

Ann C. McGinley
William S. Boyd Professor of Law
William S. Boyd School of Law
University of Nevada, Las Vegas

Home:

99 Teton Pines Drive
Henderson, NV 89014
(702) 501-5747 (cell)
(702) 614-8377 (home)

Work:

4505 Maryland Parkway
Box 451003
Las Vegas, NV 89154-1003
(702) 895-2436 (office)
ann.mcginley@unlv.edu

Education:

- 1982 J.D. University of Pennsylvania Law School
Cum laude; top 10-12% of class.

Editor, University of Pennsylvania Law Review.
- 1974 M.A. University of Delaware
Recipient, Andelot Research Fellowship in Spanish
Grade Point Average: 4.0
- 1973 B.A. Rosemont College, Rosemont, Pennsylvania
Dean's List; Graduated with Honors
Major: Spanish Literature and Language
- 1971-72 New York University at the University of Madrid
Madrid, Spain

Employment:

- 6/99-Present Associate Dean for Faculty Development and Research (8/07-8/08)
William S. Boyd Professor of Law (since 2005)
Professor of Law (since 1999)
William S. Boyd School of Law, UNLV
Las Vegas, Nevada
- Teaching Responsibilities: Employment Law, Employment Discrimination, Seminar: Dress and Appearance Regulation in the Casino Industry, Seminar: Advanced Problems in Employment Law, Civil Procedure, Pretrial Litigation, Disability Law, Torts, Externship Program, Society of Advocates, Lecturer in Executive MBA program, Law, Regulation & Ethics course.

- 8/98-6/99 Associate Professor of Law (with tenure)
& Director of Skills Training
Florida State University College of Law
Tallahassee, Florida
Employment Discrimination, Skills Practicum in Employment
Discrimination, Labor Law, Disability Law, Director of Children's
Advocacy Center. Coordinated clinic and legal writing programs.
- 6/95-8/98 Assistant Professor of Law
& Director of Skills Training
Florida State University College of Law (same responsibilities as
above).
- 9/89-6/95 Assistant Professor of Legal Writing (1993-1995)
Instructor of Law (1989-1993)
Brooklyn Law School
Brooklyn, New York
Civil Procedure, Legal Analysis, Research & Writing
- 10/88-8/89 Litigation Associate, Smith, Mullin & Kiernan
West Orange, New Jersey
Civil rights and employment litigation.
- 6/87-10/88 Litigation Associate, Reinhardt & Schachter
Newark, New Jersey
Civil rights and employment litigation.
- 10/84-5/86 Litigation Associate, Leonard, Street and Deinard
Minneapolis, Minnesota
Commercial, employment and civil rights litigation.
- 8/82-9/84 Law Clerk
Honorable Joseph S. Lord, III (E.D.P.A.)
Philadelphia, Pennsylvania
- 9/81-12/81 Legal Intern
A.C.L.U. Legislative Office
Washington, D.C.
- 6/81-9/81 Law Clerk
United States Attorney for the District of Columbia
Washington, D.C.

Pre-Law School Employment:

9/75-6/79 Spanish Teacher
Tower Hill School
Wilmington, Delaware

9/74-6/75 Spanish, French, and English Teacher
Broadmeadow School
Middletown, Delaware

Publications

Works in Progress

MASCULINITIES AND THE LAW AT WORK: INTERPRETING EMPLOYMENT
DISCRIMINATION LAW

MASCULINITIES AND THE LAW: A READER (with Frank Rudy Cooper).

Book Chapter

The Emerging Cronyism Defense and Affirmative Action: A Critical Perspective on Race-Conscious and Color-Blind Decision Making Under Title VII, in 14 CIVIL RIGHTS LITIGATION AND ATTORNEY'S FEES ANNUAL HANDBOOK, Ch. 12 (Steven Saltzman Ed., 1999).

Articles

Reproducing Gender on Law School Faculties, ___ BYU L. REV. ___ (forthcoming 2009).

Hillary Clinton, Sarah Palin, and Michelle Obama: Performing Gender, Race, and Class on the Campaign Trail, ___ U. DENV. L. REV. ___ (2009) available at <http://www.law.du.edu/index.php/denver-university-law-review/special-issues/obama-phenomena-a-special-issue-on-the-election-of-president-barack-obama>

Creating Masculine Identities: Bullying and Harassment "Because of Sex," 79 U.COLO. L. REV. 1151 (2008).

Harassing "Girls" at the Hard Rock; Masculinities in Sexualized Environments, 2007 U. ILL L. REV. 1229 (2007).

Babes and Beefcake: Exclusive Hiring Arrangements and Sexy Dress Codes, 14 DUKE J. GENDER, L.& POL'Y 257 (2007) (symposium).

Harassment of Sex(y) Workers: Applying Title VII to Sexualized Industries, 18 YALE J.L. & FEMINISM 65 (2006) (symposium).

Discrimination In Our Midst: Law Schools' Potential Liability for Employment Practices, 14 UCLA WOMEN'S L.J. 1 (2005).

Masculinities at Work, 83 ORE. L. REV. 359 (2004).

Functionality or Formalism? Partners and Shareholders as "Employees" Under the Anti-Discrimination Laws, 57 SMU L.REV. 3 (2004).

Symposium: The Law and Politics of Tort Reform: Justice and Democracy Forum, *Advocating Enterprise Liability for Medical Malpractice*, 4 NEV. L. J. 377 (2003).

Casey at the Tee: Increased ADA Protections for Workers? 2 EMP. RIGHTS QUART. 47 (Winter 2002).

Viva la Evolución! Recognizing Unconscious Motive in Title VII, 9 CORNELL J. L. & PUB. POL'Y 415 (2000).

Affirmative Action Awash in Confusion: Backward-Looking-Future-Oriented Justifications for Race-Conscious Measures, 4 ROGER WILL. L. REV. 209 (1998) (invited).

Board of Education v. Taxman: the Unpublished Opinions, 4 ROGER WILL. L. REV. 205, 233-256 (1998) (invited).

The Emerging Cronyism Defense and Affirmative Action: A Critical Perspective on Race-Conscious and Color-Blind Decision Making Under Title VII, 39 ARIZ. L. REV. 1003 (1997).

Rethinking Civil Rights and Employment at Will: Toward a Coherent National Discharge Policy, 57 OHIO ST. L. J. 1444 (1996).

Condescending Contradictions: Richard Posner's Pragmatism and Pregnancy Discrimination, 46 FLA. L. REV. 193 (1994) (with Jeffrey W. Stempel.)

Aspirations and Reality in the Law and Politics of Health Care Reform: Examining a Symposium on (E)qual(ity) Care for the Poor, 60 BROOK L. REV. 7 (1994) (symposium).

Reinventing Reality: The Impermissible Intrusion of After-Acquired Evidence in Title VII Litigation, 26 CONN. L. REV. 203 (1993).

Credulous Courts and the Tortured Trilogy: The Improper Use of Summary Judgment in Title VII and ADEA Cases, 34 B.C. L. REV. 203 (1993), reprinted in SELECTED ISSUES IN PLAINTIFF'S EMPLOYMENT LAW: ALTERNATIVE DISPUTE RESOLUTION & SUMMARY JUDGMENT IN EMPLOYMENT CASES (NELA 1996).

Bar Publications

Protecting Basic Rights of Citizens, 72 FLA. BAR J. 48 (October 1998) (with Ellen Catsman Freidin).

Reinforcing the Merit Principle in Employment Discrimination Litigation, FSU Law 21 (Summer 1998).

Civil Rights and Employment at Will: Time for a Federal Statute, FSU LAW 31 (Winter 1997).

Presentations

Presenter, Third Annual Labor and Employment Law Scholars' Colloquium, *Reproducing Gender on Law School Faculties*, San Diego, CA (October 2008)

Panel Chair & Moderator, Workshop on Cutting Edge Legal Theory: Jurisprudence in Context, *Masculinities Theory and Legal Interpretation*, Southeastern Association of Law Schools Annual Meeting, Palm Beach, FL (August 2008)

Presenter, *Creating Masculine Identities: Bullying and Harassment Because of Sex*, Workshop on Cutting Edge Legal Theory: Jurisprudence in Context, *Masculinities Theory and Legal Interpretation*, Southeastern Association of Law Schools Annual Meeting, Palm Beach, FL (August 2008)

Presenter, Washington University School of Law Faculty Forum, *Reproducing Gender on Law School Faculties*, St. Louis, MO. (April 2008)

Presenter, Washington University, St. Louis, MO., Association of Women Faculty, *Reproducing Gender in Academia: A Discussion About Inequalities* (April 2008)

Visiting Scholar, The 2008 Littler Mendelson Employment and Labor Law Speaker Series, Cleveland-Marshall College of Law, *Masculinities, Gender Identity and Harassment at Work*, Cleveland OH (March 2008)

Presenter, El Paso Bar Association, Employment Law 2008 Update, Las Vegas, NV (February 2008).

Presenter, Panel “Rise of the Pink Collars: Women in the Legal Academy,” *Reproducing Gender on Law School Faculties*, 2008 AALS Annual Meeting, New York, NY (January 2008).

Moderator, Women and the Law Workshop, 2008 AALS Annual Meeting, Plenary Session, New York, NY (January 2008).

Moderator, Women and Law Workshop, 2008 AALS Annual Meeting, Panel on Criminalization, New York, NY (January 2008).

Presenter, William S. Boyd School of Law Faculty Forum, *Reproducing Gender on Law School Faculties* (October 2007).

Presenter, State Bar of Nevada, Labor and Employment Law Seminar, 2006-2007 Federal and State Update, Las Vegas, NV (October 2007).

Presenter, Second Annual Labor and Employment Law Scholars’ Colloquium, *Creating Masculine Identities: Bullying and Harassment “Because of Sex,”* Denver, Colorado (September 2007).

Discussant, Panel, *The Decline of Public Adjudication*, Law and Society International Conference, Berlin, Germany (July 2007).

Presenter, Panel, *Normative Constructions at Work, Creating Masculine Identities: Bullying and Harassment “Because of Sex,”* Law and Society International Conference, Berlin, Germany (July 2007).

Keynote Speaker, *Gender Theory, Legal Writing and Subordination*, Rocky Mountain Legal Writing Conference, Las Vegas, NV (March 2007).

Presenter, State Bar of Nevada Labor & Employment Law Seminar, *The Roberts’ Court and 2005-06 Ninth Circuit Update*, Las Vegas, NV (October 2006).

Presenter, *Selling Sex and Employment in Las Vegas*, LATCRIT XI Annual Conference, Las Vegas, NV (October 2006).

Presenter, *Babes and Beefcake: Exclusive Hiring Arrangements and Sexy Dress Codes*, Symposium on *Makeup, Identity Performance and Discrimination*, DUKE JOURNAL OF GENDER, LAW AND POLICY, Durham, North Carolina (October 2006).

Presenter, *The Sex Industry in Nevada*, American Association of Law Libraries, 2006 Western Pacific Annual Meeting, Las Vegas, NV (September 2006).

Presenter, “The State of Employment Discrimination in Nevada,” United States Commission on Civil Rights, Nevada Advisory Committee Hearing (May 2006).

Presenter, *Customer Harassment of Sex(y) Workers*, Women’s Research Institute of Nevada, Forum Series, (April 2006).

Presenter, *Sexual Harassment of Sex(y) Workers*, YALE JOURNAL OF LAW & FEMINISM, Symposium on Sex for Sale (February 2006).

Moderator: Panel on Employment Law: “I’ll Meet You in Court,” Southern Nevada Human Resource Association (December 2005).

Presenter: *Customer Harassment: Masculinities in Highly Sexualized Environments*, The Pennsylvania State University Dickenson School of Law (December 2005).

Presenter: *Customer Harassment: Masculinities in Highly Sexualized Environments*, University of Goettingen, Germany (November 2005).

Presenter: State Bar of Nevada CLE Seminar on Working the Employment Case: Intake to Judgment, “Hot Topics and Issues in Employment Law (October 2005).

Commentator, Roundtable: *Integrating Gender into Legal Education: Transforming Women’s Status*, Law & Society Annual Conference, Las Vegas, Nevada (June 2005).

Commentator, Roundtable: *New Perspectives on Summary Judgment*, Law & Society Annual Conference, Las Vegas, Nevada (June 2005).

Presenter and Session Chair: *The Gendered Workplace: Dreams, Dangers, Stakes, Customer Harassment: Masculinities in a Sexualized Environment*, Law & Society Annual Conference, Las Vegas, Nevada (June 2005).

Presenter, *Masculinities at Work*, University of Nevada, Las Vegas, William S. Boyd School of Law, Faculty Forum (February 2005).

Moderator, Symposium on Civil Rights and the West, Panel on Gender Issues, UNLV Boyd School of Law, Las Vegas, NV (February 2004).

Commentator, Panel on Legal Issues in Employment, Southern Nevada Human Resource Association (SNHRA), Las Vegas, Nevada (January 2004).

Lecturer, *Agency, Employment and Employment Discrimination Law*, LAW, REGULATION AND ETHICS, University of Nevada, Las Vegas, Executive MBA Program (August 2004; August 2003).

Presenter, *Advocating Enterprise Liability for Medical Malpractice*, Symposium on Medical Malpractice and Construction Defect Litigation, William S. Boyd School of Law, Las Vegas, Nevada (April 2003).

Presenter and Moderator, *Sexual Harassment and the Schools*, Lorman Education Institute, Las Vegas, Nevada (February 2003).

Moderator, *Panel on Gaming and Employment Relationships*, American Gaming Institute, Las Vegas, Nevada (January 2003).

Presenter, *Issues in Employment Law*, Employment Law Roundtable, Las Vegas, Nevada, (August, 2002).

Presenter, *Toward A Universal Harassment Law*, William S. Boyd School of Law, Las Vegas (April 2001).

Presenter, *Democracy at Work*, University of Missouri Law School, Columbia, Missouri (October 2000).

Presenter, *Democracy at Work*, William S. Boyd School of Law, Las Vegas, Nevada (October 2000).

Presenter, *First Amendment Issues and Employment Law*, panel on Cyberspace and First Amendment Law, State Bar of Nevada, San Francisco, California, (June 2000).

Presenter, *Panel on the Impact of Procedures on Women*, Law and Society Association, Miami, Florida, (May 2000).

Presenter, “*Emerging Issues in Sexual Harassment Law*,” sponsored by the Organization of Women Law Students, William S. Boyd School of Law, University of Nevada, Las Vegas, Nevada, (April 2000).

Presenter, “*Hot Topics in Sexual Harassment Law*,” Clark County Bar Association, Labor and Employment Law Section, Las Vegas, Nevada, (April 2000).

Presenter, “*Emerging Issues in Sexual Harassment Law*,” sponsored by Women’s Studies Department, University of Nevada, Las Vegas, (March 2000).

Group Leader, AALS Workshop on Women in Legal Academia, New York, New York, (October 1999).

Presenter, “*Current Developments in Employment Discrimination Law*,” Florida Bar Association Annual Meeting, (June 1999).

Presenter, “*The Future of Affirmative Action*,” Law and Society Annual Conference, Chicago, Illinois, (May 1999).

Presenter, “*Sexual Harassment Law*,” Tallahassee Women Lawyers’ Conference, Tallahassee, Florida, (May 1999).

Presenter, “*The Future of Affirmative Action*,” Florida State University Law and Sociology Forum, (October 1998).

Presenter, “*Lies and Stereotypes: Conflicting Notions of Intent in Employment Discrimination Law*,” Florida State University Law and Sociology Forum, (April 1998).

Presenter, “*Title I of the Americans with Disabilities Act: Has It Fulfilled Its Promise?*,” Florida Disability Rights Conference, Tallahassee, Florida, (February 1998).

Presenter, “*The Meaning of Intent in Employment Discrimination Law*,” Faculty Presentation to Florida State College of Law Faculty, (October 1996).

Law Related Activities, University and Law School Committees and Service

Consultant to the United States Equal Employment Opportunity Commission, 2006-present.

Secretary, Labor and Employment Law Section, American Association of Law Schools (2009-10)

Executive Committee, Labor and Employment Law Section, American Association of Law Schools (2008 -09)

Executive Committee, Employment Discrimination Law Section, American Association of Law Schools (2008 -09)

Executive Committee, Women and the Law Section, American Association of Law Schools (2008-09)

Delegate, People to People Ambassador Program, Delegation of Employment Lawyers, to China, October 2004.

Consultant, National Judicial College, Reno, Nevada, Creating a Skills Training Program for Judges, June 2000.

Special Consultant, State of Florida Constitution Revision Commission, Committee on Individual Rights, 1997-1998.

Affiliate, Women's Research Institute of Nevada, Summer 2000 to present.

Lecturer, UNLV Engineering and Ethics class, "Employment Law," Las Vegas, NV (November 2006 - 2008).

Lecturer, UNLV School of Dentistry, "Informed Consent," Las Vegas, NV (November 2007 - 2008).

Member of Graduate Committee for Crystal Jackson, Dept of Sociology, UNLV, MS degree (May 2006- Spring 2007).

Associate, Women's Study Department, University of Nevada, Las Vegas (1999-present).

Member, Planning Committee, AALS Women and the Law Workshop, 2008 AALS Annual Meeting, New York, NY (January 2008).

Member, University Sabbatical Leave Committee, University of Nevada, Las Vegas (2007-08).

Member, University Appeals Committee, University of Nevada, Las Vegas, (Spring 2002).

Member, University-Wide Committee on the Status of Women, University of Nevada, Las Vegas, (2001-03).

Member, University Committee to Reform University of Nevada, Las Vegas Bylaws, (2000-2001).

Chair, Visiting Professor Appointments Committee (2007-08).

Chair, Faculty Academic Enrichment Committee (2007-08).

Co-Chair, Library Director Appointments Committee, William S. Boyd School of Law, University of Nevada, Las Vegas (December 2007- May 2008).

Vice Chair, Dean Search Committee, William S. Boyd School of Law, University of Nevada, Las Vegas, (2006-07).

Member, Technology Working Group, William S. Boyd School of Law, University of Nevada, Las Vegas (2007-08).

Member, Dean's Advisory Committee, William S. Boyd School of Law, University of Nevada, Las Vegas, (1999-2000; 2002-2007).

Chair, Reappointment, Promotion & Tenure Committee, William S. Boyd School of Law, University of Nevada, Las Vegas, (2004-2007).

Chair, Faculty Workload Policy Committee, William S. Boyd School of Law, University of Nevada, Las Vegas, (2004-2005).

Chair, Committee for Diversity Hiring, William S. Boyd School of Law, University of Nevada, Las Vegas, (Spring 2001).

Chair, Subcommittee on Appointment of Library Director, William S. Boyd School of Law, University of Nevada, Las Vegas, (2001).

Member, Curriculum Committee, William S. Boyd School of Law, University of Nevada, Las Vegas, (2006-07).

Member, Reappointment, Promotion & Tenure Committee, William S. Boyd School of Law University of Nevada, Las Vegas, (1999- 2003).

Member, Planning Committee for Symposium on Civil Rights and the West, (2002-2003).

Member, Appointments Committee, William S. Boyd School of Law, University of Nevada, Las Vegas, (1999-2001).

Member, Clinic Committee, William S. Boyd School of Law, University of Nevada, Las Vegas, (1999-2001).

Member, Subcommittee on Institute For Children and Families, William S. Boyd School of Law, University of Nevada, Las Vegas,(1999).

Member, Academic Support Committee, William S. Boyd School of Law, University of Nevada, Las Vegas, (1999- 2000).

Faculty Advisor, Society of Advocates, William S. Boyd School of Law, University of Nevada, Las Vegas, (2004-2005).

Faculty Coach, National Appellate Advocacy Competition, (2004-2005; 2002-2003).

Director, Externship Program, William S. Boyd School of Law, University of Nevada Las Vegas, (Summer 2001).

Lecturer, William S. Boyd School of Law, Externship Program, (2001-2007).

Reviewer, New York University Press, Book Proposals, Book Chapters and Book, 2005, 2004, 2003.

Outside Reviewer for Tenure Candidates' Scholarship, 2004, 2003, 2002.

Affiliate, The Pepper Institute on Aging and Public Policy, Florida State University, College of Social Sciences, 1998-1999.

Director of Skills Training, Florida State University College of Law, 1995-1999.

Member, Curriculum Committee, Florida State University College of Law, 1995-1996; 1997-1998.

Member, Admissions Committee, Florida State University College of Law, 1995-1999.

Coordinator, Florida State University College of Law JD/MSW Joint Degree Program, 1997-1999.

Panelist, Association of American Law Schools Conference on Clinical Education, Miami, Florida, May 1996.

Participant, The Medical Institute for Law Faculty, Cleveland Marshall College of Law, in conjunction with the Cleveland Clinic, Cleveland, Ohio, June 1994. (Intensive 10-day course on medicine, health care law and bioethics. Participants selected by application).

Chair, Edward V. Sparer Public Interest Symposium (co-sponsored by the Brooklyn Law Review) - "*Ensuring (E)qual(ity) Health Care for Poor Americans.*" (December 3 & 4, 1993).

Member, Florida State University Law and Sociology Forum, 1998-1999.

Advisor to students applying for federal clerkships, Florida State University College of Law, Spring 1999.

Participant, the Aspen Institute Justice and Society Seminar, July 1993.

Member, Bars of Pennsylvania (1983); New Jersey (1987); and Minnesota (1984).

Member, City of New York Association of the Bar, 1994-1995; Tallahassee Women Lawyers, 1997-1999; American Bar Association.

Member, National Employment Lawyers Association, Florida Chapter of National Employment Lawyers Association, 1997-1998.

