

ROBERT B. STULBERG
SELECTED PUBLICATIONS AND PRESENTATIONS

“New Pro-Union, Pro-Worker Laws Enacted in New York State,” presented to New York State Pipe Trades Association’s 112th Annual Convention, Lake George, NY (2022) (co-author).

“The City and State of New York Enact Powerful New Laws to Protect the Rights of Workers and Unions,” published in Vol 49, No. 4 of “Labor & Employment Law,” a quarterly publication of ABA Labor & Employment Law Section (2022) (co-author).

“New State Laws and Proposed Model Legislation Requiring Publicly-Assisted Renewable Energy Projects to Meet Labor Standards,” presented to North American Building Trades Unions’ Annual Conference in Portland, OR (2022).

Peer Reviewer, “Model Bill and Supporting Memorandum re Occupational Wage and Benefit Standards in Clean Energy Legislation, published in Chapter 24, Appendix A of Columbia Law School Urban Institute’s Legal Pathways to Deep Decarbonization (2021).

“Representing Employees at the United Nations and Affiliated Organizations through a Unique ‘Internal Justice System’ for Grieving and Resolving Workplace Disputes,” published in Vol 48, No. 3 of “Labor & Employment Law,” a quarterly publication of ABA Labor & Employment Law Section (2020) (co-author).

“Whistleblowing – a Global Update,” panelist in program presented at Sixth Transatlantic Conference organized by UK-ELA (Employment Lawyers Association) International Committee and American Bar Association Labor & Employment Law Section, International Labor & Law Committee, in London, England (2019).

“The Trial of a Sarbanes-Oxley Whistleblower Case to a Jury,” panelist on Practising Law Institute program entitled “Corporate Whistleblowing in 2019” in New York, NY (2019).

“Whistleblower Developments in the US and EU: New Statutes, the Cross-Border Whistleblower Phenomenon, and Challenges of Cross-Border Investigations,” moderator of program presented at American Bar Association Labor & Employment Law Section, International Labor & Employment Law Committee’s Mid-year Meeting in Milan, Italy (2018).

Co-chair/Co-organizer, American Bar Association Labor & Employment Law Section, International Labor & Employment Law Committee’s Mid-year Meeting in Dublin, Ireland (2017).

“Taking and Defending Depositions: An Overview of Legal and Strategic Considerations,” panelist on program presented at American Bar Association Labor & Employment Law Section 10th Annual Labor & Employment Law Conference in Chicago, IL (2016).

“Best and Worst Practices in Drafting Separation Agreements,” panelist on program presented at American Bar Association Labor & Employment Law Section 9th Annual Labor & Employment Law Conference in Philadelphia, PA (2016).

“Construction Organizing: An Organizing & Contract Enforcement Guide,” Chapter on Project Labor Agreements, Responsible Contracting Policies, and Prevailing Wage Laws, presented at AFL-CIO Building & Construction Trades Department/ North American Building Trades Unions’ Annual Conferences (2016-2022).

“Cross-Border Litigation: The Practical and Legal Issues that Arise when Evidence Is Located Abroad or Just Across State Lines,” moderator of panel discussion presented at American Bar Association Labor & Employment Law Section 9th Annual Labor & Employment Law Conference in Philadelphia, PA (2016).

Co-chair/Co-organizer, American Bar Association Labor & Employment Law Section, International Labor & Employment Law Committee’s Mid-year Meeting in Hong Kong, Peoples Republic of China (2016).

“A Transatlantic View of Disability – US/UK/EU,” panelist on program presented at Fourth Transatlantic Conference organized by UK-ELA (Employment Lawyers Association) International Committee and American Bar Association Labor & Employment Law Section, International Labor & Employment Law Committee in London, England (2015).

Co-chair/Co-organizer, American Bar Association Labor & Employment Law Section, International Labor & Employment Law Committee’s Mid-year Meeting in Barcelona, Spain (2015).

“The Long Arm of the Law: Extra-Territorial Application of Labor and Employment Law,” panelist on program presented at American Bar Association Section on Labor & Employment Law, International Labor & Employment Law Committee’s Mid-year Meeting in Tel Aviv, Israel (2014).

“Physicians as Employees: Critical Legal Issues in the New Medical Workplace,” speaker and co-organizer of CLE/CME program presented by Cornell University ILR School Labor and Employment Law Program in conjunction with Weill Cornell Medical College in New York, NY (2013).

“A Focus on Age Discrimination in the Workplace,” Letter to the Editor, New York Times, July 25, 2013.

“Protecting Physicians Through Employment Contracts: A Guide to the Basic Terms and Conditions,” New York State Bar Association Labor & Employment Law Newsletter (Spring 2013), Vol. 38, No. 1; also presented at American Bar Association Section on Labor & Employment Law, Employment Rights and Responsibilities Committee’s Mid-winter Meeting in Miami, FL (2013) (co-author).

“International Labor 101 for U.S. Employers and Unions after VW’s Voluntary ‘Works Council’ Recognition in Tennessee: What Americans Need to Know about Overseas Trade Unions, Works Councils, Sectoral Collective Agreements, and Cross-Border

Worker Solidarity Initiatives,” moderator of panel discussion presented at Labor & Employment Relations Association (New York City Chapter) in New York, NY (2013).

“Obligations to Employees in Times of Crises in the U.S. and Abroad,” panelist on program presented at American Bar Association Section on Labor & Employment Law’s 7th Annual Labor and Employment Law Conference in New Orleans, LA (2013).

“Pre-trial Discovery in Cross-Border Employment Litigation: The Conflict between Foreign Data Privacy Laws and Domestic Data Disclosure Rules,” moderator of panel discussion presented at American Bar Association Section on Labor & Employment Law, Employee Rights and Responsibilities Committee’s Mid-winter Meeting in Miami, FL (2013).

“Background Checks on Employees & Candidates: A Global Perspective,” a national webinar presented by the American Bar Association Section on Labor & Employment Law, International Labor & Employment Law Committee and the American Bar Association Section on Continuing Legal Education (2013).

“Post Residency Contracts 101,” “Basic Elements of a Physician Employment Contract,” “Negotiating Your First Post Residency Contract,” CIR Vitals, a website video series presented by Committee of Interns and Residents, SEIU, Healthcare, www.cir-vitals.org/category/alumni-corner (posted February 25, 2013); www.cir-vitals.org/category/multimedia (posted March 5, 2013).

“What Happens in Facebook May Not Stay in Facebook: Social Media Around the Globe,” moderator of panel discussion presented at American Bar Association Section on Labor & Employment Law, Employee Rights and Responsibilities Committee’s Mid-winter Meeting in Las Vegas, NV (2012).

“Litigating Cross-Border Discrimination Claims in Multiple Jurisdictions: A Global Strategy for Expatriate Employees,” 27 ABA Journal of Labor & Employment Law Vol. 27, Number 1, Fall 2011, presented at Mid-year Meeting of American Bar Association Section of Labor & Employment Law, International Labor & Employment Law Committee Mid-year Meeting in Berlin, Germany (2011) (co-author).

“Employment Discrimination Law: EU and North American Perspectives,” panelist on program presented at American Bar Association Section of Labor & Employment Law, International Labor & Employment Law Committee’s Mid-year Meeting in Berlin, Germany (2011).

“Employment at Will and New York State Exceptions,” panelist on program co-sponsored by New York State Bar Association Labor & Employment Law Section and New York State Bar Association Committee on Continuing Legal Education (2011).

“Arbitrators on Arbitration,” moderator of panel of employment law arbitrators from the American Arbitration Association, JAMS Arbitration and Mediation Services, and the Financial Industry Regulatory Authority, sponsored by National Employment Lawyers Association/New York (2011).

“Discipline and Discharge of Union-Represented Employees: A Labor Union Counsel’s Perspective,” presented to the Mid-Winter Meeting of the American Bar Association

Section of Labor & Employment Law, Committee on Employee Rights and Responsibilities in San Juan, PR (2011).

“Employment Terminations: Should He Stay or Should He Go? The Clash between Employee Rights and Employer Responsibilities,” panelist on program presented at American Bar Association Section of Labor & Employment Law, Employee Rights and Responsibilities Committee Mid-winter meeting in San Juan, P.R. (2011).

“What U.S. Lawyers Need to Know About International Employment Contracts and Secondment,” a national webinar and teleconference co-sponsored by the American Bar Association Section of Labor & Employment Law, Section of International Law, and Center for Continuing Legal Education (2011).

“Like a Nation Itself: An Analysis of Recent Decisions Affirming ‘the Uniquely Broad and Remedial Purposes’ of the New York City Human Rights Law.” NYSBA Labor and Employment Law Journal, Spring 2010, Vol. 35 No. 1, a publication of the Labor and Employment Law Section of the New York State Bar Association (co-author).

“A Year-end Review of Significant Developments in Labor and Employment Law for Practitioners,” presented to New York City Chapter of Labor and Employment Relations Association (2009).

“Investigating and Challenging Bogus Apprenticeship Training Programs,” presented to New York State Pipe Trades Annual Conference (2007-2009).

“Construction Organizing: An Organizing & Contract Enforcement Guide,” Chapter on Representation Proceedings, presented at AFL-CIO Building & Construction Trades Department’s Annual Conferences (2007-2015).

“Post-Residency Employment Contracts: A Guide for Physicians,” presented to Post-Residency Life Conference sponsored by Committee of Interns and Residents, SEIU (2008-2018).

“Protecting Physicians in the Academic Workplace Through Contracts of Employment,” presented to Physicians for Responsible Negotiation Conference (2006).

“Who Makes the Rules in the Global Workplace,” a panel discussion presented to Industrial Relations Research Association, New York City Chapter (2006).

“Representing Americans Employed Abroad: The Extraterritorial Application of Federal and State Anti-Discrimination Laws,” ILSA Journal of International and Comparative Law, Vol. 11:421 (2005), originally published in 29 NYSBA L&E Newsletter, No. 2 (Summer 2005), a publication of the Labor and Employment Law Section of the New York State Bar Association (co-author).

“International Employment Contracts: Formation and Enforcement Issues,” presented to International Law Weekend, sponsored by American Branch of International Law Association (2004).

“Using Responsible Contractor Laws to Secure Agency-wide Markets,” presented to Annual Conference of National Alliance for Fair Contracting (2004).

“Expanding Market Share Through Coordinated Labor-Management Efforts: Four New York City Case Studies,” presented to Annual AFL-CIO Building and Construction Trades Attorneys’ Conference (2003).

“Employment Discrimination Lawsuits: Perspectives from the Federal Bench,” moderator of panel of U.S. District Court Judges from the Southern District of New York, presented by the Labor and Employment Law Committee of the Association of the Bar of the City of New York (2000).

“Is Workfare Working: A Panel Discussion Sponsored by the Association of the Bar of the City of New York,” Brooklyn Law School Journal of Law and Policy, VIII, No. 1 (1999).

“How to Handle Basic Employment Discrimination Cases,” Program Chair for course sponsored by Citibar for Continuing Legal Education (1999).

“Responsible Contractor Laws: Enforcement and Lobbying Strategies for Building Trade Unions,” presented to Annual AFL-CIO Building and Construction Trades Attorneys’ Conference (1998).

“Workfare: Labor and Employment Law Issues,” Committee on Labor and Employment Law, The Association of the Bar of the City of New York, July 1997 (principal author).

“Public Sector Labor and Employment Law Update,” panelist on program sponsored by New York State Bar Association’s Committee on Continuing Legal Education (1997).

“Privatization: A Union Perspective,” presented to Labor and Employment Law Committee of the New York County Lawyers Association (1996).

“Survival of the Agreement to Arbitrate: How Long?” Proceedings of the New York University Thirty-Sixth Annual National Conference on Labor (Albany, New York: Matthew Bender & Co. 1983).

“Your Livelihood and Your Life: Walking the Screen at Whirlpool,” Mother Jones (January 1980).

“Child Labor on the Farm: Pesticides and Children’s Health,” ACLU Children’s Rights Report III/4 (December 1978-January 1979).

Testimony before U.S. Senate Subcommittee on Labor, Committee on Human Resources, Oversight on the Administration of the Occupational Safety and Health Act of 1970, 95th Congress, Second Session, 1978, pp. 451-57.

“Protecting Small Business Workers,” Washington Post, September 16, 1978, p. A-19.

A Day Without Sunshine, 90-minute, Emmy-award winning documentary about Florida farmworkers and agribusiness, narrated by James Earl Jones and broadcast nationally as “PBS Special of the Week” (1976) (associate producer, co-writer, researcher).

The Farmworkers of Florida/Los Trabajadores Agrícolas de la Florida (Miami: Farmworker Benefit Committee 1974) (co-author).

"Heidegger and the Origin of the Work of Art," Journal of Aesthetics and Art Criticism XXXII/2 (Winter 1973).

Up Against the Ivy Wall: A History of the Columbia Crisis (New York: Atheneum Press 1968) (co-author).