and Inequality
Seminar; Law and Political Economy; Law and Social Movements

ACADEMIC PUBLICATIONS

After the Law of Apolitical Economy: Reclaiming the Normative Stakes of Labor Unions, 132
YALE L.J. __ (job talk paper, forthcoming 2023).

Faced with a decimated membership base and a legitimacy crisis, labor movement organizations over the past decade have sought to re-assert the normative stakes of unionization. They have used what sociologists call “collective action frames” to emphasize the inherently intersectional role of labor unions in an unequal economy. Notwithstanding some successes, I argue that the American conversation about unions remains constrained by the legacy of past legal decisions. Within the post-New Deal constitutional framework, unions were categorized as engaging in commercial activity, rather than advancing inherently normative claims about justice at work. I refer to this move and the legal accommodations that followed as the “law of apolitical economy”— for its bifurcation of

economic concerns and socio-political ones. Synthesizing labor history, legal doctrine, sociological theory on social movements, and original empirical work, this Article traces the trajectory of the law of apolitical economy in courts, identifies its broader cultural reverberations, and shows how it still matters today.

“There Is No Such Thing as an Illegal Strike”: *Reconceptualizing the Strike in Law and Political Economy*, 130 YALE L.J.F. 421 (2021), <https://www.yalelawjournal.org/forum/there-is-no-such-thing-as-an-illegal-strike-reconceptualizing-the-strike-in-law-and-political-economy>.

Written in 2020, during the largest protests in American history, this Article analyzes jurisprudential line-drawing between labor strikes and social movement protest. In so doing, it highlights the law’s sui generis treatment of labor protest, and the complex reasons underlying it, while also speaking to the relationship between law, culture, and social change. Featured in JOTWELL: <https://worklaw.jotwell.com/striking-labor-laws-economic-political-divide/>.

Protection by Law, Repression by Law: Bringing Labor Back into Law and Social Movement Studies, 70 EMORY L.J. 63 (2020) (with Catherine L. Fisk), <https://scholarlycommons.law.emory.edu/elj/vol70/iss1/2/>.

Within the rich, interdisciplinary literature on law and social movements, most scholarship has focused on how the civil rights movement and other rights-based movements have mobilized law; less attention has been paid to the labor movement’s experience of being regulated by law. In this Article, we argue that re-focusing on the experiences of labor unions as regulated by law provides an important foil, which complicates many taken-for-granted ideas about how movements shape law, and law shapes movements, in turn.

Law Firms as Defendants: Family Responsibilities Discrimination in Legal Workplaces, 34 PEPP. L.REV. 393 (2007) (with Joan C. Williams, Stephanie Bornstein & Betsy A. Williams).

SELECTED SHORT-FORM PUBLICATIONS

Anti-CRT and a “Free Market” in Racial Education, LAW AND POLITICAL ECONOMY BLOG (December 8, 2021), <https://lpeproject.org/blog/anti-crt-and-a-free-market-in-racial-education/>.

Labor Bargaining and the Common Good, LAW AND POLITICAL ECONOMY BLOG (July 29, 2021), <https://lpeproject.org/blog/labor-bargaining-and-the-common-good/>.

SELECTED WORKS IN PROGRESS

The Irrational Organization: Labor Unions and Discrimination Law (data collection in progress).

Analyzes federal court decisions in cases alleging discrimination by *labor unions* as bargaining agents under Title VII of the Civil Rights Act, in order to study judicial treatment of labor unions, as well as how judges understand the relationship between discrimination, organizational form, and political economy.

Work as Liberation, Work as Exploitation: The Legal Framing of Work (data analysis in

progress).

Analyzes changing public discourse about work and how to regulate it as a function of social movement advocacy and legal mobilization, based on an original data set of newspaper articles about work from 1950-1980.

Interest vs. Conscience: Framing in the Contemporary American Labor Movement (experimental design in progress).

Leverages a survey experiment to study which “collective action frames” increase public support for labor unions, and which increase worker interest in unionization, and analyzes how unions’ legal structure creates both collective action and legitimacy problems.

CLERKSHIPS

UNITED STATES COURT OF APPEALS FOR THE THIRD CIRCUIT, Philadelphia, PA
Honorable Theodore A. McKee, Chief United States Circuit Judge, 2009-10

UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF NEW YORK, New York, NY
Honorable Kimba M. Wood, Chief United States District Judge, 2008-09

LEGAL EMPLOYMENT

CALIFORNIA TEACHERS ASSOCIATION, Burlingame, CA
Staff Attorney, 2013-15

ALTSHULER BERZON LLP, San Francisco, CA
Associate, 2011-13

AFL-CIO GENERAL COUNSEL’S OFFICE, Washington, DC
Fellowship Attorney, 2010-11

SELECTED FELLOWSHIPS, AWARDS, AND HONORS

Jack Henning Graduate Fellow Award for Excellence in Graduate Labor Studies, 2022-23
Empirical Legal Studies Fellow, UC Berkeley Center for the Study of Law and Society, 2021-22
Fellow, UC Berkeley Center for Law, Economics, and Politics, 2021-22
Research Award, UC Berkeley Institute for Research on Labor and Employment, 2018
Ann Petluck Poses Memorial Prize (for clinical legal advocacy), NYU School of Law, 2008
BLAPA Award (for clinical legal advocacy), NYU School of Law, 2008
President’s Service Award (for diversity, equity, and inclusion work), NYU, 2007

SELECTED ACADEMIC PRESENTATIONS

Presenter/Panelist:

“Economic, Legal and Philosophical Perspectives on Unions”
World Interdisciplinary Network for Institutional Research, September 2022 (invited)

- “Work as Exploitation, Work as Liberation: The Legal Framing of Work”
Law and Society Association Annual Meeting, July 2022
- “After the Law of Apolitical Economy”
Law and Society Association Early Career Workshop, June 2022
CULP Emerging Scholars Workshop, June 2022
APPEAL Constitutional Political Economy Working Group, March 2022
- “Labor Movements and the Pandemic”
Conference on Race, Class, Gender, and Ethnicity, UNC School of Law, April 2022
- “Historicizing the Assault on CRT: The Right vs. Public Education”
Law and Political Economy Project, Yale Law School, October 2021
- “Discriminating Logics: Labor Unions and the Judicial Construction of Rational Governance”
Law and Society Association Annual Meeting, May 2021
- “Organized Labor and the Law of Apolitical Economy”
Yale Law and Political Economy Conference, Emerging Scholars, January 2021
AALS Annual Meeting, New Voices in Workplace Law, January 2020
- “Bringing Labor Back into the Study of Law and Social Movements”
Annual Colloquium on Scholarship in Employment and Labor Law, October 2020
- “Organized Labor as Interest Group or Social Movement?: Framing Class-Based Contention in Courts of Law and Public Opinion”
American Sociological Association Annual Meeting, August 2020
Annual Colloquium on Scholarship in Employment and Labor Law, August 2019
Law and Society Association Annual Meeting, June 2019
- “Re-valuing ‘Women’s Work’ through Relational Organizing: Workers and Employers in the Domestic Workers Movement”
National Women’s Studies Association Annual Conference, November 2019
- “The Legal Framing of Work”
Paris Junior Scholar Law and Society Conference, December 2017
- “Teacher Tenure and Dismissal in the Public Sector”
National Academy of Arbitrators Annual Meeting, April 2015
- “*Vergara, Friedrichs, and L.A. Times*: Winning in the Courts of Law and Public Opinion”
California Teachers Association Leadership Conference, December 2014
- “Unions and the Post-Reagan Generation”
AFL-CIO Lawyers Coordinating Committee Conference, April 2011

Invited Chair/Commentator:

“Mobilizing on Structural Injustice”

Law and Society Association Annual Meeting, July 2022

“What’s at Stake in the Minimum Wage Debate?: A Political Economy Perspective”

Network for a New Political Economy, February 2021

“Public Law in Private Spaces: The Home as a Site of Political Action in the Domestic Workers Movement”

Berkeley Journal of Gender, Law, and Justice Conference, April 2018

“The New Law and Political Economy”

UC Berkeley Conference on Political Science and Political Economy, April 2018

BAR ADMISSIONS

California and Texas; D.C. Circuit Court of Appeals; Northern District of California

SERVICE AND PROFESSIONAL ACTIVITIES

Journal of Law and Political Economy, Peer Reviewer, 2021-present

Law and Political Economy Project, Speakers Bureau, 2020-present

Law and Society Association, Anti-Harassment and Anti-Discrimination Policy Committee,
2019-20

American Constitution Society, Bay Area Lawyer Chapter, Board Member and Co-Coordinator
of its Constitution in the Classroom Program, 2012-15

SEEDS Conflict Resolution Center, Courtroom Mediator, 2014

AFL-CIO Lawyers Coordinating Committee, 2010-12

National Employment Lawyers Association, 2011-13

Street Law, Volunteer Educator, 2010-11

Philadelphia Bar Advancing Civics Education Project, Volunteer Educator, 2009-10

REFERENCES

Academic

Lauren Edelman

Agnes Roddy Robb
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UC Berkeley Law School
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Catherine L. Fisk

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Deborah Malamud

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Judicial

The Honorable Theodore A. McKee

United States Court of Appeals
Third Circuit
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The Honorable Jennifer Sung

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Ninth Circuit
judge_sung@ca9.uscourts.gov
503-833-5750

The Honorable Kimba M. Wood

United States District Court
Southern District of New York
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212-805-0258