

Joseph A. Seiner

University of South Carolina School of Law
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Columbia, South Carolina 29208
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Teaching Experience

University of South Carolina School of Law, Columbia, S.C.

Associate Professor, Fall 2011 – Present
Assistant Professor, Fall 2007 – Spring 2011

- Teaching courses in the labor and employment law area

Georgetown University Law Center, Washington, D.C.

Adjunct Professor, Fall 2004, Fall 2005, Spring 2007

- Developed and co-taught seminar for LL.M. and J.D. students titled, *Employment Discrimination: Domestic and International Perspectives*, which covered employment law, labor law, administrative law, civil procedure, and human rights

Education

Washington and Lee University School of Law, Lexington, VA

Juris Doctor, May 1998

Academic Achievements:

Magna cum Laude

Order of the Coif

Graduated in the top ten percent of class

Negotiations Competition, Finalist

Washington and Lee Law Review:

Lead Articles Editor, 1997-1998

Staff Member, 1996-1997

Community Involvement:

Volunteer, Stonewall Jackson Hospital, Extended Care

University of Michigan, Ann Arbor, MI

Bachelor of Business Administration, April 1995

Academic Achievements:

Graduated with High Distinction

Graduated in the top ten percent of class

Branstrom Freshman Prize (top five percent of freshman class)

Angell Scholar (three consecutive semesters with all A's)

Community Involvement:

Volunteer, University of Michigan Children's Hospital

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Publications

- Plausibility & Disparate Impact*, 64 *Hastings L. J.* __ (2013) (forthcoming)
- Punitive Damages, Due Process, and Employment Discrimination*, 97 *Iowa L. Rev.* 473 (2012)
- Plausibility Beyond the Complaint*, 53 *Wm. & Mary L. Rev.* 987 (2012)
- Pleading Disability*, 51 *B.C. L. Rev.* 95 (2010)
- After Iqbal*, 45 *Wake Forest L. Rev.* 179 (2010)
- Does Ricci Herald a New Disparate Impact?*, 90 *B.U. L. Rev.* 2181 (2010) (with B. Gutman)
- The Trouble with Twombly: A Proposed Pleading Standard for Employment Discrimination Cases*, 2009 *U. Ill. L. Rev.* 1011
- The Failure of Punitive Damages in Employment Discrimination Cases: A Call for Change*, 50 *Wm. & Mary L. Rev.* 735 (2008)
- Disentangling Disparate Impact and Disparate Treatment: Adapting the Canadian Approach*, 25 *Yale L. & Pol'y Rev.* 95 (2006)
- Understanding the Unrest of France's Younger Workers: The Price of American Ambivalence*, 38 *Ariz. State L.J.* 1053 (2006)

Presentations

- Presenter, *Plausibility Beyond the Complaint*, Southeastern Association of Law Schools Annual Meeting (July, 2011)
- Presenter, Fifth Annual Colloquium on Current Scholarship in Labor & Employment Law, Washington University School of Law & Saint Louis University School of Law, *The Future of Workplace Punitive Damages* (September, 2010)
- Moderator, *New Scholars Workshop: Employment and Labor Law*, Southeastern Association of Law Schools Annual Meeting (August, 2010)
- Presenter, Law and Society Annual Meeting, *Employment Discrimination Implications of Iqbal and Twombly* (May, 2010)
- Faculty Workshop, Washington and Lee University School of Law, *Employment Discrimination Implications of Iqbal and Twombly* (March, 2010)
- Presenter, University of South Carolina School of Law, *Iqbal's Implications: Anticipating Change in Pleading Requirements* (with Professors Eichhorn & Stravitz) (November, 2009)

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Presenter, Fourth Annual Colloquium on Current Scholarship in Labor & Employment Law, Seton Hall University School of Law, *Employment Discrimination Implications of Iqbal and Twombly* (September, 2009)

Presenter, American Association of Law Schools Annual Meeting, *Pleading Standards in Employment Discrimination Cases* (January, 2009) [selected through call for papers]

Presenter, North Carolina/South Carolina Labor and Employment Law Update and Annual Meeting, *Trends in Punitive Damages* (October, 2008)

Presenter, Medical University of South Carolina Trustees Leadership Academy, *Identifying Employment Discrimination Issues as an Administrator* (September, 2008)

Presenter, Southeastern Association of Law Schools Annual Meeting, *The Failure of Punitive Damages in Employment Discrimination Cases* (August, 2008)

Presenter, Law and Society Annual Meeting, *The Failure of Punitive Damages in Employment Discrimination Cases* (May, 2008)

Presenter, University of South Carolina School of Law, *The Roberts Court and Issues of Gender Equality* (Co-sponsored by Women in Law) (with Professor J. Brown) (October, 2007)

Presenter, Medical University of South Carolina Trustees Leadership Academy, *Avoiding Employment Discrimination as an Administrator: Identifying Legal Issues and Addressing Employee Concerns* (September, 2007)

Panel Participant, Labor and Employment Relations Association Annual Meeting, *What Private Employers Should Know About the EEO Process* (January, 2007)

Legal Experience

U.S. Equal Employment Opportunity Commission, Washington, D.C.

Appellate Attorney, Office of General Counsel, September 2001-June 2007

- Presented oral argument as lead counsel in the United States Courts of Appeals
- Prepared appellate and *amicus curiae* briefs on employment discrimination issues
- Represented Commission as lead counsel in the following illustrative cases: *EEOC v. E.I. Du Pont de Nemours & Co.*, 480 F.3d 724 (5th Cir. 2007); *EEOC v. Heartway Corp.*, 466 F.3d 1156 (10th Cir. 2006); *EEOC v. Pipefitters Ass'n Local Union 597*, 334 F.3d 656 (7th Cir. 2003); *Shaver v. Indep. Stave Co.*, 350 F.3d 716 (8th Cir. 2003).

Jenner and Block, LLP, Chicago, IL

Associate, Labor and Employment Law Group, September 1999-September 2001

- Represented clients in federal and state courts in employment related cases

Joseph A. Seiner

United States Court of Appeals for the Second Circuit, Rochester, NY

Law Clerk to the late Honorable Ellsworth Van Graafeiland, August 1998-August 1999

Bar Admissions

Member, Illinois State Bar (May 1999); Admitted to the U.S. District Court for the Northern District of Illinois, U.S. Court of Appeals for the Fifth, Seventh, and Tenth Circuits, and the U.S. Supreme Court