

## **PEGGIE R. SMITH**

Murray Family Professor of Law

University of Iowa College of Law  
411 Boyd Law Building  
Iowa City, Iowa 52242  
(319) 335-9032  
peggie-smith@uiowa.edu

### **TEACHING EXPERIENCE**

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#### **University of Iowa College of Law, Iowa City, IA**

Professor of Law, Fall 2003-present

Visiting Professor of Law, Fall 2002

Research Scholar, University of Iowa, Obermann Center for Advanced Studies (Summer 2004; Fall 2005; 2007-08)

Faculty Affiliate, University of Iowa, Institute for Inequality Studies (2007-present)

#### **Chicago-Kent College of Law, Chicago, IL**

Assistant Professor of Law, 1996-2002

Associate Professor of Law, 2002-03

#### **University of Trento, Faculty of Jurisprudence, Trento, Italy**

Visiting Professor of Law, Summer 2003

### **COURSES & RESEARCH INTERESTS**

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Courses: Contracts, Employment Relationships, Employment Discrimination, Comparative Employment Discrimination, Feminist Theories of the Workplace, Gender and the Law (other teaching interests include Immigration, Labor Law, and Family Law)

Research Interests: Employment Law, Labor Law, Legal History, Feminist Legal Theory, Critical Race Theory, Elder Law

### **EDUCATION**

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#### **Harvard Law School, Cambridge, MA**

Juris Doctor, *cum laude*, June 1993

- Editor in Chief, *Harvard Women's Law Journal*
- Teaching Fellow, Harvard College (Excellence in Teaching Commendation)

#### **Yale University, New Haven, CT**

Master of Arts, *with distinction*, in African American Studies, May 1990; Ph.D. Program in

American Studies (in residence 1993-94)

- Edward A. Bouchet Prize for Most Outstanding Scholarship in African American Studies
- Teaching Fellow, Yale College

**Yale University**, New Haven, CT

Bachelor of Arts, Economics & Political Science, May 1987

## **FELLOWSHIPS & CLERKSHIP**

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**Harvard Law School**, Cambridge, MA

Charles Hamilton Houston Fellow in Law Teaching (1995-96)

**School of Industrial & Labor Relations, Cornell University**, Ithaca, NY

Visiting Fellow (October, 1995 & March, 1996)

**The Honorable Michael Boudin**, U.S. Court of Appeals for the First Circuit, Boston, MA

Law Clerk (1994-95)

## **PUBLICATIONS & OTHER WRITINGS**

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### **Articles and Essays**

*The Future of Family Caregiving: The Value of Work-Family Strategies that Benefit Both Care Consumers and Paid Care Workers in CONFRONTING THE “OPT-OUT REVOLUTION”*: WOMEN IN TODAY’S WORKFORCE (forthcoming, New York University Press)

*Union Representation of Child-Care Workers in the United States in COMPARATIVE PATRIARCHY & AMERICAN INSTITUTIONS* (M. Francis McCollum Feeley, ed.) (Université de Savoie Press, 2009)

*The Publicization of Home-Based Care Work in State Labor Law*, 92 MINN. L. REV. 1390 (2008)

*Aging and Caring in the Home: Regulating Paid Domesticity in the Twenty-First Century*, 92 IOWA L. REV. 1837 (2007)

Excerpted in Dolgin, Janet & Shepherd, Lois, *BIOETHICS AND THE LAW* (2<sup>nd</sup> ed.) (Aspen Publishing, 2009)

*Home Sweet Home? Workplace Casualties of Consumer-Directed Home Care for the Elderly*, 21 NOTRE DAME J. LAW, ETHICS & PUBLIC POLICY 537 (2007) (symposium)

*Welfare, Child Care, and The People Who Care: Union Representation of Family Child Care Providers*, 55 KAN. L. REV. 321 (2007)

*Laboring for Child Care: A Consideration of New Approaches to Represent Low-Income Service Workers*, 8 U. PA. J. LAB. & EMP. L. 583 (2006) (lead article)

*Elder Care, Gender, and Work: The Work-Family Issue of the 21<sup>st</sup> Century*, 25 BERKELEY J. EMP. & LAB. L. 351 (2004)

Excerpted in Abrams, Douglas E.; Cahn, Naomi R.; Ross, Catherine J.; Meyer, David D., CONTEMPORARY FAMILY LAW (West Publishing, 2007)

Cited in *In re Guardianship of Jane E.P.*, 700 N.W.2d 863, 867 (Wis. 2005)

*Caring for Caregivers: A Critical Missing Link in Work/Family Policies*, 72 U. CIN. L. REV. 399 (2004) (symposium)

*Parental-Status Employment Discrimination: A Wrong in Need of a Right?*, 35 MICH. J. L. & REF. 569 (2002)

Cited in *Ackerman v. Quilcene Sch. Dist. No. 48*, 117 Wash. App. 1087 (Wash. Ct. App. 2003)

*Accommodating Routine Parental Obligations in an Era of Work-Family Conflict: Lessons from Religious Accommodations*, 2001 WISC. L. REV. 1443 (lead article)

*Contingent Workers: Proceedings of the 2001 Annual Meeting of the Association of American Law Schools Section on Labor Relations and Employment Law*, 5 EMPL. RTS. & EMPLOY. POL'Y J. 661 (2001)

*Organizing the Unorganizable: Paid Household Workers and Approaches to Employee Representation*, 78 NORTH CAROLINA L. REV. 45 (2000)

*Regulating Paid Household Work: Class, Gender, Race and Agendas of Reform*, 48 AMERICAN UNIV. L. REV. 851 (1999)

*Separate Identities: Black Women, Work, and Title VII*, 14 HARV. WOMEN'S L. J. 21 (1991) (lead article)

Cited in *Jeffers v. Thompson*, 264 F. Supp. 2d 314, 326 (D. Md. 2003)

*What Else Do Unions Do? Race and Gender in Local 35*, 18 REV. BLACK POL. ECON. 59 (1990) (with Rhonda Williams)

## **Books**

PRINCIPLES OF EMPLOYMENT LAW, with R. Gely, A. Hodges, & S. Stabile (West Publishing, Concise Hornbook Series, 2009) (lead author)

## ***Amici Curiae* Brief in the United States Supreme Court**

*Long Island Care at Home, Ltd. v. Coke*, 551 U.S. 158 (2007), Brief of Law Professors and Historians as *Amici Curiae* in Support of the Respondent

### **Works in Progress**

*The Outer Limits of the Pre-Existing Duty in Matters of the Heart*

*The Meaning of Care under the FMLA*

## **SELECT ACADEMIC PRESENTATIONS & COLLOQUIA**

Presenter, *Promoting the Rights of Home-Based Care Workers in State Labor Law*, Conference on Regulating for Decent Work, International Labour Office, Geneva, Switzerland (July 2009)

Presenter, *Securing the Wage Rights of Home Care Workers in the Aftermath of Coke*, Law and Society Conference, Denver, CO (May 2009)

Presenter, *Advocacy on Behalf of Home-Based Care Workers: Recent Developments*, Low-Wage Work Panel, American Association of Law Schools Mid-Year Meeting, Long Beach, CA (June 2009)

Lead Panelist, *Looking to the Future: Women and Care Work*, Women and Work: Choices and Constraints Conference, University of Massachusetts Amherst (October 2008)

Presenter, *On the Job: The Challenges of Work and the Workplace*, Northeast People of Color (NEPOC) Legal Scholarship Conference 2008, Education & the Economy: The Real Lives of People of Color, Boston University School of Law (September 2008)

Chair and Moderator, *Organizing Domestic Labor in the U.S.: From Servants to the Service Industry*, 14th Berkshire Conference on the History of Women, University of Minnesota (June 2008)

Presenter, *The Legal Origins of Corrosive Work-Care Tensions in Home Care*, Work and Care Panel, Section on Women in Legal Education, American Association of Law Schools Annual Meeting, New York, NY (January 2008)

Presenter, *Balancing Consumer Choice with Workplace Protections: The Case of Home Care for the Elderly*, Low-Wage Worker: Legal Rights—Legal Realities Conference, University of Minnesota School of Law (November 2007)

Presenter, *Workplace Casualties of Consumer-Directed Home Care for the Elderly*, Law and Society Conference, Berlin, Germany (July 2007)

Presenter, *Care Work and the American Labor Movement*, Conference on Patriarchy and

American Institutions, University of Savoie, Chambéry, France (April 2007)

Presenter, *Aging and Caring in the Home*, Emory Law School, Faculty Colloquia (February 2007)

Presenter, *Regulating Paid Domesticity in the 21<sup>st</sup> Century*, Labor & Employment Law Colloquium, Marquette Law School (November 2006)

Presenter, *Aging in the Twenty-First Century: Caring for Formal and Informal Caregivers*, Notre Dame School of Law, Symposium on Long-Term Care For America's Elderly: Who is Responsible and How Will It be Achieved? (November 2006)

Presenter, *The Struggle of Family Child Care Providers in the Aftermath of Welfare Reform: The Quest for Economic Respect & Legal Recognition*, 11th annual symposium of the Journal of Gender, Race & Justice, University of Iowa College of Law (October 2006)

Presenter, *Union Vehicles to Represent Family Child Care Providers*, Labor Law Group Conference, Saratoga, New York (August 2006)

Presenter, *Eldercare and Work-Family Policies in the United States*, Balancing Career and Family: A Work/Life Symposium, Pepperdine Law School (April 2006)

Presenter, *Emerging Legal Issues for Elder Caregivers in the United States: Addressing the Work-Family Conflict*, First Canadian Conference on Elder Law, Canadian Elder Law Institute, Vancouver Canada (October 2005)

Presenter, *Caring for Caregivers in the Era of Welfare Reform: The Cost of Not Caring*, Twenty-First Century Motherhood Conference, Women's Studies Program, University of Houston (October 2005)

Presenter, *The Value of Unionization to Paid Child Care*, Gender, Work, and Organization Conference, Keele University, England (June 2005)

Presenter, *Caring for Careworkers: The Limited Solution of Increased Public Funding for Child Care*, Caring Labor Conference, Harry Bridges Center for Labor Studies, University of Washington (May 2005)

Presenter, *Women's Work Is Never Done: Employment, Family, and Activism*, University of Cincinnati College of Law (April 2004)

Presenter, *Paid and Unpaid Caregiving Work*, The Yale Women's Faculty Forum: Structures of Work and of Families (January 2004)

Keynote Speaker, *Fighting the Re-segregation of Public Education: the Legacy of Briggs v. Elliot*, Martin Luther King Jr. Celebration, Valparaiso University School of Law (February 2004)

Presenter & Moderator, Organizing Paid Household Workers, *The Border Crossed Us: Current Issues in Immigration Labor*, Colloquium presented by NYU Review of Law & Social Change, New York University School of Law (March 2003)

Presenter, *The Problematic Pragmatism of Compulsory Arbitration Proponents*, Fourth Annual Public Law Conference, Duke University School of Law (December 2002)

Presenter, *The Trafficking of Women and the Trafficking Victims Protection Act*, Journal of Gender Race & Justice 7<sup>th</sup> Annual Conference, University of Iowa College of Law (October 2002)

Presenter, *Theorizing Workplace Accommodation Mandates*, University of Cincinnati, College of Law, Scholar Exchange Program (November 2001)

Moderator, *Contingent Workers*, Section on Labor Relations and Employment Law, American Association of Law Schools Annual Meeting, San Francisco, CA (January 2001)

Presenter/Facilitator, *Session on Wealth & Income Inequality*, Workshop on Property, Wealth and Inequality, American Association of Law Schools Annual Meeting, San Francisco, CA (January 2001)

Presenter, *Organizing the “Unorganizable”*, University of Illinois College of Law, Faculty Workshop (May, 2000)

Presenter, *Paid Household Workers: Strategic Concerns and Organizational Approaches*, Valuing Workers: Low-Wage Workers, Workfare, and Legal Strategies for Change Colloquium, Yale Law School (March 1999)

Presenter, Domestic Service Workshop, Work, Workers & Law in the 21st Century, American Association of Law Schools Annual Meeting, New Orleans, LA (January 1999)

Presenter, *Regulating Paid Household Work: Class, Gender, Race and Agendas of Reform*, Midwestern People of Color Legal Scholarship Conference, Columbus, OH (March 1998)

Presenter, *The Privatization of Dirty Work*, Bodies, Boundaries, and Beyond: The Impact of the Law on Women, Cornell Law School (April 1997)

Presenter, *Out of the Shadows: Women of Color and Housework for Pay*, Building Bridges Conference, Hispanic National Bar Association, Chicago-Kent College of Law (March 1997)

Presenter, *In the Name of the Private Family: Regulating Paid Household Work*, Chicago Law School Faculty Workshop (November 1996)

Presenter, *Housework for Pay: Lessons on Legal Exclusions*, Challenging Boundaries Conference, Yale Law School (November 1996)

## **SELECT MEDIA INTERVIEWS & COMMENTARY**

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NATIONAL PUBLIC RADIO (ALL THINGS CONSIDERED), *Home Health Aides Seek Labor Protections* (2007)

KCJJ-AM 1630, *Commentary on Long Island Care at Home & Osborne v. Coke* (2007)

RADIOIOWA.COM, *Iowa's 'Invisible' Workers Lacking in Pay, Health Care, Safety* (2007)

CRAINSNEWYORK.COM, *Supreme Court Rules Against L.I. Worker* (2007)

AGING & ELDER HEALTH WEEK, *Law Professor Finds Home Health Care Workers Have Few Legal Protections* (2007)

*reprinted in* HOSPITAL BUSINESS WEEK, NURSING HOME & ELDER BUSINESS WEEK, LAW & HEALTH WEEKLY, HEALTH BUSINESS WEEK, HOSPITAL LAW WEEKLY, MEDICINE & LAW WEEKLY, ELDER LAW WEEKLY, PHYSICIAN LAW WEEKLY, HEALTHCARE FINANCE, TAX & LAW WEEKLY, LIFE SCIENCE WEEKLY, MD WEEK, PHYSICIAN BUSINESS WEEK, SCIENCE LETTER, WORLD DISEASE WEEKLY, HEALTH & MEDICINE WEEK, MANAGED CARE WEEKLY DIGEST, BIO.MEDICINE.ORG, SOCIALWORKTODAY.COM, MEDICALNEWTODAY.COM

IOWA CITY PRESS-CITIZEN, *Having a Say in Child Care* (2006)

DES MOINES REGISTER, *U of I Law Professor Looks Back at Brown* (2004)

THE VILLAGE VOICE, *The Heart of the Work: Professionals Navigating a Personal World* (2002)

THE CLIFF KELLEY SHOW, WVON-AM, *Commentary on the Nomination of Linda Chavez for Secretary of Labor* (2001)

NATIONAL PUBLIC RADIO (THE LAW SHOW), *The Rights of Private Paid Household Workers* (2001)

## **SELECT PROFESSIONAL & INSTITUTIONAL ACTIVITIES**

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Member, Labor Law Group (since 2007)

Editorial Board, Employee Rights and Employment Policy Journal (2002-present)

Executive Committee, Section on Labor Relations and Employment Law, Association of American Law Schools (2008-10)

Member, Consulting Group, Direct Care Alliance/Russell Sage Foundation Working Group on Care (2009-present)

## **University of Iowa College of Law**

Secretary, Iowa Law School Foundation Board (2009-present)

Dean Search Committee (2009-10)

Appointments Committee (2006-08) (Co-Chair, 2007-08)

Student Awards Committee (2006-08)

Chair, Curriculum Policy Committee (Legal Analysis, Writing and Research) (2005-06)

Faculty Advisor, Black Law Students Association (2003-06)

Faculty Advisor, Journal of Gender, Race and Justice (2004-07)

Chair, Instructional Technologies Committee (2004-05)

Admissions Committee (2003-05)

Office of the General Counsel Review Committee (2004-05)

Computer Support Committee (2003-04)

Provost's Search Committee Open Forum (Panelist & Moderator) (Fall 2003)

Social Science Funding Programs Review Committee (Fall 2003)

## **Chicago-Kent College of Law**

Appointments Committee (1996-97, 1998-99, 2001-02)

Legal Writing Committee (1998-99, 2001-02)

Faculty Advisor, Black Law Students Association (1996-2002)

Downtown Faculty Council (1999-2002)

University Faculty Council (2000-02)

Academic Freedom & Tenure Committee (Chair), University Faculty Council (2001-02)

Sexual Harassment Policy Committee (Chair), University Faculty Council (2001-02)

Academic Affairs Committee, University Faculty Council (2000-01)

Women's Resource and Outreach Committee (2001-02)

Law & the Workplace Institute (1996-2003)

Academic Empowerment Program Committee (1999-2000)

Law Review Symposium Committee (1998-99)

Student Environment Committee (1998-99)

Law Review Oversight Sub Committee (1998-99)

Speakers Committee (1997-98)

Faculty Advisor, Society of Women and the Law Conference (1997-98)

Self Study Committee (1996-97)