



From Dean Dan

Las Vegas--with its unique labor landscape--is the perfect backdrop for dialogue and discussion among labor and employment scholars and practitioners. This week we are delighted to host a [program](#) on the future of labor relations in the global hospitality industry with Wilma Liebman, past chair of the National Labor Relations Board; D. Taylor, President, UNITE HERE International Union; Stuart Korshak, Managing Partner, Korshak, Kracoff, Kong & Sugano; Robert Rippee, Director of the UNLV Hospitality Innovation Lab; and Professor Ruben Garcia. In early October Chai Feldblum, a commissioner on the Equal Employment Opportunity Commission, will speak on [Advancing the Law: LGBT Rights and Disability Rights](#).

Our labor and employment program is one of the strengths of the law school. Professors Ann McGinley and Ruben Garcia are nationally recognized scholars whose books include *Masculinity at Work: Employment Discrimination Through a Different Lens* (Ann McGinley) and *Marginal Workers: How Legal Fault Lines Divide Workers and Leave Them Without Protection* (Ruben Garcia), both published by NYU Press. The law school has hosted a number of conference and colloquia focusing on workplace law, including the Eighth Annual Colloquium for Scholarship in Labor and Employment Law. Later this month Professor McGinley will be honored with the 2016 Paul Steven Miller presented at the Eleventh Annual Colloquium for Scholarship in Labor and Employment Law, this year held in Seattle.

We have a great labor and employment faculty and a program--with a bright future--that fosters wonderful opportunities for our students.

Dan

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Faculty Spotlight: Ann McGinley

Professor Ann McGinley will receive the 2016 Paul Steven Miller award this weekend at the Eleventh Annual Colloquium for



Scholarship in Labor and Employment Law in Seattle. During the Colloquium, she'll also present her latest book, *Masculinity at Work: Employment Discrimination Through a Different Lens* (NYU Press).

What's the most important thing you are working on right now?

Egg Freezing as Employment Benefit: Autonomy, Coercion, or Discrimination? deals with legal and policy issues surrounding an employer's payment for female employees' egg freezing in an effort to "preserve fertility." This "benefit" raises questions about an employer's coercive power vis à vis its female employees.

While some women favor the "benefit," others worry about employer pressure and other policy issues. For example, should employers subsidize a practice that is limited to upper middle class women? Would a subsidy divide women by class and race and detract from efforts to secure paid parental leave and subsidized childcare? There are also difficult questions about whether an employer who offers egg freezing benefits might engage in discrimination based on pregnancy-related conditions, sex, and/or disability.

What is the most significant issue facing your field and how should it be addressed?

Income inequality and the decline of workers' bargaining power are the most significant issues facing workers today. Income inequality started in 1973 and has continued ever since. It has resulted from the global economy, the loss of manufacturing jobs, and the pull of immigrant workers because of NAFTA. The decline in union power due to weak interpretation of the law also contributes to the problem. The Supreme Court has repeatedly "defanged" the Wagner Act, and other labor protections. Professor David McClure and I have written a chapter that details our suggestions for legal change: See *We Are All Contingent: Institutionalizing Vulnerability in the U.S. Workplace* in *VULNERABILITY, EMPLOYMENT AND LABOR* (Martha Fineman and Jonathan Fineman, eds.) (Routledge 2017).

What have you read, listened to, or watched recently that has influenced you or your work?

Paul Lombardo's *Three Generations, No Imbeciles: Eugenics, the Supreme Court, and Buck v. Bell* explains how members of the Eugenics Movement worked for involuntary sterilization of the "feeble-minded" in Virginia. Carrie Buck, a young maid who became pregnant, was sent to an institution where she was selected for sterilization. The U.S. Supreme Court ultimately upheld the Virginia sterilization statute. Justice Holmes, in a famous opinion referring to Carrie's mother, Carrie, and her daughter, stated succinctly, "Three generations of imbeciles are enough." This case reminds us of the historical mistreatment of persons with intellectual disabilities and the shameful role our most respected jurists played in upholding an unconstitutional state law.



Student Spotlight: Mariya Malkova

You were born, raised, and educated in Russia. Please tell us about that.

The education system in Russia is different than in the U.S. When I was working on my master's degree there, I had a set schedule for five years. I was very excited when I was able to pick classes once I was done with the first semester of law school. I think this practice offers better learning experience because it lets you tailor your classes to your interests.

How was your transition to life in the United States generally and Las Vegas specifically?

The transition was easy for me. I started learning English when I was 8, so I spoke good English when I came here. Also, I was pleasantly surprised how friendly Americans are. I feel very lucky that I made a decision to come to Las Vegas. The weather is great, and there is always plenty of good-paying work in the casinos. Even if you do not have an advanced degree, you can make a good living here.

What do you miss about your former homeland? I am very close to my family and miss spending time with them, especially around winter holidays. I do not miss cold winters, however!

And what have you liked the most about studying law at Boyd? I think the amazing faculty is what really makes Boyd the best. We have many great adjunct professors who share their hands-on practical experience with students, like Stanford Owen, Anthony Cabot, and David Sandino. The Career Development Office is always there to help students find summer or post-graduate work and puts together great networking events. I also would like to say a special thank you to my amazing legal writing professors, Professor Linda Berger, Professor Lori Johnson, and [adjunct professor] Joseph Regalia.



Alumni Spotlight: Leon Symanski '01

Attorney at Craig P. Kenny & Associates

Tell us about your decision to attend UNLV Law. My decision to attend the soon-to-open Boyd School of Law was a unique and scary decision that turned out to be one of the best I have ever made in my life. I earned my undergraduate and master's degrees from UNLV and was working in the hotel-casino industry in Las Vegas for the prior 10 years. I was fortunate to reunite with Craig P. Kenny, Esq. early in 1997. He was my attorney for an auto accident and a friend. He saw potential in me and stepped in as my mentor, convincing me to study for the LSAT in 1997 and apply for admission to the Charter Class. Once Craig and I persuaded my wife that we weren't crazy and this might actually happen, she came on board and it was chips all in. I thank Frank Durand, Christine Smith, Dianne Fouret, and Dean Dick Morgan for giving me that opportunity. I began working for Craig P. Kenny & Associates on Nov. 8, 1997, and have been blessed to be working there ever since.

You're a member of the Alumni Leadership Circle. Why do you feel it is important to donate to the law school? Also, in what capacity do you feel your membership in this group impacts the school? UNLV has been such an important part of my life and has given me so many invaluable opportunities. Coach Jerry Tarkanian recruited me to play basketball for the Runnin' Rebels in 1984. I was fortunate to play with some of the best coaches and players in Division I Men's Basketball from 1984-87. We were ranked #1 in the country for most of my senior year and played in the Final Four for the second time in UNLV's history. The guidance and education I received from the MPA program played an integral part in my acceptance to the Boyd Charter Class. I feel that UNLV has given me so much that it is an honor to be a member of the Alumni Leadership Circle, working with outstanding alumni to help Boyd grow and flourish.

What do you enjoy doing in your spare time? I love to golf, attend sporting events, horse racing, play volleyball, listen to music, read, and cook.

Community Member Spotlight: Joseph Brown

Of Counsel at Kolesar & Leatham, Member of the Dean's Council at the Boyd School of Law

Tell us about your decision to serve on the Dean's Council and what makes UNLV Law's mission meaningful to you. I have been a lawyer in Las Vegas for 48 years, and there was no law school



in Nevada when I first moved here. I went to law school back East and moved here afterwards. I sympathize with the young potential lawyers in Nevada that were forced to attend an out-of-state law school and pay higher tuition; I believe it discouraged many students from going to law school. I was honored to be asked to be on the Dean's Council. At the time, I was the president of Jones Vargas, so we had a stake in seeing quality lawyers produced locally. When Dick Morgan arrived, I was really impressed with his energy and his ability to accomplish great things in a short amount of time; Dean Hamilton is certainly carrying on that momentum to make Boyd one of the nation's best law schools. It's an honor to be a member of his team.

What advice would you give to current UNLV Law students? Number one would be to work hard. Also, if you are blessed with knowing what you want to do, then focus on that area of the law. It will give you an advantage. If I could do things over, I would have taken a basic accounting or finance course because I have been in business law most of my life. Overall, focus on your writing and oratorical skills; these skills will be very important if you are going to be a litigator and have to present yourself in front of a court or governmental or regulatory commission.

Where is your favorite travel destination? It is the next place I've never been. I've been to so many places, and always enjoyed seeing someplace new. I have had clients in Japan, Germany, and France, so that has afforded me a lot of opportunities to travel. When I was young, my dad was a traveling salesman in Pennsylvania, and he used to take me with him during the summer and other school holidays. I loved seeing new places and learning about their histories.

Tell me about a book you've read that has made a real difference to you. I've always enjoyed histories and biographies, but one book stuck in my mind. *Blue Highways*. It's a fantastic travel book written by a Native American named William Least Heat-Moon. It talks about his journey across the United States by driving the less traveled blue highways on the map. Along the way, he offered to perform odd jobs for people he met in exchange for a meal or a place to sleep. In that way, he learned so much about the people and places that he visited. This book really encouraged the love that I have for travel.

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