






JENNIFER BENNETT SHINALL

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EMPLOYMENT

Vanderbilt Law School

2020 – Present Professor of Law
2017 – 2020 Associate Professor of Law
2014 – 2017 Assistant Professor of Law
2013 – 2014 Postdoctoral Scholar in Law and Economics

United States Court of Appeals for the Seventh Circuit

2012 – 2013 Law Clerk to the Honorable John Daniel Tinder

EDUCATION

Vanderbilt University

2012 Ph.D. in Law and Economics
Fields: Labor Markets and Human Resources, Legal and Economic History
Dissertation: *Obesity in the Labor Market: Implications for the Legal System*
Committee: Joni Hersch (Chair), W. Kip Viscusi, James Blumstein, R. Lawrence Van Horn
Awards: Vanderbilt University Graduate Fellowship, Vanderbilt University Dissertation Enhancement Grant, Southern Economic Association Graduate Student Award

2012 J.D.
Order of the Coif
Senior Articles Editor, *Vanderbilt Law Review* (2009 – 2010)
Awards: Dean's List, Scholastic Excellence Awards for Highest Grades in Civil Procedure, Constitutional Law I, Legal Writing I, Property, Professional Responsibility, Employment Discrimination

Harvard University

2006 A.B. in History and Economics, *magna cum laude*
Phi Beta Kappa (Fall 2005)
Thesis: *More than Skin Deep: Portuguese Labor Importation and the Hawaiian Sugar Industry*
Awards: David Herbert Donald Prize in American History, History Junior Essay Prize, Center for American Political Studies Undergraduate Fellow, Mark

DeWolfe Howe Undergraduate Award

PUBLICATIONS

- 2022 *Paid Sick Leave's Payoff*, 76 VAND. L. REV. (forthcoming 2022)
- Without Accommodation*, 97 IND. L. J. 1148 (Summer 2022)
- 2021 *Protecting Pregnancy*, 106 CORNELL L. REV. (October 2021)
- ◆ Featured in Eric Bachman, *Which Employment Law/Policies Actually Help Pregnant Workers?* FORBES (May 12, 2020)
- Identifying Meaningful Eating Behavior and Physical Activity Questions for Individual and Population Health* (with Kelly Haws, et al.) CLINICAL OBESITY (January 2021) (peer reviewed, first author)
- 2020 *Development of Brief Child Nutrition and Physical Activity Screening Questions for EHR Use* (with Mikaela H. Sullivan, et al.), 16 CHILDHOOD OBESITY 488 (October 2020) (peer reviewed, middle author)
- When Equitable is Not Equal: Experimental Evidence on the Division of Marital Assets in Divorce* (with Joni Hersch), 18 REV. ECON. HOUSEHOLD 655 (May 2020) (peer-reviewed, equal author)
- ◆ Featured in Naomi Cahn, *What Should Stay-at-Home Moms Get at Divorce?* FORBES (April 19, 2019)
- Estimating Years of Education Using the Current Population Survey after 2014* (with Joni Hersch and Fernando Mendoza Lopez), 190 ECON. LETTERS (April 2020) (peer-reviewed, equal author)
- Anticipating Accommodation*, 105 IOWA L. REV. 621 (January 2020)
- 2019 *Settling in the Shadow of Sex: Gender Bias in Marital Asset Division*, 40 CARDOZO L. REV. 1857 (May 2019)
- ◆ Reprinted in WOMEN AND THE LAW (Tracy A. Thomas, ed., 2020)
- 2018 *The Pregnancy Penalty*, 103 MINN. L. REV. 749 (December 2018)
- Imputation Match Bias in Immigrant Wage Convergence* (with Joni Hersch), 55 DEMOGRAPHY 1475 (August 2018) (peer-reviewed, equal author)
- 2017 *The Substantially Impaired Sex: Uncovering the Gendered Nature of Disability Discrimination*, 101 MINN. L. REV. 1099 (February 2017)
- ◆ Reprinted in WOMEN AND THE LAW (Tracy A. Thomas, ed., 2017)

- 2016 *Something to Talk About: Information Exchange under Employment Law* (with Joni Hersch), 165 U. PA. L. REV. 49 (December 2016) (equal author)
- ◆ Featured in Patricia Cohen, *A Child Care Gap in the Resume: Whether to Explain or Not*, N.Y. TIMES (May 19, 2016)
 - ◆ Reviewed by Charles A. Sullivan, *The Unintended Consequences of Putting Family Off-Limits in Job Searches*, JOTWELL (August 16, 2016)
- Less Is More: Procedural Efficacy in Vindicating Civil Rights*, 68 ALA. L. REV. 49 (November 2016)
- Unfulfilled Promises: Discrimination and the Denial of Essential Health Benefits Under the Affordable Care Act*, 65 DEPAUL L. REV. 1235 (Summer 2016)
- Distaste or Disability? Evaluating the Legal Framework for Protecting Obese Workers*, 37 BERKELEY J. EMP. & LAB. L. 101 (February 2016)
- ◆ Featured in Rebecca Hersher, *Obese Women Make Less Money, Work More Physically Demanding Jobs*, NPR ALL THINGS CONSIDERED (November 8, 2014)
- What Happens When the Definition of Disability Changes? The Case of Obesity*, 5 IZA J. LAB. ECON. 1 (January 2016) (peer-reviewed)
- 2015 *Fifty Years Later: The Legacy of the Civil Rights Act of 1964* (with Joni Hersch), 34 J. POL'Y ANALYSIS & MGMT. 424 (February 2015) (peer-reviewed, equal author)

SHORTER WORKS

- 2022 *Letter to the Editor on Paid Sick Leave*, 63 AM. J. PREVENTATIVE MED. E73 (Invited contribution, August 2022)
- 2021 *Leave in the Time of COVID: Examining Paid Sick Leave Laws*, 59 U. LOUISVILLE L. REV. 393 (Invited symposium contribution, 2021)
- Becoming Visible*, 74 OKLA. L. REV. 27 (Invited symposium contribution, 2021)
- 2018 *Introduction to the Sexual Harassment Issue*, Committee on the Status of Women in the Economics Profession Newsletter, American Economics Association (April 2018)
- ◆ Cited by WASH. POST (January 28, 2019) and ECONOMIST (May 10, 2018)
- 2017 *Intersectional Complications of Healthism*, 18 MARQ. BENEFITS & SOC. WELFARE L. REV. 255 (Invited symposium contribution, Spring 2017)
- 2010 Note, *Slipping Away from Justice: The Effect of Attorney Skill on Trial Outcomes*, 63 VAND L. 267 (2010).

- ◆ Winner of the Myron Penn Laughlin Award for excellence in a published note

WORKS IN PROGRESS

Paid Leave's Progress

Settling in the Shadow of Sexual Orientation: More Bias in Marital Asset Division

Do State Equal Pay Laws Equalize Pay? (with Stephanie Bornstein)

Comparing Health and Social Outcomes of Self-Direction Recipients (with Alison Morantz)

Measuring Employee Health: Balancing Costs, Control, and Controversy

Occupational Characteristics and the Obesity Wage Penalty

RESEARCH GRANTS

- | | |
|----------------|---|
| 2020 | Recipient, Vanderbilt Strong Research Grant for Paid Sick Leave Laws Research |
| 2015 – Present | Investigator, Vanderbilt Institute for Obesity and Metabolism, Vanderbilt Transinstitutional Program Grant |
| 2017 – Present | Investigator, Vanderbilt Lesbian Gay Bisexual Transgender Policy Lab, Vanderbilt Transinstitutional Program Grant |

PRESENTATIONS

- | | |
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| 2022 | <i>Paid Sick Leave's Payoff</i> , Southern Economics Association Annual Meeting (forthcoming, November 2022) |
| | <i>Paid Leave's Progress</i> , Colloquium on Scholarship in Employment and Labor Law (forthcoming, October 2022) |
| | <i>College Athletes as Employees?</i> SEC Name, Image, and Likeness and the Future of Collegiate Athletics Series (April 2022) |
| | <i>Paid Sick Leave's Payoff</i> , University of California at Berkeley Law and Economics Workshop (March 2022) |
| | <i>Protecting Pregnancy</i> , Conference on Empirical Legal Studies, University of Toronto |

Faculty of Law (March 2022)

Paid Sick Leave's Payoff, University of Alabama at Birmingham, Economics Department
(February 2022)

2021 *Paid Sick Leave's Payoff*, Colloquium on Scholarship in Employment and Labor Law,
Vanderbilt University Law School (October 2021)

Settling in the Shadow of Sexual Orientation: More Bias in Marital Asset Division, Work-in
Progress Workshop, Vanderbilt University Law School (May 2021)

Without Accommodation, Michigan-USC-Virginia Law and Economics Virtual Series
(February 2021)

Without Accommodation, Association of American Law Schools, Disability and
Intersectionality Panel (January 2021)

2020 *Protecting Pregnancy*, Southern Economics Association Annual Meeting (November
2020)

Without Accommodation, Michigan Law and Economics Workshop (November 2020)

*Identifying Meaningful Eating Behavior and Physical Activity Questions for Individual and
Population Health*, Obesity Week (November 2020)

Protecting Pregnancy, American Law and Economics Association Annual Meeting
(scheduled November 2020, cancelled due to COVID-19)

Becoming Visible, Oklahoma Law Review COVID and Privacy Symposium (October
2020)

Without Accommodation, Colloquium on Scholarship in Employment and Labor Law
(October 2020)

Leave in the Time of COVID: Insight from Paid Sick Leave Laws, University of Louisville Law
Review Labor and Employment Law Symposium (October 2020)

Protecting Pregnancy, Tallahassee Women Lawyers CLE (October 2020)

Without Accommodation, Disability Works-in-Progress Workshop (June 2020)

Protecting Pregnancy, George Mason School of Law, Law and Economics Workshop
(April 2020)

Protecting Pregnancy, Faculty Workshop, Vanderbilt University Law School (April
2020)

- 2019
- Protecting Pregnancy*, Colloquium on Scholarship in Employment and Labor Law, University of Nevada at Las Vegas School of Law (October 2019)
 - Protecting Pregnancy*, Work-in-Progress Workshop, Vanderbilt University Law School (July 2019)
 - Anticipating Accommodation*, American Law and Economics Association Annual Meeting (May 2019)
 - Anticipating Accommodation*, University of Houston Health Law and Policy Institute (March 2019)
 - Panelist, *Symposium on HEALTHISM: HEALTH-STATUS DISCRIMINATION AND THE LAW*, University of Georgia School of Law (February 2019)
 - Anticipating Accommodation*, Faculty Workshop, Northwestern University School of Law (February 2019)
 - Anticipating Accommodation*, Work-in-Progress Workshop, Vanderbilt University Law School (January 2019)
- 2018
- Anticipating Accommodation*, Colloquium on Scholarship in Employment and Labor Law, University of South Carolina School of Law (September 2018)
 - Settling in the Shadow of Sex: Gender Bias in Marital Asset Division*, Conference on Empirical Legal Studies in Europe, Katholieke Universiteit Leuven Faculty of Law (June 2018)
 - Anticipating Accommodation*, Emerging Voices in Employment Discrimination Law, University of Houston Law Center (April 2018)
 - Imputation Match Bias in Immigrant Wage Convergence*, Faculty Workshop (Economics Department), Middle Tennessee State University (March 2018)
 - Settling in the Shadow of Sex: Gender Bias in Marital Asset Division*, Faculty Workshop, University of Kentucky School of Law (February 2018)
 - Settling in the Shadow of Sex: Gender Bias in Marital Asset Division*, Law and Economics Workshop, Vanderbilt University Law School (January 2018)
 - Settling in the Shadow of Sex: Gender Bias in Marital Asset Division*, Work-in-Progress Workshop, Vanderbilt University Law School (January 2018)
 - The Pregnancy Penalty*, New and Emerging Voices in Employment and Labor Law, Association of American Law Schools Annual Meeting (January 2018)
- 2017
- Imputation Match Bias in Immigrant Wage Convergence*, Southern Economics Association

Annual Meeting (November 2017)

The Gender Pay Gap, Nashville Lawyers' Association for Women Annual Meeting (October 2017)

The Pregnancy Penalty, Work-in-Progress Workshop, Vanderbilt University Law School (October 2017)

The Pregnancy Penalty, Colloquium on Scholarship in Employment and Labor Law, Texas A&M School of Law (September 2017)

The Pregnancy Penalty, New and Emerging Voices in Employment and Labor Law, Southeastern Association of Law Schools Annual Meeting (August 2017)

The Pregnancy Penalty, Work-in-Progress Workshop, Vanderbilt University Law School (June 2017)

Opting Out and Division of Marital Assets, American Economic Association Annual Meeting, Committee on the Status of Women in the Economics Profession Session (January 2017)

Empirical Methods for Lawyers, Teaching Session, Association of American Law Schools Annual Meeting (January 2017)

2016

Opting Out and Division of Marital Assets, Law and Economics Workshop, Georgetown University Law Center (November 2016)

Opting Out and Division of Marital Assets, Southern Economic Association Annual Meeting (November 2016)

Opting Out and Division of Marital Assets, Law and Economics Workshop, University of Texas School of Law (November 2016)

Intersectional Complications of Healthism, Healthism Symposium, University of Houston Law Center (November 2016)

Opting Out and Division of Marital Assets, Law and Economics Workshop, University of Toronto Faculty of Law (November 2016)

Something to Talk About: Information Exchange under Employment Law, Colloquium on Scholarship in Employment and Labor Law, University of Washington School of Law (September 2016)

Opting Out and Division of Marital Assets, Work-in-Progress Workshop, Vanderbilt University Law School (June 2016)

Unfulfilled Promises: Discrimination and the Denial of Essential Health Benefits Under the

Affordable Care Act, Southeastern Metabolic and Bariatric Surgery Annual Meeting (May 2016)

Something to Talk About: Information Exchange under Employment Law, American Law and Economics Association Annual Meeting (May 2016)

Measuring Employee Health: Balancing Costs, Control, and Controversy, American Bar Foundation Research Group on Legal Diversity, Conference on Metrics, Diversity, and Law (May 2016)

Something to Talk About: Information Exchange under Employment Law, Law, Economics, and Psychology Workshop, University of Pennsylvania School of Law (March 2016)

Something to Talk About: Information Exchange under Employment Law, Empirical Applied Microeconomics Work-in-Progress Seminar Series, Vanderbilt University (March 2016)

2015

The Substantially Impaired Sex: Uncovering the Gendered Nature of Disability Discrimination, Southern Economic Association Annual Meeting (November 2015)

Unfulfilled Promises: Discrimination and the Denial of Essential Health Benefits Under the Affordable Care Act, Obesity Week, American Society for Metabolic and Bariatric Surgery and Obesity Society Annual Meeting (November 2015)

The Affordable Care Act and Increasing Access to Care for Obese Individuals, Obesity Week, American Society for Metabolic and Bariatric Surgery and Obesity Society Annual Meeting (November 2015)

Distaste or Disability? Evaluating the Legal Framework for Protecting Obese Workers, Conference on Empirical Legal Studies (October 2015)

Unfulfilled Promises: Discrimination and the Denial of Essential Health Benefits Under the Affordable Care Act, Board of Advisors Annual Meeting, Vanderbilt University Law School (October 2015)

The Substantially Impaired Sex: Uncovering the Gendered Nature of Disability Discrimination, Colloquium on Scholarship in Employment and Labor Law (September 2015)

The Substantially Impaired Sex: Uncovering the Gendered Nature of Disability Discrimination, Work-in-Progress Workshop, Vanderbilt University Law School (June 2015)

The Substantially Impaired Sex: Uncovering the Gendered Nature of Disability Discrimination, Developing Ideas Conference, University of Kentucky School of Law (May 2015)

The Substantially Impaired Sex: Uncovering the Gendered Nature of Disability Discrimination, Empirical Applied Microeconomics Work-in-Progress Seminar Series, Vanderbilt University (April 2015)

- Distaste or Disability? Evaluating the Legal Framework for Protecting Obese Workers*, Board of Trustees Annual Meeting, Vanderbilt University (February 2015)
- What Happens When the Definition of Disability Changes? The Case of Obesity*, Junior Faculty Workshop, Committee on the Status of Women in the Economics Profession, American Economics Association Annual Meeting (January 2015)
- The Substantially Impaired Sex: Uncovering the Gendered Nature of Disability Discrimination*, Committee on the Status of Women in the Economics Profession Session, American Economics Association Annual Meeting (January 2015)
- 2014 *What Happens When the Definition of Disability Changes? The Case of Obesity*, Faculty Workshop, Vanderbilt University Law School (December 2014)
- What Happens When the Definition of Disability Changes? The Case of Obesity*, Southern Economics Association Annual Meeting (November 2014)
- A Sixth Protected Class: The Weight of Obesity under Local Discrimination Laws*, Conference on Empirical Legal Studies (November 2014)
- The Substantially Impaired Sex: Uncovering the Gendered Nature of Disability Discrimination*, Work-in-Progress Workshop, Vanderbilt University Law School (September 2014)
- The Last Legally Allowed Form of Discrimination: Should Weight Be the Next Protected Class Under Title VII?*, Law and Society Association Annual Meeting (May 2014)
- A Sixth Protected Class: The Weight of Obesity under Local Discrimination Laws*, Early Career Workshop, Law and Society Association Annual Meeting (May 2014)
- What Happens When the Definition of Disability Changes? The Case of Obesity*, American Law and Economics Association Annual Meeting (May 2014)
- 2013 *Why Obese Workers Earn Less: Occupational Sorting and its Implications for the Legal System*, Southern Economics Association Annual Meeting (November 2013)
- 2012 *Legal Largesse or Big, Fat Failure: Do Weight Discrimination Laws Improve Employment Outcomes of the Obese?*, American Law and Economics Association Annual Meeting (May 2012)
- 2011 *Legal Largesse or Big, Fat Failure: Do Weight Discrimination Laws Improve Employment Outcomes of the Obese?*, Southern Economics Association Annual Meeting (November 2011)

OTHER WORK EXPERIENCE

- 2008 - 2012 Research Assistant
 Professor Joni Hersch (Vanderbilt University)
 Professor W. Kip Viscusi (Vanderbilt University)
 Professor Shelley White-Means (University of Tennessee Health Sciences Center)
- 2007 Summer Associate
 Rogers & Hardin LLP, Atlanta, GA (June – July 2007)
 Glankler Brown PLLC, Memphis, TN (May – June 2007)
- 2006 – 2007 Teaching Assistant
 Introductory Economics, Professor Stephen Buckles (Vanderbilt University)

BAR ADMISSIONS

State of Tennessee

United States Court of Appeals for the Seventh Circuit

United States District Court for the Southern District of Indiana

SELECT MEDIA APPEARANCES

MSNBC, Wall Street Journal, New York Times, NBC News/TODAY, BBC News, Bloomberg News, Forbes, Economist, Wall Street Journal, Washington Post, USA Today, National Public Radio's All Things Considered, National Public Radio's On Point, Washington Examiner, Glamour, Essence, Quartz, Arise TV, Ebony, Huffington Post, Marie Claire, National Geographic, Slate, The Guardian, The Street, Tennessean, Time, WalletHub, Wall Street Journal TV, Vox

COURSES TAUGHT

Employment Discrimination Law (J.D. course)
 Fall 2022
 Spring 2021
 Spring 2020
 Spring 2019
 Spring 2018
 Spring 2017
 Fall 2014

Employment Law (J.D. course)

Spring 2023
 Fall 2020
 Fall 2019
 Spring 2018
 Fall 2016
 Fall 2015

Labor Markets and Human Resources I (Ph.D. course)

Fall 2022
 Fall 2015
 Spring 2014

Labor Markets and Human Resources II (Ph.D. course)

Spring 2019
 Spring 2016

Law and Economics Ph.D. Workshop (Ph.D. course)

Spring 2021
 Spring 2020
 Spring 2017
 Spring 2015

PROFESSIONAL SERVICE

- 2022 – Present Ph.D. Committee Chair, Scott Jeffrey (Law and Economics, Vanderbilt University, Expected Completion Date: May 2023)
- 2022 – Present Faculty Advisor, Vanderbilt Law Review
- 2022 – Present Appointed Member, Vanderbilt Provost’s Task Force on Administrative Effectiveness
- 2021 – 2022 Conference Organizer, Colloquium on Scholarship in Employment and Labor Law, Vanderbilt University Law School (16th and 17th Annual Meetings)
- 2020 – Present Appointed Member, Vanderbilt University Diversity Council
- ◆ Collaborative and Inclusive Teaching Committee Member, 2021 – 2022
 - ◆ Scholarship and Education Committee Member, 2020 – 2021
- 2020 – Present Appointed Member, Vanderbilt Provost’s Women’s Advancement & Equity Council
- ◆ COVID-19 Subcommittee Member, 2020 – 2021
 - ◆ Delegate to the University Diversity Council, 2020 – 2021
 - ◆ Family Friendly Policies Subcommittee Member, 2019 – 2020
- 2020 – 2021 Ph.D. Committee Member, Nicholas Holtkamp (Economics, Vanderbilt)

- University, Completion Date: August 2021)
- 2018 – 2019 Ph.D. Committee Chair, Hannah Jean Frank (Law and Economics, Vanderbilt University, Completion Date: May 2019)
- 2017 – 2021 Board Member, Disability Section, Association of American Law Schools
Chair (2019)
Chair-Elect (2018)
Secretary (2017)
- 2017 – Present Fellow, Searle Workforce Science Project, Northwestern University Law School
- 2016, 2020 Area Organizer, American Law and Economics Association Annual Meeting
Employment and Family Law
- 2013 – Present Invited Presidential Session Organizer, Southern Economics Association Annual Meeting
Immigration: Law, Enforcement, and Convergence (November 2017)
Gender Gaps (November 2016)
Disability Discrimination (November 2014)
Obesity and Public Policy (November 2013)
- 2012 – Present Referee
American Journal of Preventative Medicine, Law & Society Review, Economics & Human Biology, Journal of Empirical Legal Studies, American Law and Economics Review, Journal of Health Economics, Health Economics, PLOS ONE, Journal of Fat Studies, German Israeli Foundation for Scientific Research and Development, IZA Journal of Labor Economics, Review of Economics of the Household, Industrial & Labor Relations Review
- 2013 – 2015 Attorney Volunteer, Disability Rights Tennessee