

**TRISTIN K. GREEN**

**CURRICULUM VITAE**

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Professor of Law  
Seton Hall Law School  
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Visiting Professor of Law  
UC Berkeley School of Law  
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**ACADEMIC POSITIONS**

**UC Berkeley School of Law**  
Visiting Professor of Law, 2008-2009

**Seton Hall Law School**  
Professor of Law and Dean's Scholar, 2006-present  
Associate Professor of Law, 2003-2006  
Assistant Professor of Law, 2000-2003

**UC Berkeley School of Law**  
Visiting Scholar, 2006-2007

**EDUCATION**

**University of California, Berkeley School of Law, Berkeley, CA (J.D. 1998)**

**Medill School of Journalism, Northwestern University, Evanston, IL (M.S., Journalism, 1993)**

**University of California, Los Angeles, CA (B.A., Sociology, 1991)**

**PUBLICATIONS**

**Articles**

*Insular Individualism: Employment Discrimination Law After Ledbetter v. Goodyear*  
43 HARVARD CIVIL RIGHTS – CIVIL LIBERTIES LAW REVIEW 353 (2008)

*Discomfort at Work: Workplace Assimilation Demands and the Contact Hypothesis*  
86 NORTH CAROLINA LAW REVIEW 379 (2008)

*A Structural Approach as Antidiscrimination Mandate: Locating Employer Wrong*  
60 VANDERBILT LAW REVIEW 849 (2007).

*Work Culture and Discrimination*  
93 CALIFORNIA LAW REVIEW 623 (2005)

*Targeting Workplace Context: Title VII as a Tool for Institutional Reform*  
72 FORDHAM LAW REVIEW 659 (2003)

*Discrimination in Workplace Dynamics: Toward a Structural Account of Disparate Treatment Theory*  
38 HARVARD CIVIL RIGHTS – CIVIL LIBERTIES LAW REVIEW 91 (2003)

### **Other**

Comment, *Making Sense of the McDonnell Douglas Framework: Circumstantial Evidence and Proof of Disparate Treatment under Title VII*  
87 CALIFORNIA LAW REVIEW 983 (1999)

Comment, *Complete Preemption: Removing the Mystery from Removal*  
86 CALIFORNIA LAW REVIEW 363 (1998)

### **WORKS IN PROGRESS**

*Discrimination-Reducing Measures at the Relational Level*  
\_\_ HASTINGS LAW JOURNAL \_\_ (forthcoming 2008) (with Alexandra Kalev)

This article is part of a symposium growing out of a working group on caregiver discrimination at the UC Hastings College of Law. My co-author, Alexandra Kalev, a professor of sociology at the University of Arizona, and I synthesize the research on the mutability of discriminatory bias and the legal efforts at institutional reform that it has generated, and critique those efforts as focusing too narrowly on individual sources of discrimination. We argue that efforts to devise discrimination-reducing measures should look to the relational level as well as the individual level, and we highlight recent research showing that restructuring work in certain ways can reduce workplace inequality by changing the nature of interaction from segregated/stereotype-reinforcing to integrated/stereotype-challenging.

*Race and Sex in Organizing Work: Limits and Possibilities under Title VII*

This article provides the first extended analysis of Title VII as it applies to the use of race and sex in organizing work. The article demonstrates that voluntary, conscious use of race and sex in organizing work can serve as an important employment discrimination-reducing measure. It argues that Title VII permits employers to take race and sex into account in organizing work, but only if the particular race- or sex-conscious decisions are part of a broader integrative effort aimed at reducing workplace discrimination.

*Structural Discrimination as Corporate Wrongdoing*

This book documents the problem of structural discrimination in the workplace and explores parallels between a structural approach to employment discrimination and other recent efforts to reduce corporate wrongdoing as a way of advancing the law's potential to effect reform.

## PRESENTATIONS

Presenter, “What Can Employers Do?”  
Hastings Law Journal and Center for WorkLife Law Symposium  
Hastings Law School  
San Francisco, CA (February 2008)

Presenter, “What Can Employers Do?”  
AALS Employment Discrimination & Remedies Joint Panel  
AALS Annual Meeting  
New York, NY (January 2008)

Participant, Caregiver Bias Working Group  
Hastings College of the Law  
University of California  
San Francisco, CA (November 2006 & May 2007)

Presenter, “Discomfort at Work”  
Faculty Workshop  
University of San Francisco School of Law  
San Francisco, CA (March 2007)

Presenter, “Discomfort at Work”  
Duke Conference on Makeup, Grooming, Performance & Discrimination  
Duke University School of Law  
Durham, NC (October 2006)

Commentator and Co-Organizer  
Seton Hall Law School Labor and Employment Law Scholars’ Forum  
Seton Hall Law School  
Newark, NJ (October 2006 & October 2007)

Presenter, “A Structural Approach as Antidiscrimination Mandate”  
Faculty Workshop  
Hofstra University School of Law  
Hempstead, NY (March 2006)

Commentator, “Gender Myths and Working Realities”  
Law & Society Association Annual Meeting  
Las Vegas, NV (June 2005)

Presenter, “Work Culture and Discrimination”  
Faculty Workshop  
University of Connecticut Law School  
Hartford, CT (March 2005)

Presenter, “Work Culture and Discrimination”  
Faculty Workshop  
Rutgers-Camden Law School  
Camden, NJ (October 2004)

Presenter, “Work Culture and Discrimination”  
Law & Society Association Annual Meeting  
Chicago, IL (June 2004)

Presenter, “Targeting Workplace Context”  
Stanford-Yale Junior Faculty Forum  
Stanford University  
Palo Alto, CA (June 2003)

### COURSES AND TEACHING

Civil Procedure  
Disability Law  
Employment Discrimination  
Gender & the Law  
Torts

Nominated for Professor of the Year  
by the Seton Hall Law School Student Bar Association Senate, 2004

### LEGAL EXPERIENCE

**Law Clerk, Judge Dolores K. Sloviter** (1999-2000)  
**United States Court of Appeals, Third Circuit**  
Philadelphia, PA

**Law Clerk, Judge Garland E. Burrell, Jr.** (1998-1999)  
**United States District Court, Eastern District of California**  
Sacramento, CA

**Summer Associate** (summer 1997)  
**Howard, Rice, Nemerovski, Canady, Falk & Rabkin**  
San Francisco, CA

**Legal Extern, Presiding Justice Michael J. Phelan** (summer 1996)  
**California Court of Appeal, First District, Division Three**  
San Francisco, CA

### PROFESSIONAL MEMBERSHIPS / AWARDS

Executive Committee, AALS Section on Employment Discrimination (Secretary – 2008)  
Member, Law & Society Association  
Member, Order of the Coif  
Bar Admission, United States District Court, Eastern District of California  
Bar Admission, United States Court of Appeals, Third Circuit, Philadelphia, PA