

# Keith Cunningham-Parmeter

Lewis & Clark Law School • 10101 S. Terwilliger Blvd. • Portland, Oregon 97219  
keithcp@lclark.edu • 503.768.6640

## ACADEMIC APPOINTMENTS

**Lewis & Clark Law School**, Robert E. Jones Professor of Advocacy and Ethics, 2024-present

- Courses taught: Contracts, Employment Law, Labor Law, Current Issues in Work Law
- Faculty Advisor, Labor and Employment Law Society
- Huffman Faculty Writing Award

**Willamette University College of Law**, Professor of Law, 2015-2023

- Associate Professor of Law (with tenure), 2011-15; Assistant Professor of Law, 2006-11
- Robert L. Misner Award for Excellence in Faculty Scholarship
- Jerry E. Hudson Award for Excellence in Teaching and Leadership
- Professor of the Year

## EDUCATION

**Stanford Law School**, J.D. with Distinction

- Order of the Coif (top ten percent)
- Stanford Law School Public Interest Fellow
- First Place, Stanford Law School's Adolph and Olaus Murie Award for outstanding written work in the area of environmental law
- First Place (tied), Stanford Law School's Steven M. Block Award for outstanding written work in the area of civil rights and personal freedom

**University of Oregon**, B.A. in English, minor in Economics, *magna cum laude*

- Phi Beta Kappa

## LEGAL ACADEMIC WRITING

*Affirmative Action for Men on the Economic Margins*, 79 FLA. L. REV. (forthcoming 2027)

*Boxed Out: Challenging the Use of Criminal Background Questions in Education and Employment*, 94 GEO. WASH. L. REV. (forthcoming 2026)

*When Amazon Drivers Kill: Accidents, Agency Law, and the Contractor Economy*, 65 WM. & MARY L. REV. 581 (2024)

*Discrimination by Algorithm: Employer Accountability for Biased Customer Reviews*, 70 UCLA L. REV. 92 (2023)

*The Sexual Harassment Loophole*, 78 WASH. & LEE L. REV. 155 (2021)

*Gig-Dependence: Finding the Real Independent Contractors of Platform Work*, 39 N. ILL. U. L. REV. 379 (2019) (invited symposium)

*From Amazon to Uber: Defining Employment in the Modern Economy*, 96 B.U. L. REV. 1673 (2016)

*Marriage Equality, Workplace Inequality: The Next Gay Rights Battle*, 67 FLA. L. REV. 1099 (2015)

*(Un)Equal Protection: Why Gender Equality Depends on Discrimination*, 109 NW. U. L. REV. 1 (2014)

*Men at Work, Fathers at Home: Uncovering the Masculine Face of Caregiver Discrimination*, 24 COLUM. J. GENDER & L. 253 (2013)

*Forced Federalism: States as Laboratories of Immigration Reform*, 62 HASTINGS L.J. 1673 (2011)

*Alien Language: Immigration Metaphors and the Jurisprudence of Otherness*, 79 FORDHAM L. REV. 1545 (2011)

Review of *ILLEGAL PEOPLE: HOW GLOBALIZATION CREATES MIGRATION AND CRIMINALIZES IMMIGRANTS*, by David Bacon, 63 INDUS. & LAB. REL. REV. 357 (2010)

*Redefining the Rights of Undocumented Workers*, 58 AM. U. L. REV. 1361 (2009)

*Fear of Discovery: Immigrant Workers and the Fifth Amendment*, 41 CORNELL INT'L L.J. 27 (2008) (invited symposium)

*A Poisoned Field: Farmworkers, Pesticide Exposure, and Tort Recovery in an Era of Regulatory Failure*, 28 N.Y.U. REV. L. & SOC. CHANGE 431 (2004)

*Dreaming of Effective Assistance: The Awakening of Cronin's Call to Presume Prejudice from Representational Absence*, 76 TEMPLE L. REV. 827 (2003)

Note, *Father Time: Flexible Work Arrangements and the Law Firm's Failure of the Family*, 53 STAN. L. REV. 967 (2001)

## **ESSAYS AND OTHER WRITINGS**

External Note Reviewer, STAN. L. REV. (2025)

Comment on Proposed Comprehensive Amendments to Agricultural Labor Housing and Related Facilities (2024)

External Note Reviewer, STAN. L. REV. (2022)

Book Proposal Review, Cambridge University Press (2016)

*The Uber Problem Facing Workers*, CLS (Columbia Law School) BLUE SKY BLOG (May 26, 2016)

*Twenty Something*, AM. LAW., Sept. 2000 (cover story)

*The Defense Rests*, AM. LAW., Aug. 2000

*Beside the Gate, a Revolving Door*, AM. LAW., Aug. 2000

*1990-1999: The Way We Were*, AM. LAW., July 2000 (with John Turrettini)

• Cited by Justice Ruth Bader Ginsburg, Washington University School of Law, Apr. 4, 2001

*Between Two Worlds—A Delta/Cambridge Diary*, ENGLISH, 1998-99

## SELECTED LECTURES AND PRESENTATIONS

*Preferential Hiring for Men on the Economic Margins*, 2026 Poverty Law Conference, USC Gould School of Law, Feb. 20, 2026

*From Inclusion to Illegality? The New Assault on Workplace Equity*, Labor & Employment Law Society, American Constitution Society, Lewis & Clark Law School, Feb. 18, 2026

*Preferential Hiring for Men on the Economic Margins*, Faculty Colloquium, Lewis & Clark Law School, Oct. 16, 2025

*Preferential Hiring for Men in Caregiving Fields*, Colloquium on Scholarship in Employment and Labor Law, Seton Hall Law School, Sept. 19, 2025

*Have You Committed a Crime? Banning the Box in College Admissions*, Law & Society Ass'n, May 22, 2025

*Cognitive Bias in Evaluations of Faculty*, Opt-in Series, Lewis & Clark Law School, Mar. 13, 2025

*Boxed Out: Race, Crimes, and College Admissions*, Faculty Colloquium, Lewis & Clark Law School, Mar. 4, 2025

*Responsible Contracts—Using the ABA Model Contract Clauses to Protect Workers in International Supply Chains and Comply with New EU Legislation*, Fall Forum, Lewis & Clark Law School, Oct. 24, 2024 (moderator)

*Student Evaluations and Unconscious Bias*, Faculty Colloquium, Lewis & Clark Law School, Oct. 22, 2024

*Retail Mergers and the “Labor-Antitrust” Question*, Business Law Society, Lewis & Clark Law School, Oct. 15, 2024

*Ban the Box in College Admissions: Lessons from Employment Law*, University of Minnesota Law School, Oct. 27, 2023

*Algorithmic Discrimination and the New Supervisory Customer*, Vanderbilt Law School, Oct. 15, 2021 (presented remotely)

*Algorithmic Discrimination*, Faculty Development Conversation Series, Willamette University College of Law, Sept. 15, 2021

*Parenting, Family Leave, and Flexible Work: Retaining Legal Talent in the 21<sup>st</sup> Century*, Multnomah Bar Association, May 31, 2019

*The ABCs of Gig Work: How a Novel Employment Test Could Transform the Platform Economy*, Northern Illinois University College of Law, Apr. 12, 2019

*What is Sanctuary? History & Legal Context*, Santa Clara University School of Law, Apr. 21, 2017

*Penalizing Parenting*, Women’s Law Caucus, Mar. 7, 2016

*From Amazon to Uber: Defining Employment in the Modern Economy*, Willamette University College of Law, Feb. 25, 2016

*Fathers, Mothers, and Family Responsibilities Discrimination*, Mary Leonard Law Society, Oct. 20, 2015

*Workplace Secrets, Loyalty, and Poaching: Protecting Employer Interests and Employee Liberty* (Commentator), Lewis & Clark Law School, Sept. 11, 2015

*Who Is the Caregiver? Men, Women, and Leave Differentials Based on Sex*, Oregon Women Lawyers, May 9, 2014

*Constitutional Discrimination: Equal Protection and the Case for Favoring Fathers in Parental Leave*, UNLV School of Law, Sept. 27, 2013

*Work, Family, and Microinequities*, Society for Human Resource Management, Feb. 28, 2013

*Fathers at Home, Men at Work: The Function of Masculine Norms in Caregiving Discrimination Cases*, Work and Family Researchers Network Conference, June 15, 2012

*The Elusive Grand Bargain: Why Immigration Reform Efforts Fail*, League of Women Voters of Portland, Feb. 14, 2012

*Separate Spheres No More? How the New Economy Enables Fathers to Seek Workplace Accommodations (and the Reasons They Still Don't)*, Lewis & Clark Law School, Sept. 30, 2011

*Building a Better Leave Policy*, Multnomah Bar Association, Apr. 22, 2011

*State Immigration Experimentation*, Mary Leonard Law Society, Apr. 12, 2011

*Reflections on RESHAPING THE WORK-FAMILY DEBATE: WHY MEN AND CLASS MATTER*, UC Hastings College of Law, Oct. 28, 2010

*Floods, Crimes, and Aliens: Representations of Immigrant Workers in the Law*, Washington University School of Law, Sept. 24, 2010

*Speaking of Immigrants*, University of Connecticut School of Law, Mar. 26, 2010

*The Future Rights of Undocumented Workers*, Seton Hall Law School, Sept. 25, 2009

*Reframing Undocumented Workers' Rights*, Northwest Junior Faculty Forum, Mar. 4, 2009

*Labor Rights and Workplace Raids*, University of San Francisco School of Law, Feb. 27, 2009

*Immigration Status and Self-Incrimination*, University of Denver College of Law, Sept. 28, 2007

*Farmworkers and Pesticides: Manufacturer Liability and Common Law Theories*, University of Oregon School of Law, Mar. 2, 2007

*The Fifth Amendment's Protective Function in Immigrant-Initiated Litigation*, Cornell Law School, Feb. 23, 2007

*Firms, Fathers, and Flexible Work Arrangements*, Lawyers Club of San Diego, Jan. 26, 2007

*Male Lawyers, Flexible Work Arrangements, and the Challenges of Implementation*, University of San Francisco School of Law, Mar. 10, 2006

*Rights Without Remedies: Enforcing Workplace Protections for Undocumented Migrant Farmworkers*, Lewis & Clark Law School, Nov. 16, 2005

*Farmworkers and Environmental Justice*, Washington State University Vancouver, Feb. 26, 2005

*From AWPA to FIFRA: Litigating Pesticide Cases*, National Farmworker Law Conference, Dec. 3, 2004

## **PRIOR LEGAL AND INSTRUCTIONAL EXPERIENCE**

**Skadden Fellow**, Oregon Law Center, Farmworker Program, Portland, Oregon, 2004-06

- Lead counsel in wage and hour class action that resulted in the largest judgment to date for agricultural workers in Oregon

**Law Clerk to the Honorable Ancer Haggerty**, Chief Judge, United States District Court for the District of Oregon, 2002-04

**United States Equal Employment Opportunity Commission**, Legal Intern, San Jose, California, 2001

**Rudy, Exelrod & Zieff**, Litigation Intern, San Francisco, California, 2001

**East Palo Alto Community Law Project**, Legal Intern, Family Advocacy and Support Program, Volunteer Attorney Program, East Palo Alto, California, 1999-2000

**Teach for America**, Anna Strong Middle School, Marianna, Arkansas, 1997-98; Central High School, West Helena, Arkansas, 1998-99

## **MEDIA APPEARANCES**

*Can ApolloMD Legally Staff PeaceHealth EDs?*, REGISTER-GUARD, Mar. 15, 2026

*Nike Sex Discrimination Lawsuit: Key Questions Remain Before July Trial*, OREGONIAN, Mar. 10, 2026

*When Will the Trail Blazers Acknowledge the Obvious About Their Chauncey Billups Problem?*, OREGONIAN, Nov. 14, 2025

*Tom Dundon Says His Group Can Buy the Blazers Without Money from Panda Express Founders*, OREGONIAN, Oct. 8, 2025

*What Legal Experts Say May Happen Next in Lawsuit Over Portland Trail Blazers Ownership*, OREGONIAN, Sept. 27, 2025

*No School for Evergreen Public Schools on Tuesday as District Files Injunction Amid Ongoing Strike*, KOIN, Sept. 8, 2025

*As Providence Nurses Strike Hits 5-Week Mark, How Will This End?*, PORTLAND BUS. J., Feb. 13, 2025

*How Potential Strike of 5,000 Health Care Workers at 14 Providence Facilities Will Affect Oregon Patients*, KGW, Jan. 7, 2025

*Republican Control of NLRB Likely to Hinder Teamsters' Amazon Driver Union Push*, CAPITOL FORUM, Nov. 14, 2024

*Oregon CEO's Sex Abuse Conviction and Fresh Allegations Spotlight Issues in Corporate Accountability*, OREGONIAN, Oct. 2, 2024

*Oregon Voters Will Decide Whether to Ease Way for Cannabis Workers to Unionize*, OREGONIAN, Sept. 18, 2024

*Kroger-Albertsons Merger Hearing Puts Portland at the 'Epicenter' of Mega-Deal*, PORTLAND BUS. J., Aug. 14, 2024

*Oregon Medical Board Trims Antidiscrimination Rule as Providers Worry*, THE LUND REPORT, Aug. 1, 2024

*Hardest-Working Cities in America*, WALLETHUB, Feb. 19, 2024

*Over 1,000 Workers Submit Strike Notice at PeaceHealth Hospitals*, KOIN, Oct. 13, 2023

*Deposition Shakes up Nike Pay Discrimination Lawsuit*, OREGONIAN, Oct. 5, 2023

*Dancers at Northwest Portland Strip Club Vote to Form City's First Strippers' Union, Second in U.S.*, OREGONIAN, Sept. 12, 2023

*2023 Labor Day Facts*, WALLETHUB, Aug. 30, 2023

*Worker Unrest Is Driving Strikes and Unionization Efforts Across Portland This Summer*, KGW, Aug. 18, 2023

*Prospects of Resolution Unclear as Historic Nurses Strike Begins in Portland, Seaside*, THE LUND REPORT, June 18, 2023

*Oregon Hospital Systems Face Lawsuits over Religious Objections to Covid Vaccine*, PORTLAND BUS. J., Jan. 18, 2023

*The Gig Law Causing Chaos in California Strip Clubs*, WIRED, Oct. 19, 2022

*'They Want You to Feel Alone': New Bill Aims to Ban NDAs for Victims of Workplace Harassment*, FORTUNE, June 29, 2022

*How Starbucks Uses Dubious 'Connection Scores' to Evaluate Its Workforce*, NBC News, May 28, 2022

*Dancers Sue Oregon Strip Clubs, Alleging Federal Wage Violations, Similar to Gig Workers*, OREGONIAN, Sept. 10, 2021

*Columbia Sportswear CEO Praises Biden's New Vaccine Mandates*, KOIN-CBS, Sept. 10, 2021

*Oregon Trooper Posts Video from Patrol Car Defying State Vaccine Mandate*, OREGONIAN, Sept. 2, 2021

*Just 17 Days Remain Until the City and the Portland Police Association Can Demand Private Mediation to Hash out Their Contract*, WILLAMETTE WK., May 26, 2021

*Amazon Workers—Gaming Woes—DuckDuckGo CEO*, POLITICO, Apr. 8, 2021

*Salem Nurse's COVID-19 Video Post Sparks Questions over Workplace Rights*, KATU, Nov. 30, 2020

*Sam Adams Wants Another Chance*, WILLAMETTE WK., Oct. 2, 2019

*Up All Night*, BBC Radio 5 Live, June 8, 2019

*Google Has More Temp and Contract Workers Than Actual Employees—But They Have Far Fewer Rights*, MARKETWATCH, May 30, 2019

*Uber, Lyft, and the Meaning of “Employee” in the Gig Economy*, Top of Mind with Julie Rose, Sirius XM 143, May 13, 2019

*What About Dads?*, BLOOMBERG, May 1, 2019

*Uber Doesn't Want Its Drivers to Be Employees—Here's Why That Matters*, MARKETWATCH, Apr. 15, 2019

*U.S. Supreme Court Case Could Mean Financial Instability for Oregon Public Unions*, STATESMAN J., Sept. 30, 2017

*Supreme Court Case Could Drain Oregon Unions*, PORTLAND TRIB., Sept. 28, 2017

*Temp Work Now a Permanent Fixture, Creating Problems for 'Invisible' Workforce*, NBC News, Aug. 31, 2017

*Sheriff Rift Puts County in Murky Waters*, PORTLAND TRIB., May 26, 2016

*TriMet, Union Spar over New-Employee Orientations*, OREGONIAN, Apr. 2, 2016

*Oregon Labor Unions Fear Setback in Supreme Court Case*, PORTLAND TRIB., Jan. 12, 2016

*“Primary” Caregiver Benefits Sound Gender-Neutral but Aren't*, ATLANTIC ONLINE, Oct. 1, 2015

*Changing Attitudes Toward Paid Leave for Moms and Dads: Reporter's Notebook*, N.Y. TIMES, Sept. 16, 2015

*State Supreme Court Partially Overturns PERS Reform*, Think out Loud, OPB, Apr. 30, 2015

*The Great Race*, WILLAMETTE WK., Mar. 26, 2014

*School Training Aims to Prevent Abuse*, STATESMAN J., Feb. 16, 2014

*The Legal Debate over the Public Employees Retirement System*, Think out Loud, OPB, Feb. 20, 2013

*Workplace Discrimination: Not Just About Race Anymore*, AOL, Jan. 16, 2012

*In Oregon Case, Women's Word Is Enough to Get Birth Certificate for Son, Court Says*, OREGONIAN, July 24, 2011 (cover story)

*County Union Authorizes Strike*, HOOD RIVER NEWS, July 2, 2011

*Oregon Eyes Focused on Arizona Immigration Law Case*, OPB, Nov. 1, 2010

*U.S. Farm Sector: Unique and Separate Part of Economy*, INT'L BUS. TIMES, Oct. 5, 2010

*Oregon's Governor Among Mid-Valley Residents Who Weigh in on Arizona Immigration Ruling*, STATESMAN J., July 29, 2010

*Ore. Medical Marijuana Can Lead to Firing*, ASSOCIATED PRESS, BUS. WK., FORBES, N.Y. TIMES, Apr. 17, 2010

*A Poisoned Field: Pesticide Exposure Among Farmworkers*, WILLAMETTE LAW., Spring 2010

*Verizon's Service Bundle Brings No Joy*, OREGONIAN, Oct. 11, 2009

*NFL Teams Really Get into Prep Work*, SAN ANTONIO EXPRESS-NEWS, Apr. 21, 2009

*Immigrant Workers Chilled by Raids, Policies, from Exercising Rights, Lawyers Say*, BNA DAILY LAB. REP., Mar. 4, 2009

*E-Verify Checks Worker Status, Draws Criticism*, STATESMAN J., June 3, 2008

*Immigrants' Plight Recalls 'When We Were Strangers in Egypt'*, JEWISH REV., Apr. 15, 2008

*Lawyers' Blog Attacks Go over the Legal Limit*, OREGONIAN, Sept. 20, 2007 (cover story)

*Supreme Court Review*, KOPT Radio, July 6, 2007

*Shift Break*, KBCS Radio, June 19, 2007

*KTRO News*, KTRO Radio, June 14 and 15, 2007

*The Vocal Majority*, KOPT Radio, June 15, 2007

*Bob Miller in the Morning*, KPAM, June 13, 2007

*Good Morning Northwest*, KOIN, June 12, 2007

*Channel 2 News at 11*, KATU, June 12 and 13, 2007

*Work Complaints Hang over Plant*, OREGONIAN, June 14, 2007 (cover story)

*Labor Radio*, KBOO Radio, June 12, 2007

*The Vocal Majority*, KOPT Radio, May 24, 2007

*Employers' Immigration Pains*, L.A. TIMES, Dec. 17, 2006

*Lawyer Says She Was Shoved onto the Mommy Track*, ABA J. E-REPORT, Dec. 1, 2006

*Is Workplace Safety Lottery Really Safe?*, OREGONIAN, Aug. 27, 2006

*Del Monte, Ex-Workers Secure Settlement Deal*, OREGONIAN, Aug. 10, 2006

*Disparaging Situation*, COLUMBIAN, Aug. 6, 2006

## **PROFESSIONAL WORK & AFFILIATIONS**

Association of American Law Schools, Employment Discrimination Law, 2006-present

Northwest Employment Education and Defense Fund, Board of Directors, 2010-2019

Ninth Circuit Court of Appeals

United States District Court for the District of Oregon

State Bar of California (inactive) and State Bar of Oregon (active)