

# Wealth Inequality and the Eroding Middle Class

UNC CENTER ON POVERTY, WORK AND OPPORTUNITY  
&  
AMERICAN CONSTITUTION SOCIETY FOR LAW AND POLICY

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George Watts Hill Alumni Center, University of North Carolina at Chapel Hill

## Panelists Biographical and Bibliographical Information

### Keynote Address

#### *Robert Kuttner*

Robert Kuttner is co-founder and co-editor of *The American Prospect* and senior fellow at Dēmos. He was a longtime columnist for *Business Week*, and continues to write columns for the *Boston Globe*. His latest book, *The Squandering of America*, explores America's narrowing prosperity and the systemic financial risks facing the U.S. economy. His previous books include *Everything for Sale: The Virtues and Limits of Markets*; *The End of Laissez-Faire*; *The Life of the Party*; *The Economic Illusion*; and *Revolt of the Haves*. His magazine writing has appeared in *The New York Times Magazine* and *Book Review*, *The Atlantic*, *The New Republic*, *The New Yorker*, *Dissent*, *Columbia Journalism Review*, and *Harvard Business Review*. He has contributed major articles to *The New England Journal of Medicine* as a national policy correspondent.

As chief investigator for the U.S. Senate Banking Committee in the 1970s, his work helped lead to the Foreign Corrupt Practices Act, Home Mortgage Disclosure Act, Neighborhood Reinvestment Corporation Act, and Community Reinvestment Act. Kuttner has taught at Brandeis University, Boston University, the University of Massachusetts and Harvard University's Institute of Politics. He has been a John F. Kennedy Fellow at Harvard, a Woodrow Wilson Fellow at the University of California at Berkeley, a Guggenheim Fellow, and a Radcliffe Public Policy Fellow. He is one of five co-founders of the Economic Policy Institute, and serves on its board. He was recipient of the Paul Hoffman Award for Human Development of the United Nations Development Program for his work on the relationship of economic efficiency to social equality. Kuttner was educated at Oberlin College, the University of California at Berkeley and the London School of Economics.

### Representative Publications

*The Squandering of America: How the Failure of Our Politics Undermines Our Prosperity*, Knopf, 2007.

"Compassion and Coalition: The Paradox of Helping the Poor by Helping All Americans," *The American Prospect*, May 2007.

"Ending Poverty in America" (with Miles Rapaport), *The American Prospect*, May 2007.

"Must Trade Kill Equality?" *The American Prospect*, March 2007.

"The Road to Good Jobs," *The American Prospect*, November 2006.

"What's the Matter with Class?" *The American Prospect*, July 2006.

“Ownership and Government,” *The American Prospect*, May 2005.

“Bridging the Two Americas,” *The American Prospect*, September 2004.

*Everything for Sale: The Virtues and Limits of Markets*, University of Chicago Press, 1999.

*The End of Laissez Faire: National Purpose and the Global Economy After the Cold War*, Knopf, 1991.

*The Economic Illusion: False Choices Between Prosperity and Social Justice*, University of Pennsylvania Press, 1987.

*Revolt of the Haves*, Simon & Schuster, 1980.

## **Panel I. Rising Economic Inequality: Why We Should Care**

### **Moderator:**

**Lisa Keister**, Duke University

Lisa A. Keister is professor of sociology at Duke University. Her two primary research topics are firm behavior during China’s transition and wealth inequality in the U.S. She is the author of *Wealth in America*, an exploration of patterns and causes of wealth inequality in the U.S. in recent decades. She also wrote *Getting Rich*, a study of wealth mobility patterns and determinants. She is currently working on a project on values and economic decision making, writing a book on religion and wealth ownership, conducting a study of the lives of local elites, and beginning work on a project on social structure in small towns.

Keister completed her Ph.D. at Cornell University and has served on the faculties of the University of North Carolina, Chapel Hill and Ohio State University. She also served as Associate Dean at Ohio State and is the recipient of the National Science Foundation's Faculty Early Development Career Award.

### **Representative Publications**

*Social Stratification and Inequality*, Cambridge University Press (forthcoming).

“Conservative Protestants and Wealth: How Religion Perpetuates Asset Poverty,” *American Journal of Sociology*, 2007.

“Single Females and Inequality: The Role of Asset Accumulation in Female Poverty Rates” (with Alexis Yamokoski), *Feminist Economics*, vol. 12, 2006.

*Getting Rich: America’s New Rich and How They Got That Way*, Cambridge University Press, 2005.

“Race, Family Structure, and Wealth: The Effect of Childhood Family on Adult Asset Ownership,” *Sociological Perspectives*, vol. 47, 2004.

“Repealing the Estate Tax: A Recipe for More Inequality?” *Contexts*, vol. 2, 2003.

*Wealth in America: Trends in Wealth Inequality*, Cambridge University Press, 2000.

“Wealth Inequality in the United States” (with Stephanie Moller), *Annual Review of Sociology*, vol. 26, 2000.

**Panelists:**

**Joel Handler**, University of California, Los Angeles

Joel F. Handler, Richard C. Maxwell Professor of Law and professor of policy studies at UCLA, specializes in social welfare law and policy, poverty, welfare bureaucracies, and comparative welfare states. He has been a member of the National Academy of Science's Committee on the Status of Black America and chaired the Academy's Panel on High Risk Youth. He is a past president of the Law and Society Association. He has published several books and articles, including *Hard Labor: Poor Women and Work in the Post-Welfare Era* (co-edited with Lucie White); *We the Poor People: Work, Poverty, and Welfare* (with Yeheskel Hasenfeld); *The Poverty of Welfare Reform*; and *Social Citizenship and Workfare in the United States and Western Europe - The Paradox of Inclusion*. For *Down From Bureaucracy: The Ambiguity of Privatization and Empowerment*, he won the Gladys M. Kammerer Award for the best political science publication in the field of U.S. national policy. Handler was elected a fellow of the American Academy of Arts and Sciences in 2004. He has lectured in Europe, Israel, South America, and Asia.

**Representative Publications**

*Blame Welfare, Ignore Poverty and Inequality* (with Yeheskel Hansenfeld), Cambridge University Press, 2006.

"The Failure of Workfare: Another Reason for a Basic Income Guarantee" (with Amanda Sheely Babcock), *Basic Income Studies*, vol. 1, 2006.

*Social Citizenship in Workfare in the United States and Western Europe - The Paradox of Inclusion*, Cambridge University Press, 2004.

*Hard Labor: Poor Women and Work in the Post-Welfare Era* (with Lucie White), M.E. Sharpe, 1999.

"Poverty, Dependency, and Social Welfare: Procedural Justice for the Poor," in *Justice and Power in Sociological Studies* (Garth and Sarat, eds.), Northwestern University Press, 1998.

*We the Poor People: Work, Poverty, and Welfare* (with Yeheskel Hasenfeld), Yale University Press, 1997.

*Down From Bureaucracy: The Ambiguity of Privatization and Empowerment*, Princeton University Press, 1996.

*The Poverty of Welfare Reform*, Yale University Press, 1996.

"Women, Families, Work, and Poverty: A Cloudy Future," *UCLA Women's Law Journal*, vol. 6, 1996.

*The Moral Construction of Poverty: Welfare Reform in America* (with Yeheskel Hasenfeld), Sage Publications, 1991.

**Lingxin Hao**, Johns Hopkins University

Lingxin Hao is a professor of sociology at Johns Hopkins University. Her areas of specialty include social inequality, immigration, family and public policy, and quantitative methodology. She has been the principle investigator for several large-scale projects supported by federal grants from the National Institute for Health and the National Science Foundation. Numerous publications from these projects

have examined the impact of immigration on social inequality, assimilation of immigrant generations, welfare policy and single-mother families. Hao's research approach is quantitative, using nationally representative data. Her book, *Color Lines, Country Lines: Race, Immigration, and Wealth Stratification*, is a detailed examination of how immigration affects the racial disparity of wealth in the U.S. Hao earned her Ph.D. in sociology from the University of Chicago in 1990.

### **Representative Publications**

*Color Lines, Country Lines: Race, Immigration and Wealth Stratification*, Russell Sage Foundation Publications, 2007.

“The Schooling of Children of Immigrants: Contextual Effects on the Educational Attainment of the Second Generation” (with Alejandro Portes), *Proceedings of the National Academy of Sciences of the United States of America*, vol. 101, 2004.

“Wealth of Immigrant and Native-Born Americans,” *International Migration Review*, vol. 38, 2004.

“Family Structure, Private Transfers, and the Economic Well-Being of Families with Children,” *Social Forces*, vol. 75, 1996.

“Family Support Networks, Welfare, and Work among Young Mothers” (with Dennis Hogan and William Parish), *Journal of Marriage and the Family*, vol. 53, 1991.

### **Mark Rank**, Washington University in St. Louis

Mark R. Rank is Herbert S. Hadley Professor of Social Welfare in the George Warren Brown School of Social Work at Washington University in St. Louis and a widely recognized expert on issues of poverty, inequality, and social justice. His first book, *Living on the Edge: The Realities of Welfare in America*, explored the conditions of surviving on public assistance, and achieved widespread critical acclaim; his most recent book, *One Nation, Underprivileged: Why American Poverty Affects Us All*, provides a new understanding of poverty in America. In addition, Rank has published articles in numerous academic journals across a wide variety of fields.

Rank's research has been reported in a wide range of media outlets including *The New York Times*, *The Washington Post*, *The Wall Street Journal* and *The Los Angeles Times*. He has provided his research to members of the U.S. Congress, as well as to many national and state organizations involved in issues of economic and social justice. Rank is the recipient of many awards including the Founders Day Distinguished Faculty Award from the Washington University Alumni Board of Governors, the Faculty Award to Improve Learning from the William T. Kemper Foundation, the Outstanding Research Award from the Society for Social Work and Research, the Feldman Award from the Groves Conference on Marriage and the Family, and the Outstanding Faculty Award from the Brown School's Alumni Association.

### **Representative Publications**

“Asset Building Across the Life Course,” in *Poor Finances* (McKernan and Sherraden, eds.), Oxford University Press, (forthcoming).

“Rethinking the Scope and Impact of Poverty in the United States,” *Connecticut Public Interest Law Journal*, vol. 6, 2007.

“Toward a New Understanding of American Poverty,” *Washington University Journal of Law and Policy*, vol. 20, 2006.

*One Nation, Underprivileged: Why American Poverty Affects Us All*, Oxford University Press, 2004.

“The Occurrence of Poverty Across the Life Cycle: Evidence from the PSID” (with Thomas A. Hirschl), *Journal of Policy Analysis and Management*, vol. 20, 2001.

“The Economic Risk of Childhood in America: Estimating the Probability of Poverty Across the Formative Years” (with Thomas A. Hirschl), *Journal of Marriage and Family*, vol. 61, 1999.

*Living on the Edge: The Realities of Welfare in America*, Columbia University Press, 1995.

“Welfare Use Across Generations: How Important Are the Ties that Bind?” (with Li-Chen Cheng), *Journal of Marriage and Family*, vol. 57, 1995.

**Alan Reynolds**, Cato Institute

Alan Reynolds, Senior Fellow at the Cato Institute, was formerly Director of Economic Research at the Hudson Institute. He served as Research Director with National Commission on Tax Reform and Economic Growth, as an advisor to the National Commission on the Cost of Higher Education, and as a member of the Office of Management and Budget transition team in 1981. His studies have been published by the Organization for Economic Cooperation and Development, the Joint Economic Committee, the Federal Reserve Banks of Atlanta and St. Louis and the Australian Stock Exchange. Author of *Income and Wealth*, he has written for numerous publications since 1971 including *The Wall Street Journal*, *The New York Times*, *National Review*, *The New Republic*, *Fortune* and *The Harvard Business Review*. A former columnist with *Forbes* and *Reason*, his weekly column is now nationally syndicated.

### **Representative Publications**

“Has U.S. Income Inequality *Really* Increased?” The Cato Institute, Policy Analysis no. 586, 2007.

“What’s in the ‘Middle’?” *National Review*, October 29, 2007.

“The Truth About the Top 1%,” *The Wall Street Journal*, October 25, 2007.

*Income and Wealth*, Greenwood Press, 2006.

**John Schmitt**, Center for Economic and Policy Research

John Schmitt is a senior economist with the Center for Economic and Policy Research. He has written extensively on economic inequality, unemployment, the new economy, the welfare state, and other topics for both academic and popular audiences. Schmitt’s research has focused primarily on inequality in the U.S. labor market and the role of labor-market institutions in explaining international differences in economic performance, particularly between the U.S. and Europe. He has co-authored (with Lawrence Mishel and Jared Bernstein) three editions of *The State of Working America* and has contributed to *The American Prospect*, *The Boston Review*, *Challenge*, *The Guardian*, *The International Herald Tribune*, *The Washington Post* and other newspapers and magazines.

Since 1999, Schmitt has been a visiting lecturer at the Pompeu Fabra University in Barcelona. He has also

worked as a consultant for national and international organizations including the American Center for International Labor Solidarity, the Global Policy Network, the International Labor Organization, the United Nations Economic Commission for Latin America, and others. He has an undergraduate degree from the Woodrow Wilson School of Public and International Affairs at Princeton University and an M.Sc. and Ph.D. in economics from the London School of Economics.

### **Representative Publications**

“Labor Markets and Economic Inequality in the United States Since the End of the 1970s,” in *Neoliberalism, Globalization, and Inequalities: Consequences for Health and Quality of Life* (Navarro, ed.), Baywood Publishing Company, Inc., 2007.

“The Scorecard on Development: 25 Years of Diminished Progress” (with Mark Weisbrot and David Rosnick), in *Flat World, Big Gaps: Economic Liberalization, Globalization, Poverty and Inequality* (Jomo and Baudot, eds.), Zed Books, 2007.

“Unions and Upward Mobility for Low-Wage Workers” (with Margy Waller, Shawn Fremstad and Ben Zipperer), Center for Economic and Policy Research Report, August 2007.

“Whatever Happened to the American Jobs Machine?” Center for Economic and Policy Research Report, October 2006.

“How Good is the Economy at Creating Jobs?” Center for Economic and Policy Research Report, October 2005.

*The State of Working America 2000-2001* (with Lawrence Mishel and Jared Bernstein), Cornell University Press, 2001.

“Inequality and Globalization: Some Evidence from the United States,” in *The Ends of Globalization: Bringing Society Back In* (Kalb, van der Land, Staring, van Steenbergen, and Wilterdink, eds.), Rowman & Littlefield, 1999.

## **Panel II. Labor Markets, Income Inequality & Globalization**

### **Moderator:**

**Catherine Fisk**, Duke University

Catherine L. Fisk is Douglas Blount Maggs Professor of Law at Duke University School of Law, where she has taught labor and employment law, civil procedure, appellate litigation and legal ethics. Fisk has recently written articles on state and local efforts to regulate low-wage work in the retail sector, union organizing among immigrant workers, employment contracts, workplace appearance regulation and attribution of creative work. She is the co-author of two books, *Labor Law Stories* and *Labor Law in the Contemporary Workplace* (forthcoming 2008), and is the author of *Working Knowledge: Employee Innovation and the Rise of Corporate Intellectual Property, 1800-1930* (under contract with UNC Press).

Prior to teaching law, she practiced labor law in a private firm and was a lawyer for the U.S. Department of Justice in Washington, D.C. In addition to doing pro bono work in the areas of labor and employment law and civil rights, she served on a blue ribbon commission of the City of Los Angeles to investigate allegations of employee-related wrongdoing by elected officials and arbitrated a collective bargaining agreement between a major union and a large association of employers in California. Fisk is a graduate of Princeton University and the University of California at Berkeley (Boalt Hall). In 2008, she will be among the founding faculty of the new law school at the University of California at Irvine.

## Representative Publications

“Foreword – Looking for a Miracle? Women, Work, and Effective Legal Change,” *Duke Journal of Gender Law & Policy*, vol. 13, 2006.

*Labor Law Stories* (with Laura J. Cooper), Foundation Press, 2005.

“The Story of *Hoffman Plastic Compounds, Inc. v. NLRB*: The Rules of the Workplace for Undocumented Immigrants” (with Michael J. Wishnie), in *Immigration Stories* (Martin and Schuck, eds.), 2005.

“The Enduring Power of Collective Rights” (with Laura Cooper), in *Labor Law Stories*, 2005.

“Justice for Janitors in Los Angeles and Beyond: A New Form of Unionism in the 21st Century?” (with Erickson, Milkman, Mitchell, and Wong), in *The Changing Role of Unions: New Forms of Representation* (Wunnava, ed.), M.E. Sharpe, 2004.

## Panelists:

**Frances Ansley**, University of Tennessee

Fran Ansley, College of Law Distinguished Professor of Law at the University of Tennessee, is a frequent speaker and widely published author in the areas of civil rights, labor rights, globalization, and issues of race and gender, with a special interest in the southeastern U.S. and the evolving economic and cultural relations between the U.S. and Latin America. Ansley's articles have appeared in a number of law reviews, including the *California Law Review*, *Cornell Law Review*, *Georgetown Law Journal*, and *Tennessee Law Review*, and she has contributed chapters to several interdisciplinary books on issues of race, gender, poverty, and economic restructuring. In addition to her legal scholarship, she is co-author of a memoir concerning a 1989 coal miners' strike in southwest Virginia, co-editor/author of an oral history of labor struggles in several east Tennessee coal mining communities, and co-author of the original edition of *Our Bodies, Our Selves*.

Ansley served as principal humanities adviser to *Morristown*, a video documentary on the impacts of globalization in east Tennessee. She is a recipient of the 2003 Carden Award for Outstanding Achievement in Scholarship, the Marilyn V. Yarbrough Faculty Award for Writing Excellence in 1994, and the W. Allen Separk Award for Superior Achievement in Scholarship in 1993 and 2002. Particularly interested in lawyering for and with organizations that work on grassroots, bottom-up social change, she has provided pro bono representation, legal and empirical research, and community legal education with a range of groups over the years, sometimes together with her students.

## Representative Publications

“Local Contact Points with Global Divides: Labor Rights and Immigrant Rights as Sites for Cosmopolitanism Legality,” in *Law and Globalization from Below: Towards a Cosmopolitan Legality* (de Sousa Santos and Rodríguez, eds.), Cambridge University Press, 2005.

“Constructing Citizenship Without a License: The Struggle of Undocumented Immigrants in the U.S. for Livelihoods and Recognition,” in *Meanings and Expressions of Rights and Citizenship* (Kabeer and Gaventa, eds.), Zed Press, 2005.

“Who Counts? The Case for Participatory Research,” in *Laboring Below the Line: The New Ethnography of Poverty, Low-Wage Work, and Survival in the New Economy* (Munger, ed.), Russell Sage, 2002.

“Inclusive Boundaries and Other (Im)possible Paths Toward Community Development in a Global World,” *University of Pennsylvania Law Review*, vol. 150, 2001.

“Putting the Pieces Together: Tennessee Women Find the Global Economy in Their Own Backyards,” in *Women Working the NAFTA Food Chain: Women, Food, and Globalization* (Barndt, ed.), Second Story Press, 1999.

“What’s the Globe Got to Do with It?” in *Hard Labor: Poor Women and Work in the Post-Welfare Era* (Handler and White, eds.), M.E. Sharpe, 1999.

“Rethinking Law in Globalizing Labor Markets,” *University of Pennsylvania Journal of Labor & Employment Law*, vol. 1, 1998.

“Standing Rusty and Rolling Empty: Law, Poverty, and America’s Eroding Industrial Base,” *Georgetown Law Journal*, vol. 81, 1993.

### **Ron Bloom**, United Steelworkers

Ron Bloom is Special Assistant to the President of the United Steelworkers (USW) and currently heads the Union’s Corporate Research, Industry Analysis and Pattern Bargaining Department. His responsibilities include the union’s collective bargaining program in its core jurisdictions, with an emphasis on the particular issues facing the Steelworkers in its dealings with financially troubled companies. He also coordinates the union’s dealings with financial investors, in both public and private companies.

Prior to joining the Steelworkers, Bloom was one of the founding partners of the investment banking firm of Keilin and Bloom, which focused on financial transactions where employees played a role as stakeholders. Before that, he was a vice president at the investment banking firm of Lazard Freres & Co. While at Lazard, he specialized in analyzing, structuring and raising financing for union-led employee-ownership transactions. He has also served as a research and negotiating specialist for the Service Employees International Union (SEIU). Bloom received his undergraduate degree from Wesleyan University and graduated with distinction from the Harvard Graduate School of Business Administration.

### **Judy Scott**, Service Employees International Union

Judy Scott is General Counsel of the Service Employees International Union (SEIU), the largest and fastest growing labor union in the U.S. private sector. SEIU organizes among low-wage immigrant workers and is known for its innovative organizing tactics and legal strategies in North America. SEIU has also launched a number of international organizing initiatives with other unions throughout the world, seeking global organizing agreements with multi-national corporations in the property services sector.

Scott also is a member of the Washington, D.C. labor law firm of James & Hoffman. She has practiced labor law for over 30 years, including representation of the United Mine Workers, Auto Workers Union, AFSCME and Teamsters. She has been a member of the Board of Directors of the National Partnership for Woman and Families and the Alliance for Justice, and co-authored a handbook for union organizers, *Organizing and the Law*. She is the current union co-chair of the ABA International Labor Law Committee. Scott is a 1974 graduate of Northeastern University School of Law and received her BA from Wellesley College in 1971.

## **Representative Publications**

*Organizing and the Law* (with Stephen Schlossberg), Bureau of National Affairs, 1991.

**Harley Shaiken**, University of California, Berkeley

Harley Shaiken is Class of 1930 Professor of Letters and Science and Director of the Center for Latin American Studies at the University of California, Berkeley. He is a Professor of Social and Cultural Studies at the Graduate School of Education and is a member of the Department of Geography at Berkeley where he specializes on issues of work, technology, and global production. He was formerly on the faculty of the University of California, San Diego. Prior to that, he was a Research Associate in the Program in Science, Technology, and Society (STS) and the Laboratory for Manufacturing and Productivity at Massachusetts Institute of Technology from 1981 to 1986. He is the author of three books: *Work Transformed: Automation and Labor in the Computer Age*; *Automation and Global Production*; and *Mexico in the Global Economy* as well as numerous articles and reports in both scholarly and popular journals.

He is an advisor on trade and labor issues to public and private organizations and the U.S. Congress. At the University of California, Berkeley he is on the advisory boards of the Institute of Industrial Relations and the Institute for the Study of Social Change. He is also a member of the advisory boards of American Rights at Work, the Center for American Progress, and the Latin American Program of the Open Society Institute.

## **Representative Publications**

“Stronger Unions Mean a Strong Middle Class,” *The Los Angeles Times*, Feb. 17, 2007.

*The High Road to a Competitive Economy: A Labor Law Strategy*, Center for American Progress, 2004

“Work, Development and Globalization,” Working Paper No. 7, Center for Latin American Studies, University of California, Berkeley, 2004.

“The New Global Economy: Trade and Production under NAFTA,” *Journal Fur Entwicklungspolitik*, vol. 17, 2001.

“The North American Free Trade Agreement: A Social Charter and Economic Growth,” in *NAFTA as a Model of Development: The Benefits and Costs of Merging High and Low Wage Areas* (Belous and Lemco, eds.), State University of New York, 1995.

“Advanced Manufacturing and Mexico: A New International Division of Labor?” *Latin American Research Review*, vol. 29, 1994.

**Louis Uchitelle**, *The New York Times*

Louis Uchitelle has covered economics for *The New York Times* since 1987, focusing on labor and business issues and traveling widely in the United States. He shared a George Polk award for a series of seven articles, “The Downsizing of America,” published in *The Times* in 1996, that explored the layoff phenomenon. He was a visiting scholar at the Russell Sage Foundation in New York in 2002-2003 and he taught journalism for many years at Columbia University’s School of General Studies. Before joining *The Times*, Uchitelle worked for The Associated Press as a reporter, editor and foreign correspondent in Latin America.

## **Representative Publications**

*The Disposable American: Layoffs and Their Consequences*, Vintage, 2007.

“Is There (Middle Class) Life After Maytag?” *The New York Times*, Aug. 26, 2007.

“The Richest of the Rich, Proud of a New Gilded Age,” *The New York Times*, July 15, 2007.

“A False Sense of Security? You Must Own a Home,” *The New York Times*, July 1, 2007.

“The End of the Line as Detroit Workers Know It,” *The New York Times*, April 1, 2007.

“Nafta Should Have Stopped Illegal Immigration, Right?” *The New York Times*, February 18, 2007.

“Very Rich are Leaving the Merely Rich Behind,” *The New York Times*, November 27, 2006.

“Retraining Laid-Off Workers, but for What?” *The New York Times*, March 26, 2006.

“Two Tiers, Slipping into One,” *The New York Times*, February 26, 2006.

## **Panel III. How Law Constructs Wealth Patterns**

### **Moderator:**

***Stephen Berzon***, Altshuler Berzon LLP

Stephen P. Berzon is a partner at Altshuler Berzon LLP in San Francisco, a firm he co-founded in 1977. He graduated from Cornell University and Harvard Law School, and was a law clerk to Judge Alvin B. Rubin of the United States District Court for the Eastern District of Louisiana in New Orleans and served as Legal Director of the Children’s Defense Fund in Washington, D.C.

Berzon specializes in major litigation, frequently involving labor and employment. He has argued before the U.S. Supreme Court, the California Supreme Court, and federal circuit and district courts throughout the U.S. He has testified before the U.S. Senate and House Committees and the California Senate and Assembly Committees and was actively involved in the formulation and development of several significant federal and state statutes. He serves on the Boards of Directors of the American Constitution Society, the Board of Directors of the AFL-CIO Lawyers Coordinating Committee, and the Executive Committee of the Northern District of California Chapter of the Federal Bar Association. He received the Voting Rights Award from the ACLU of Southern California 2002 and is listed in “The Best Lawyers in America” and in San Francisco Magazine as a Northern California “Super Lawyer.”

### **Panelists:**

***Ana Avendaño***, AFL-CIO

Ana Luisa Avendaño currently serves as an Associate General Counsel and Director of the Immigrant Worker Program at the AFL-CIO, providing legal and technical analysis on matters related to immigration and workers’ rights to labor unions and their members in all sectors of the U.S. economy. She has also testified before U.S. Congress on U.S. immigration policy and its effect on workers. In addition, Avendaño handles international matters related to migration for the AFL-CIO. She served as the United States Worker Representative to the International Labor Organization (ILO) Committee on Migration in 2004. She was appointed to serve on the ILO’s Panel of Experts on Migration in 2005. She

testified before the Informal Interactive Hearings of the United Nations' General Assembly with Non-Governmental Organizations, Civil Society Organizations and the Private Sector on International Migration and Development in 2006.

Prior to joining the AFL-CIO, she served as Assistant General Counsel to the United Food and Commercial Workers International Union. Avendaño also served in the Appellate Court Branch of the National Labor Relations Board and in private practice in San Francisco and Washington, D.C. She is a graduate of the University of California at Berkeley and Georgetown University Law Center.

**Jonathan Forman**, University of Oklahoma

Jonathan Barry Forman is the Alfred P. Murrah Professor of Law at the University of Oklahoma, where he teaches courses on tax, pension, and elder law. He is also vice chair of the board of trustees of the Oklahoma Public Employees Retirement System (OPERS), and he is active in the American Bar Association, the Association of American Law Professors, and the National Academy of Social Insurance. Forman has also lectured around the world, testified before Congress, and served on numerous federal and state advisory committees.

He has written more than 250 publications including *Making America Work*. In addition to his many scholarly publications, he has a monthly column in the *Journal Record* of Oklahoma City, and he has published op-eds in *Barron's*, the *Los Angeles Times*, the *Dallas Morning News*, the *Cleveland Plain Dealer*, the *Washington Times*, the *Daily Oklahoman*, and numerous other newspapers and magazines. Forman has a law degree from the University of Michigan and master's degrees in economics and psychology. Prior to entering academia, he served in all three branches of the federal government, most recently as Tax Counsel to the late Senator Daniel Patrick Moynihan.

**Representative Publications**

“Making America Work: Alfred P. Murrah Professorship Inaugural Lecture,” *Oklahoma Law Review*, vol. 60, 2007.

“A Mandatory Universal Pension System” (with Adam Carasso), in *New York University Review of Employee Benefits and Compensation*, 2006.

*Making America Work*, Urban Institute Press, 2006.

“Designing a Work-friendly Tax System: Options and Trade-Offs” (with Adam Carasso and Mohammed Adeel Saleem), Urban Institute Discussion Paper No. 20, 2005.

“Poverty Levels and Federal Tax Thresholds: 2001” (with Hillary Nolan), *Tax Practice & Procedure*, vol. 3, 2001.

“How Federal Pension Laws Influence Individual Work and Retirement Decisions,” *Tax Lawyer*, vol. 54, 2000.

**Kent Greenfield**, Boston College

Kent Greenfield is Professor of Law and Law Fund Research Scholar at Boston College Law School, where he teaches and writes in the areas of business law, constitutional law, legal theory, and economic analysis of law. He is also the Distinguished Faculty Fellow at the Center on Corporations, Law and Society at the Seattle University School of Law. He is the author of the book *The Failure of Corporate*

*Law*, which the Law and Politics Book Review called “seminal” and a “touchstone” for “corporate law reform globally.” Greenfield also has had journal articles published in the *Yale Law Journal*, the *Virginia Law Review*, the *Boston College Law Review*, the *George Washington Law Review*, and the *Tulane Law Review*, among others. Before joining the faculty in 1995, Greenfield served as a law clerk to Justice David H. Souter, of the United States Supreme Court, and to Judge Levin H. Campbell, of the United States Court of Appeals for the First Circuit. He is a graduate of the University of Chicago Law School and Brown University.

### **Representative Publications**

“Saving the World with Corporate Law?” Boston College Law School Research Paper No. 130, April 3 2007.

*The Failure of Corporate Law: Fundamental Flaws and Progressive Possibilities*, University of Chicago Press, 2006.

“A Bridle, a Prod, and a Big Stick: An Evaluation of Class Actions, Shareholder Proposals, and the Ultra Vires Doctrine as Methods for Controlling Corporate Behavior” (with Adam Sulkowski), *St. John's Law Review*, vol. 79, 2005.

“Truth or Consequences: If a Company Lies, Employees Should be Able to Sue,” *Washington Post*, June 28, 1998.

“The Place of Workers in Corporate Law,” *Boston College Law Review*, vol. 39, 1998.

“The Unjustified Absence of Federal Fraud Protection in the Labor Market,” *The Yale Law Journal*, vol. 107, 1997.

### **Patricia McCoy**, University of Connecticut

Patricia A. McCoy is the George J. and Helen M. England Professor of Law at the University of Connecticut, where she teaches banking and securities regulation, corporate governance, retirement security law, and consumer finance law. Her research examines systemic risk, market failure, and consumer protection in the banking, securities, insurance, and pension industries. She wrote *Banking Law Manual: Federal Regulation of Financial Holding Companies, Banks and Thrifts* and edited and contributed to *Financial Modernization After Gramm-Leach-Bliley*. In addition, she has written articles on predatory lending, bank director liability, post-socialist business law reforms, corporate governance, and global convergence in banking.

Currently, McCoy sits on the board of directors of the Insurance Marketplace Standards Association and the Research Advisory Council of the Center for Responsible Lending. In 2006, she was appointed to the Blue Ribbon Advisory Committee on Risk or Race of the Joint Center on Housing Studies at Harvard University. She served on the Consumer Advisory Council of the Board of Governors of the Federal Reserve from 2002 to 2004; was a visiting scholar at the MIT Economics Department in 2002-2003; and was the chair of the Section on Financial Institutions and Consumer Financial Services of the Association of American Law Schools in 2001 and 2005. McCoy is active in the Law and Society Association and has lectured extensively in Russia, Eastern Europe and China. She received her bachelor’s degree from Oberlin College and her law degree from the University of California at Berkeley (Boalt Hall).

## **Representative Publications**

“From Credit Denial to Predatory Lending: The Challenge of Sustaining Minority Homeownership,” in *Segregation: The Rising Costs for America* (Carr and Kutty, eds.), Routledge, forthcoming 2008.

“Turning a Blind Eye: A Wall Street Finance of Predatory Lending,” *Fordham Law Review*, vol. 75, 2007.

“Mortgage Rate Disparities Hurt Borrowers, Communities” (with Kathleen Engel), *Cleveland Plain Dealer*, September 29, 2006.

“A Behavioral Analysis of Predatory Lending,” *Akron Law Review*, vol. 38, 2005.

“Predatory Lending Practices: Definition and Behavioral Implications,” in *Predatory Lending: Why the Poor Pay More for Financial Services* (Squires, ed.), Greenwood Press, 2004.

“Predatory Lending: What Does Wall Street Have to Do with It?” (with Kathleen C. Engel), *Housing Policy Debate*, vol. 17, 2004.

“A Tale of Three Markets: The Law and Economics of Predatory Lending” (with Kathleen C. Engel), *Texas Law Review*, vol. 80, 2002.

“The Law and Economics of Remedies for Predatory Lending” (with Kathleen C. Engel), in *Changing Financial Markets, and Community Development*, Federal Reserve System, 2001.

**Ann O’Leary**, Deputy City Attorney, San Francisco

Ann O’Leary is a Deputy City Attorney for the City of San Francisco where she primarily focuses on elections law, campaign finance laws, and governmental ethics. She also serves on the City Attorney’s Affirmative Litigation Task Force where she spearheads an effort to develop affirmative public policy litigation on behalf of the working poor. Earlier this year, she led the City Attorney’s case in *People v. Check ‘n Go*, an action against two storefront lending institutions and an associated out-of-state bank for unlawful, unfair and fraudulent business practices stemming from their marketing of short-term installment loans at unlawful interest rates to low-income borrowers.

Previously, O’Leary clerked for Judge John T. Noonan, Jr. on the Ninth Circuit Court of Appeals. She has also served as legislative director for Senator Hillary Rodham Clinton (D-NY); as special assistant to the President for the Domestic Policy Council in the Clinton Administration and senior policy advisor to the First Lady; senior policy advisor to the Deputy Secretary of Education; education director of the White House Fellows; and special assistant in the office of the White House Counsel. O’Leary serves on the boards of San Francisco-based Public Advocates, a non-profit public law office focused on challenging the systemic causes of poverty and discrimination by promoting civil rights. She received her bachelor’s degree from Mount Holyoke College, her master’s degree from Stanford University, and her law degree from University of California at Berkeley (Boalt Hall).

## **Representative Publications**

“How Family Leave Laws Left Out Low-Income Workers,” *Berkeley Journal of Employment and Labor Law*, vol. 28, 2007.

## **Panel IV. Charting Our Next Steps: Removing Obstacles to Change**

### **Moderator:**

**Melody Barnes**, Center for American Progress

Melody Barnes is the Executive Vice President for Policy at the Center for American Progress, where she coordinates all of the Center's policy work. Previously, she served as chief counsel to Senator Edward Kennedy on the Senate Judiciary Committee, shaping civil rights, women's health and reproductive rights, commercial law, and religious liberties laws, as well as executive branch and judicial appointments. Her experience includes an appointment as Director of Legislative Affairs for the U.S. Equal Employment Opportunity Commission and she served as assistant counsel to the U.S. House of Representatives Judiciary Subcommittee on Civil and Constitutional Rights. Barnes began her career as an attorney with Shearman & Sterling in New York City and is a member of both the New York State and the District of Columbia Bar Association. She is also a member of the Board of Directors of The Constitution Project, EMILY's List, and The Maya Angelou Public Charter School. She received her law degree from the University of Michigan and her bachelor's degree from the University of North Carolina at Chapel Hill.

### **Panelists:**

**Mary Beth Maxwell**, American Rights at Work

Mary Beth Maxwell is the founding Executive Director of American Rights at Work, a national advocacy organization launched in 2003 to advance workers' rights to organize and collectively bargain. In its brief history, she has led the organization in exposing unionbusting in *The New York Times* and *The Wall Street Journal*, monitoring decisions of the National Labor Relations Board, and informing the policy debate on workers' freedom to form unions through original research studies. Maxwell is the author of the organization's inaugural report, *Some of Them Are Brave: The Unfulfilled Promise of American Labor Law*. In all her work, she strives to place workers' rights more squarely on the progressive political agenda.

She previously served as National Field Director for Jobs with Justice, where she significantly contributed to the organization's growth into a grassroots network of 43 local coalitions and organizing committees supporting workers' rights across the country. She was also Deputy Field Director for NARAL and Field Director for the United States Student Association.

### **Representative Publications**

"Workplaces Where Everybody Wins," *The Omaha World Herald*, September 3, 2007.

"Free Choice Act Merely Levels Playing Field," *Rocky Mountain News*, June 25, 2007.

"Other States Should Follow Md. on Wal-Mart and Health Insurance," *The Press of Atlantic City*, January 25, 2006.

*Some of Them are Brave: The Unfulfilled Promise of American Labor Law* (with Bruce Nissen), American Rights at Work, 2003.

**John Quintero**, NC Justice Center

John Quintero is a research associate at the North Carolina Budget & Tax Center, a public policy research and advocacy organization in Raleigh, North Carolina. Quintero oversees the center's applied

research and policy advocacy in the areas of labor market policy and workforce development. He regularly serves as an expert commentator for elected officials and journalists and sits on a variety of public task forces and committees focused on issues of workforce development and economic opportunity. His writings on public policy have appeared in a variety of publications. Quintero holds degrees from the University of North Carolina at Chapel Hill and the University of Notre Dame.

### **Representative Publications**

“Poverty: Challenges and Opportunities” in *The Triangle Speaks: Improving Health and Human Services in Our Region* (Nathaniel Goetz, ed.), Triangle United Way, forthcoming, December 2007.

“The Picture of Poverty” (with Melinda Lawrence), in *Trial Briefs*, October 2007.

*Buddy, Can You Spare a Dime? Putting North Carolina’s Unemployment Insurance System Back to Work*, North Carolina Budget & Tax Center, March 2007.

“Eastern North Carolina at Work: What Are the Region’s Economic Engines?” in *North Carolina Insight*, February 2006.

*North Carolina’s Unfinished Transformation: Connecting Working Families to the State’s Prosperity*, North Carolina Budget & Tax Center, Winter 2006.

*Failing Jobs, Falling Wages: The 2005 North Carolina Living Income Standard* (with Elizabeth Jordan), North Carolina Budget & Tax Center, December 2005.

**Michael Selmi**, George Washington University

Michael Selmi is a professor of law at George Washington University Law School where he teaches and writes about employment and discrimination issues. His recent work has focused on the work-family balance issues for low-income women, the needs of low-wage workers in a non-union setting, and the implications of the changing demographics of our largest cities. He has also taught at the University of North Carolina, Boston University and Harvard Law School. Prior to entering academia, Selmi litigated employment discrimination cases on behalf of plaintiffs.

### **Representative Publications**

“Privacy for the Working Class: Public Work and Private Lives,” *Louisiana Law Review*, vol. 66, 2006.

“The Class Ceiling” (with Naomi Cahn), *Maryland Law Review*, vol. 65, 2006.

“Difference and Solidarity: Unions in a Postmodern Age” (with Molly McUsic), in *Labour Law in an Era of Globalization* (Conaghan, Fischl and Klare, eds.), Oxford University Press, 2002.

“Postmodern Unions: Identity Politics in the Workplace” (with Molly McUsic), *Iowa Law Review*, vol. 82, 1997.

**Michael Zweig**, Stony Brook University

Michael Zweig is Professor of Economics at the State University of New York at Stony Brook, where he has received the SUNY Chancellor’s Award for Excellence in Teaching and is the founder and director of the Center for Study of Working Class Life. His most recent books are *What’s Class Got to Do with It*:

*American Society in the Twenty-first Century* and *The Working Class Majority: America's Best Kept Secret*. In 2005-2006, he served as executive producer of *Meeting Face to Face: the Iraq – U.S. Labor Solidarity Tour*, his first film.

He has a long history of social activism combined with scholarly work and has published widely in professional and general circulation journals, including *The American Economic Review*, *The American Economist*, *Labor Notes*, *Monthly Review*, *New Labor Forum*, *Rethinking Marxism*, *Review of Black Political Economy*, *Review of Radical Political Economics*, *Tikkun*, and *UE News*. Zweig is active in his union, United University Professions (Local 2190, American Federation of Teachers, AFL-CIO) and has served two terms on its state executive board. He received his Ph.D. in economics from the University of Michigan where, as an undergraduate, he was a founding member of Students for a Democratic Society (SDS), and as a graduate student helped found the Union for Radical Political Economics (URPE).

### **Representative Publications**

“Six Points on Class,” *Monthly Review*, July-August 2006.

*What's Class Got to Do with It? American Society in the Twenty-first Century*, Cornell University Press, 2004.

*The Working Class Majority: America's Best Kept Secret*, Cornell University Press, 2000