

MICHAEL C. DUFF

Winston S. Howard Distinguished Professor of Law
University of Wyoming College of Law
1000 E. University Ave. Dept. 3035
Laramie, WY 82071
E-Mail: mduff1@uwyo.edu
SSRN Author's Page: <http://ssrn.com/author=660895>

EDUCATION

Harvard Law School, Juris Doctorate, June 1995

West Chester University of Pennsylvania, *summa cum laude*, B.A., Philosophy, December 1991

PUBLICATIONS

Law Review Articles, Essays & Reports

Private Courts, Biased Outcomes: The Adverse Impact of Forced Arbitration on People of Color, Women, Low-Income Americans, and Nursing Home Residents (with Sidney Shapiro, Thomas McGarity and M. Isabelle Chaudry), CENTER FOR PROGRESSIVE REFORM REPORT (Feb. 2022)

Fifty More Years of Ineffable Quo? Workers' Compensation and the Right to Personal Security, 111 KENTUCKY L. J. ____ (2022)

What Covid Laid Bare: Adventures in Workers' Compensation Causation, 59 SAN DIEGO L. REV. ____ (2022)

New Labor Viscerality? Work Stoppages in the "New Work," Non-Union Economy, 65 SAINT LOUIS UNIVERSITY LAW JOURNAL 115 (2021)

OSHA's Next 50 Years: Legislating A Private Right Of Action To Empower Workers (with Thomas McGarity, Sidney Shapiro, Rena Steinzor, Katie Tracy), CENTER FOR PROGRESSIVE REFORM REPORT (2020)

Protecting Workers In A Pandemic: What The Federal Government Should Be Doing (with Thomas McGarity and Sidney Shapiro), CENTER FOR PROGRESSIVE REFORM REPORT (2020)

How the U.S. Supreme Court Deemed the Workers' Compensation Grand Bargain "Adequate" Without Defining Adequacy, 54 TULSA L. REV. 375 (2019) *reprinted in* WORKERS' FIRST WATCH, WORKERS' INJURY LAW & ADVOCACY GROUP, 27-43 (Winter 2018)

Reflections on the "Persistence of Tort" and the "Demise of the Grand Bargain" (symposium essay), 69 RUTGERS L. REV. 1257 (2018)

A Tale of Two Standards: Why Wyoming Courts Should Apply the Actual Substantial Evidence Standard in Wyoming Workers' Compensation Cases, 18 WYOMING L. REV. 1 (2017)

CV of Michael C. Duff

Facial and As-Applied Challenges to Workers' Compensation Statutes: The Elusive Inadequacy Tipping Point (Work in Progress)

Beyond Republic Steel: Seeing NLRB Remedies Through the Prism of the Collateral Source Rule (Work in Progress)

Workers' Compensation Judicial Decisional Independence (Work in Progress)

Comment on Chapter 4 of The Restatement of Employment Law: Principles of Employer Liability for Tortious Harm to Employees, 21 EMPLOYEE RTS. & EMP. POL'Y J. 487 (2017)

Worse Than Pirates or Prussian Chancellors: A State's Authority to Opt-Out of the Quid Pro Quo, 17 MARQ. BENEFITS & SOC. WELFARE L. REV. 123 (2016)

The Cowboy Code Meets the Smash Mouth Truth: Meditations on Worker Incivility, 117 W. VA. L. REV. 100 (2015)

Alt-Labor, Secondary Boycotts, and Toward a Labor Organization Bargain, 63 CATHOLIC U. L. REV. 837 (2014)

What Brady v. N.F.L. Teaches about the Devolution of Labor Law, 52 WASHBURN L. J. 429 (2013)

New Nip in the Bud: Does the Obama Board's Preemptive Strike Doctrine Enhance Tactical Employment Law Strategies?, 16 EMPLOYEE RTS. & EMP. POL'Y J. 143 (2012)

Of Courage, Tumult, and the Smash Mouth Truth: A Union-Side Apologia, 15 EMPLOYEE RTS. & EMP. POL'Y J. 521 (2012)

Union Salts as Administrative Private Attorneys General, 32 BERKELEY J. EMP. & LAB. L. 1 (2011)

Labor Injunctions in Bankruptcy: The Norris-LaGuardia Firewall, 2009 MICH. ST. L. REV. 669 (2009)

- Cited by dissent in 8th Circuit Court of Appeals, *Brady v. National Football League*, 640 F.3d 785, 797 (8th Cir. 2011)
- Cited by the United States Bankruptcy Court, District of Delaware, *In re Trump Entertainment Resorts*, 534 B.R. 93 (2015)

Embracing Paradox: Three Problems the NLRB Must Confront To Resist Further Erosion of Labor Rights in the Expanding Immigrant Workplace, 30 BERKELEY J. EMP. & LAB. L. 133 (2009)

Days Without Immigrants: Analysis and Implications of the Treatment of Immigration Rallies Under the National Labor Relations Act, 85 DENV. U. L. REV. 93 (2007)

Books

WORKERS' COMPENSATION LAW (Carolina Academic Press, 2nd ed. 2017; 3rd ed. forthcoming) (Part of the Context and Practice Series explicitly applying Carnegie principles to casebook design)

Teachers Manual for Workers' Compensation Law (Carolina Academic Press)

A TREATISE OF WYOMING WORKERS' COMPENSATION LAW (CALI eLangdell Press, 2nd ed. 2021)

CV of Michael C. Duff

SECUNDA, HIRSCH & DUFF, LABOR LAW: A PROBLEM BASED APPROACH (Carolina Academic Press, 2nd ed. 2017)

EMPLOYMENT LAW. 5th ed. (New York: Wolters Kluwer, forthcoming) (with Richard Carlson, Richard Bales, and Dallan Flake).

LABOR, CIVIL RESISTANCE, AND THE RULE OF LAW (Work in progress)

Book Chapters & Other Contributions to Books

Pre-Trial Dispute Resolution of Workers' Compensation Claims (with Judge David B. Torrey) in RESOLVING INSURANCE CLAIM DISPUTES BEFORE TRIAL (American Bar Association Tort Trial & Insurance Practice Section 2017)

John L. Lewis and the United Mine Workers in THE AMERICAN MIDDLE CLASS: AN ECONOMIC ENCYCLOPEDIA OF PROGRESS AND POVERTY, Robert S. Rycroft, Ed. (ABC-CLIO 2017)

The Cloak (of Authority) That Will Not Fit: The 6th Circuit Upholds the NLRB's New Pre-Recognition Negotiation Rule in THE CHALLENGE FOR COLLECTIVE BARGAINING: PROCEEDINGS OF THE NEW YORK UNIVERSITY 65TH ANNUAL CONFERENCE ON LABOR, Samuel Estreicher and Michael Green, Eds., Chapter 8, (Matthew Bender 2013)

Shorter Pieces

Justices wrestle with mootness and intergovernmental immunity in Hanford workers' comp case, SCOTUSblog (Apr. 20, 2022) available at <https://www.scotusblog.com/2022/04/at-a-vestige-of-the-manhattan-project-a-fight-over-workers-compensation-and-intergovernmental-immunity/>

At a vestige of the Manhattan Project, a fight over workers' compensation and intergovernmental immunity, SCOTUSblog (Apr. 15, 2022) available at <https://www.scotusblog.com/2022/04/at-a-vestige-of-the-manhattan-project-a-fight-over-workers-compensation-and-intergovernmental-immunity/>

Challenges for Black Workers After 2020: Antiracism in the Gig Economy?, EMPLOYEE RTS. & EMP. POL'Y J. (Forthcoming 2021).

The Functional Operation of Workers' Compensation Covid 19 Presumptions, Workers' First Watch, Workers' Injury Law & Advocacy Group, February 8, 2021 available at <https://www.wilg.org/?pg=Publications>

All the World's a Platform?: Some Remarks on "Marketplace Platform" Employment Laws (Vol. 50, No. 2, Winter 2021, the Brief, Magazine of the ABA Tort Trial and Insurance Practice Section)

Can Workers' Compensation Work in a Mega-Risk World?: The Covid 19 Experiment, 35 ABA JOURNAL OF LABOR OF LABOR & EMPLOYMENT LAW 17 (Winter 2021)

Review of "The Personal Responsibility Pandemic: Centering Solidarity in Public Health and Employment Law" by Lindsay F. Wiley & Samuel R. Bagenstos" in RAPID REVIEWS: COVID-19 (MIT Press), September 14, 2020

Workers' Compensation Exclusivity, WORK LAW UNDER COVID-19, edited by Sachin S. Pandya and Jeffrey M. Hirsch, chap. 5 (2020)

Causation in Workers' Compensation, WORK LAW UNDER COVID-19, edited by Sachin S. Pandya and Jeffrey M. Hirsch, chap. 4 (2020)

Post-Traumatic Stress Disorder (PTSD) Coverage and other Expanding Benefit Changes in the Workers' Compensation Insurance Marketplace: Academic Legal Perspective, Annual Meeting of the National Council of Insurance Legislators, Working Paper Presented December 12, 2019, Austin, TX

Noe Rodriguez v Brand Dairy: Balancing Equal Protection and a State's Economic Interest, 3 INTERNATIONAL LABOR RIGHTS CASE LAW 106 (2017)

Compulsory Arbitration: More Empty Preemption of State Workers' Comp?, TORTSOURCE, PUBLICATION OF THE TORT TRIAL & INSURANCE PRACTICE SECTION, Vol. 19, No. 1 at 3 (Fall 2016)

Opt-Out and ERISA's Empty Preemption of Workers' Compensation (with Mark DeBofsky), TORT TRIAL & INSURANCE PRACTICE SECTION NEWSLETTER (Fall 2016)

Workers' Compensation Laws: No Escape from ERISA Preemption?, LEXISNEXIS LEGAL NEWSROOM, WORKERS' COMPENSATION LAW available at <https://www.lexisnexis.com/legalnewsroom/workers-compensation/b/recent-cases-news-trends-developments/archive/2016/05/23/workers-compensation-opt-out-laws-no-escape-from-erisa-preemption.aspx> (May 31, 2016)

Choppy Waters Ahead: The New Environment of Law School Scholarships, WYOMING LAWYER, 39-APR WYO. LAW 20 (April 2016)

Are Workers' Compensation "Alternative Benefit Plans" Authorized by State Opt-Out Schemes Covered by ERISA?, 45 THE BRIEF 22, A.B.A. TORT TRIAL & INSURANCE PRACTICE SECTION (Spring 2016)

- Cited by the Oklahoma Supreme Court concurrence, *Vasquez v. Dillard's*, 381 P.3d 768, 780 n.38 (Ok. 2016)

Workers' Comp Agency Declares Oklahoma Opt-Out Statute Unconstitutional, LEXISNEXIS LEGAL NEWSROOM, WORKERS COMPENSATION LAW available at <http://www.lexisnexis.com/legalnewsroom/workers-compensation/b/recent-cases-news-trends-developments/archive/2016/02/28/workers-comp-agency-declares-oklahoma-opt-out-statute-unconstitutional.aspx> (February 28, 2016)

A Hundred Years of Excellence: But is the Past Prologue? Reflections on the Pennsylvania Workers' Compensation Act, 87 PA. B.A. Q. 20 (January 2016)

- Cited by Kentucky Court of Appeals, *Choate v. Bank of Cadiz & Trust Co.*, 2016 WL 3453326

Book Review: *Defamation Law and Social Attitudes: Ordinary Unreasonable People*, by Roy Baker, 42 INT'L J. LEGAL INFO. 420 (2014)

The Continued Relevance of the NLRA to Non-Union Workplaces under Section 7's Mutual Aid or Protection Clause, ABA Section of Employment Litigation and Labor Relations E-Newsletter (Winter 2014) available at <http://apps.americanbar.org/litigation/committees/employment/home.html>

Terms Matter: Reflections on the Wyoming Debate Over the Teachers' "Union" and Teacher "Tenure", 34 WYOMING LAWYER 16 (April 2011).

The Debt Ceiling Debate and the Constitution: A Call for Caution, JURIST- Forum, July 16, 2011, <http://jurist.org/forum/2011/07/davis-duff-ware-debt-ceiling.php> (with Benjamin Davis, Craig Jackson, and Leland Ware)

BLOGS & PODCASTS

Founder, Co-Editor, and Author, WORKERS' COMPENSATION LAW PROFESSORS' BLOG

- Nationally recognized blog devoted to analysis of workers' compensation legal issues and discussion of teaching workers' compensation in law school
- Featured regularly in the national workers' compensation online publication "WorkCompCentral"
- Blogpost cited in the Rand Corporation's 2018 publication HOW CAN WORKERS' COMPENSATION SYSTEMS PROMOTE OCCUPATIONAL SAFETY AND HEALTH?

Appearances With Center for Progressive Reform

- Reposted Blogposts
 - *Will COVID-19 'Shock' Workplace Injury Law Like the Railroads of the Early 20th Century?*, July 2, 2020
 - *Pandemic Heroes Compensation Act of 2020: Preliminary Observations on the Proposed Bill*, June 15, 2020
 - *Federal District Court Rebuffs Trump Labor Board For Shirking Rulemaking Requirements*, June 3, 2020
 - *Another Public Nuisance COVID Suit: Why is the McDonald's Case Different?*, May 21, 2020
 - *The Stimulus 'Liability' Debate: Don't Forget Texas Elective Workers' Compensation*, May 14, 2020
 - *Novel Smithfield Foods Public Nuisance Suit Dismissed Without Prejudice*, May 6, 2020
 - *The Public Nuisance Litigation in a Smithfield Foods Meatpacking Case: Workers' Compensation Implications?*, May 5, 2020
 - *President Orders Continued Meat Production; And Then There's the 13th Amendment*, April 30, 2020
 - *COVID-19: Legal Issues When Workers' Compensation Doesn't Apply*, April 21, 2020
 - *The Coronavirus and Shortcomings of Workers' Comp*, April 1, 2020
- Podcast
 - *Season 3, Episode 7: Essential Not Expendable—Protecting Workers from COVID-19 (1:04)*

Featured Guest, WORKERS COMP MATTERS, LEGAL TALK NETWORK, "Presumptions in the Age of Covid-19," February 24, 2021

PRESENTATIONS & PUBLIC APPEARANCES

Invited Presenter, “Workers’ Compensation and the Right to Personal Security,” John Burman Student Government Association Spring Panel, University of Wyoming College of Law, March 23, 2022

Invited Presenter, “Pandemics, Safety Protests, and Supreme Court Reversals: A Bleak Future for Section 7?” Rocky Mountain Labor & Employment Relations Association, March 8, 2022 (virtually)

Invited Presenter, “Workers’ Compensation And The ‘Gig’ Economy: Challenges Flowing From Temporary Work,” American Bar Association Tort Trial and Insurance Practice Section Workers’ Compensation and Employers’ Liability Mid-Winter Conference, New Orleans, LA, March 4, 2022

Panelist, “NFIB v. Dep’t of Labor, OSHA Virtual Panel Discussion,” Saint Louis University School of Law, February 9, 2022

Invited Presenter, “Constitutional Challenges in Workers’ Compensation Cases in Other States,” North Carolina Advocates for Justice, 28th Annual Workplace Torts & Workers’ Comp, December 3, 2021 (virtually)

Invited Presenter, “The Ineffable Quo of the Quid Pro Quo,” Association for the Promotion of Political Economy and the Law, September 10, 2021 (virtually)

Invited Presenter, “California Gig Battles: Now the Workers *Want* to Arbitrate?,” Wefel Center for Employment Law, Saint Louis University School of Law, Saint Louis, MO, August 24, 2021

Invited Presenter, “The Ineffable Quo of the Quid Pro Quo: Who Can Now Say if the Workers’ Compensation Bargain Was Grand?,” Informal ‘Half-Baked’ Ideas Summer Workshop, Saint Louis University School of Law, June 24, 2021 (virtually)

Invited Presenter, “Constitutional Challenges Summit, Workers’ Injury Law & Advocacy Group, April 23, 2021 (virtually)

Invited Panelist, “Hot Seat Webinar: The Gig is Up: Coverage and Caring In the Sharing Economy,” WorkersCompensation.com, April 21, 2021 (virtually)

Invited Panelist, “The State of Affairs for COVID- Related Workers Compensation Claims,” AFL-CIO Union Lawyers Alliance, 2021 Northeast Regional Meeting, March 10, 2021 (virtually)

Invited Panelist, “Workers’ Rights in the Wake of a Global Pandemic,” Seattle University Law School Journal of Social Justice (virtually), March 5, 2021 (virtually)

Invited Panelist, “Covid as an Occupational Disease: How Do Various States Handle These Claims?,” Workers’ Injury Law & Advocacy Group, Webinar, January 22, 2021

Invited Panelist, “A Discussion with the Law Professors, What do the Legal Academics Think About These Unusual Times We find ourselves In?,” Ametros Financial Webinar, October 27, 2020

Panelist, “Emerging Issues in the Law of Work Stoppages,” Saint Louis University Law School, St. Louis, MO (via Zoom), September 18, 2020

CV of Michael C. Duff

Invited Panelist, “Expanding Transit Worker Protection Programs,” TransitCenter, New York, NY (via Zoom), July 1, 2020

Invited Presenter, “Making a Federal Case Out of it: How Federal Preemption Can Unexpectedly Impact State Law,” Continuing Legal Education presentation, Wyoming State Bar (Federal Practice Section), June 25, 2020 (teleconference)

Panelist, “Post-Traumatic Stress Disorder (PTSD) Coverage and other Expanding Benefit Changes in the Workers’ Compensation Insurance Marketplace,” National Council of Insurance Legislators, Austin, TX, December 12, 2019

Invited Panelist, “Federal Theories for Constitutional Challenges to Regressive Changes in Workers’ Compensation Laws,” Workers Injury Law and Advocacy Group Annual Convention, Santa Barbara, CA, October 29, 2019

Invited Panelist, “Immigration, Labor, and Modern Day Slavery,” Potter Law Club Spring Panel, Laramie, Wyoming, April 24, 2019

Invited Presenter, “Judicial Review of Administrative Decisions,” Wyoming Office of Administrative Hearings Annual Meeting, Jackson, Wyoming, September 29, 2018

Invited Presenter, “Beyond Silicon Valley: The Gig Economy Goes Low Tech,” American Association for Justice Annual Convention, Denver, Colorado, July 10, 2018

Invited Presenter, “The Madness in March Madness?: Selected Labor and Employment Controversies Related to Athletes,” Laramie County Bar Association Monthly Meeting, March 15, 2018

Keynote Speaker, “Meta Power Grabs,” Workers Injury Law and Advocacy Group Annual Convention President’s Dinner, Palm Beach, Florida, October 16, 2017

Organizer & Presenter, Wyoming Workers’ Compensation Symposia, Series of Presentations on Wyoming Workers’ Compensation Law Meant to Clarify and Restate Principles of Wyoming Workers’ Compensation Law (First Such Workers’ Compensation Presentations in History of the College of Law)

- Symposium 1 (Notice and Statute of Limitations), Laramie, Wyoming, September 22, 2017
- Symposium 2 (Scope of Coverage and Causation), Laramie, Wyoming, November 10, 2017
- Symposium 3 (Extent of Incapacity; Permanent versus Temporary; Partial versus Total Benefits), Laramie, Wyoming, February 9, 2018
- Symposium 4 (Select Administrative and Evidentiary Issues), Laramie, Wyoming, April 13, 2018

Invited Panelist, “Grand Bargain or Contract of Adhesion: The Ongoing Debate Over Benefit Adequacy, Procedural Efficacy, and Blanket Immunity in Workers’ Compensation,” Workers’ Compensation Institute, Orlando, Florida, August 8, 2017

Invited Discussant, “Integrating Workers’ Compensation Policy Experts into the Data Collection Efforts of the National Association of Social Insurance,” Washington D.C., June 7, 2017

Invited Panelist, “Top 5 Workers’ Compensation Cases in 2016,” College of Workers’ Compensation Lawyers’ Inaugural Symposium, Phoenix, Arizona, March 18, 2017

CV of Michael C. Duff

Invited Discussant, Law School Outreach Summit, Pound Civil Justice Institute, Methods to Improve Communication Between Law Schools and the Plaintiffs' Bar, San Francisco, CA, January 6, 2017

Invited Presenter, "Comment on Chapter 4 of The Restatement of Employment Law: Principles of Employer Liability for Tortious Harm to Employees," Labor Law Group Symposium, Indiana University, Bloomington, Indiana, November 18, 2016

Presenter, "The Corporatization of Workplace Adjudication," ClassCrits IX Conference, Loyola University Chicago School of Law, Chicago, Illinois, October 21, 2016

Invited Presenter, "ERISA & Opt-Out," Workers' Injury Law & Advocacy Group Annual Meeting, Carefree, Arizona, September 26, 2016

Invited Discussant, "The Demise of the Grand Bargain" Symposium, Rutgers Law School, September 23, 2016

Invited Panel Moderator and Presenter, "The Opt Out, the Constitution, and the Grand Compromise," 8th Annual National Workers' Compensation Judiciary College, Orlando, Florida, August 23, 2016

Invited Panelist, "The Opt-Out Option in Workers' Compensation: Who Gains and Who Loses?," Disparate Income, Wealth and Opportunity: Implications for Social Insurance, National Academy of Social Insurance, National Press Club, Washington, D.C., January 27, 2016

Invited Speaker: "Methodical Confrontation of Suspected Bias in Administrative Decision Making," Michigan Association for Justice 2016 Workers' Compensation/Social Security Seminar, Detroit, Michigan, January 15, 2016

Keynote Speaker, "Footholds from Free Fall," National Labor Relations Board Union Annual Meeting, Atlanta, Georgia, October 10, 2015

Keynote Speaker, "A Hundred Years of Excellence: But is the Past Prologue?" 31st Annual Fall Section Meeting of the Workers' Compensation Law Section of the Pennsylvania Bar Association, Centennial Celebration, Hershey, Pennsylvania, October 7, 2015

Invited Panel Moderator and Presenter, "Two Enduring Workers' Compensation Legal-Ethical Problems: Unrepresented Parties and Undocumented Workers," American Bar Association Section of Labor and Employment Law, Tort, Trial and Insurance Practice Section, 2015 Workers' Compensation Midwinter Seminar and Conference, Naples, Florida, March 20, 2015

Invited Panelist, "New Frontiers in Traditional Labor Law: From Student Athletes to Social Media," University of Denver/Ogletree Deakins Annual Speaker Event, Sturm College of Law, Denver, Colorado, February 25, 2015

Invited Presenter, "Workers' Compensation Judicial Decisional Independence," Workers' Injury Law & Advocacy Group Annual Meeting, Santa Barbara, California, October 29, 2014

Invited Presenter, "The Cowboy Code Meets the Smash Mouth Truth," University of West Virginia College of Law, Zealous Advocacy for Social Change: Transforming an Anti-Labor Environment into a Culture of Civility, Morgantown, West Virginia, October 24, 2014

CV of Michael C. Duff

Presenter, “Workers’ Compensation and a State’s Right to be Worse than Pirates and Prussian Chancellors,” University of Colorado, 9th Annual Labor & Employment Scholars Colloquium, Boulder, Colorado, September 11, 2014

Presenter, “What Brady v. N.F.L. teaches about the Devolution of Labor Law,” Washburn University, School of Law’s Business and Transactional Law Center, The Landscape of Private Sector Labor Law in the 21st Century - Changes in the Arenas of Conflict, Topeka, Kansas, February 28, 2013

Panelist, “The Role of Law in Creating the Good Employer,” United Association of Labor Education Annual Conference, Pittsburgh, Pennsylvania, March 23, 2012

Panelist, “Exploring How Access to Education and Safe, Affordable Energy Contribute to Creating a More Just Workplace,” Working Class Studies Association Annual Conference, University of Illinois-Chicago, Chicago, Illinois, June 25, 2011

Presenter, “Collective Bargaining: What it is; What it isn’t; Why it Matters,” Wyoming Continuing Legal Education Session, University of Wyoming, Laramie, Wyoming, April 16, 2011

Presenter, “Of Courage, Tumult, and the Smash Mouth Truth,” Association of American Law Schools (AALS) Annual Meeting, Author Meets Reader: Discussing Julius Getman’s Restoring the Power of Unions, Section on Labor Relations and Employment, San Francisco, California, January 8, 2011

Presenter, “Canaries in the Coal Mine: The Tactical Use of the National Labor Relations Act to Aid in the Protection of Workers Exposed to Pollutants,” Shepard Symposium on Social Justice, University of Wyoming, Laramie, Wyoming, April 8, 2010

Panelist, “Contested Case Procedures under the Wyoming Administrative Procedure Act,” Annual Meeting of the Wyoming Association of County Officials, Laramie, Wyoming, September 22, 2009

Presenter, “University of Wyoming Social Justice Research Center and My Personal Commitment to Issues of Social Justice,” Martin Luther King Jr. Day, March and Days of Dialogue, University of Wyoming, Laramie, Wyoming, January 19, 2009

Presenter, “Working in the Federal and Wyoming Legal Systems,” Casper, WY, July 17, 2008 (Wyoming Continuing Education Seminar)

Presenter, “Federal Sector Equal Employment Opportunity Law Complaint Procedures Pursuant to 29 C.F.R. 1614,” National Labor Relations Board Union Convention, Miami, Florida, October 17, 2003

Presenter, “The State of ‘Refusal to Hire’ Law in the Wake of the NLRB’s Decision in FES” International Brotherhood of Electrical Workers Regional Meeting, Pomona, New Jersey, January 16, 2003

Presenter, “Traps for the Unwary in National Labor Relations Board Regional Office Procedures,” Rutgers University School of Management and Labor Relations, Union Leadership Academy, April 2, 2001

MEDIA APPEARANCES

Quoted in John N. Geaney, “What Does the Rebuttable Presumption Mean in a COVID-19 Claim?” WORKCOMP CENTRAL, May 9, 2022

Quoted in Robert Iafolla, “Election Death Knell Unlikely With Move to Ease Union Organizing,” BLOOMBERG LAW, April 26, 2022

Quoted in Haleluya Hadero, “Amazon union could face a tough road ahead after victory,” ASSOCIATED PRESS, April 24, 2022

Quoted in Nick Niedzwiadek, “Amazon shoots back at NLRB,” POLITICO, April 11, 2022

Op-Ed: “Amazon workers scored a huge union victory but face a tough road ahead,” LOS ANGELES TIMES, April 8, 2022

Quoted in Braden Campbell, “Courts, Prosecutors Don't Always Agree On NLRB Injunctions,” LAW 360 EMPLOYMENT AUTHORITY, March 25, 2022

Quoted in Kevin Stawicki, “BLM Cases Offer NLRB A Way To Promote Racial Justice,” LAW 360 EMPLOYMENT AUTHORITY, February 16, 2022

Quoted in Braden Campbell, “The Latest Trend In NLRB Remedies: Saying Sorry,” LAW 360 EMPLOYMENT AUTHORITY, January 28, 2022

Quoted in Kevin Stawicki, “FLRA Decision Raises Questions About Internal Strife,” LAW 360 EMPLOYMENT AUTHORITY, January 27, 2022

Quoted in Tim Ryan, “6 Breyer Opinions & Dissents Employment Attys Should Know,” LAW 360 EMPLOYMENT AUTHORITY, January 27, 2022

Quoted in Maeve Allsup, “Microsoft Deal Throws Obstacles in Path of Activision Organizers,” BLOOMBERG LAW, January 24, 2022

Quoted in Kevin Stawicki, “3 Takeaways From NLRB's Decision Backing GC Robb's Firing,” LAW 360 EMPLOYMENT AUTHORITY, January 4, 2022

Quoted in Sofia Jeremias, “Vaccine mandate lawsuits leave Wyo businesses in limbo,” WYOFILE, December 30, 2021

Quoted in Patrick McGee, “Amazon settlement with labour board paves way for workers' union,” FINANCIAL TIMES, December 23, 2021

Quoted in Patrick McGee, “Apple faces probe over whether it retaliated against whistleblower,” FINANCIAL TIMES, December 13, 2021

Quoted in Mary Meisenzahl, “Starbucks is about to find out if it will have its first unionized stores ever,” BUSINESS INSIDER, December 9, 2021

Quoted in David Dayen, “The Great Escape: Why workers are quitting their jobs, after the trauma of the pandemic,” THE AMERICAN PROSPECT, November 29, 2021

CV of Michael C. Duff

Quoted in Sophie Quinton, “State Lawmakers' Anti-Vaccine Efforts May Prove Mostly Symbolic,” PEW STATELINE, November 24, 2021

Quoted in Tim Ryan, “Teamsters Vote Signals Workers' Desire For Active Unions,” LAW 360, November 22, 2021

Quoted in Bruce Rolfsen, Fatima Hussein, and Robert Iafolla, “Vaccine-to-Work Mandate Hangs on if Covid’s Still ‘Grave Danger’,” BLOOMBERG LAW, November 9, 2021

Quoted in Mary Meisenzahl, “Starbucks just got closer to having its first unionized store in the US,” BUSINESS INSIDER, October 29, 2021

Quoted in Josh Eidelson, “Apple CEO’s Anti-Leak Edict Broke Law, Ex-Employee Alleges,” Bloomberg Law, October 12, 2021

Quoted in Bruce Rolfsen, “What’s in a Number? For OSHA Vaccination Mandate, It’s Crucial,” BLOOMBERG LAW, September 23, 2021

Quoted in Ellen Fike, “UW Law Professor: Biden Vaccine Mandate Is Likely Constitutional,” COWBOY STATE DAILY, September 17, 2021

Quoted in Braden Campbell, “Court Showdowns Await Labor Board GC’s Legal Agenda,” LAW 360 EMPLOYMENT AUTHORITY, September 15, 2021

Quoted in Tom Hals & Wiessner, “Biden Vaccine Plan Hinges on Rarely Used Rule, Inviting Legal Challenges,” REUTERS, September 13, 2021

Quoted in Josh Eidelson, “Google Settles With Employee Who Said He Was Fired Over Activism,” BLOOMBERG NEWS, September 8, 2021

Quoted in Mark Powell, “App-Based Companies Say They’ll Appeal Calif. Ruling That Prop. 22 Is Unconstitutional,” WORKCOMPCENTRAL, August 24, 2021

Quoted in Clarissa A. León, “An Immigrant Struggles for Justice From His Union,” PAYDAY REPORT, July 28, 2021

Quoted in Mark Powell, “Vaccine Side Effects Could Be Compensable, but Outcomes Hinge on Employers’ Policies,” WORKCOMPCENTRAL, July 28, 2021

Quoted in Braden Campbell, “Teamsters Pick Tough Fight with Amazon Union Plan,” LAW 360 EMPLOYMENT AUTHORITY, June 25, 2021

Quote in Mark Powell, “Experts Ponder Whether SCOTUS Ruling on NCAA Could Lead to Comp Benefits,” WORKCOMPCENTRAL, June 24, 2021

Quoted in Robert Iafolla & Joyce E. Cutler, “Cannabis Industry Peace Laws Spread, Fertilizing Union Growth,” BLOOMBERG LAW NEWS, May 13, 2021

Quoted in Braden Campbell, “New NLRB Regime's Enforcement Boost Hinges On Budget,” LAW 360 EMPLOYMENT AUTHORITY, April 30, 2021

Quoted in Mark Powell, “SCOTUS Won't Review Decision Allowing State to Set Air Ambulance Rates,” WORKCOMP CENTRAL, April 28, 2021

Quoted in Judge David Langham, “Giggin’ Again,” WORKERS COMPENSATION.COM, April 26, 2021

Quoted in Tom Hals, “Virginia law denies benefit to some healthcare workers who refuse COVID-19 vaccine,” REUTERS, April 1, 2021

Quoted in Braden Campbell, “Results Still a Ways Off As Amazon Union Vote Wraps,” LAW360 EMPLOYMENT AUTHORITY, March 26, 2021

Quoted in Mark Powell, “Ruling Shows Pot Comp Question Still State-Specific; Payers Wary of Federal Statutes,” WORKCOMP CENTRAL, March 4, 2021

Quoted in Mike Elk, “Amazon Offers \$2,000 ‘Resignation Bonuses’ to Bust Union Drive in Alabama,” PAYDAY REPORT, February 21, 2021

Quoted in Emily Brill, “High Court Ruling May Be A Boon For Benefits Access,” LAW360, February 19, 2021

Quoted in Bruce Rolfsen, “Amazon Covid-19 Lawsuit Spotlights State Regulatory Power,” BLOOMBERG LAW, February 18, 2021

Quoted in Mark Powell, “Lack of New Business, Premium Returns Could Weigh Down Carriers in 2021,” WORKCOMP CENTRAL, February 10, 2021

Quoted in Robert Iafolla, “Workers’ Compensation Can Soothe Some Covid Vaccine Fears,” BLOOMBERG LAW, February 4, 2021

Quoted in and shown in news video, Tom Hals, “At the urging of nursing homes, a law is amended and COVID court claims are slowed,” REUTERS, January 28, 2021

Quoted in William Rabb, “New OSHA COVID Guidance Could Help Limit Spread, Affect Some Claims Defense,” WORKCOMP CENTRAL, January 26, 2021

Quoted in Mark Powell, “As Grocer Plans to Replace Drivers, Observers Question Sufficiency of Prop. 22 Benefits,” WORKCOMP CENTRAL, January 13, 2021

Quoted in Braden Campbell, “New Google Union Tests Novel ‘Minority’ Organizing Approach,” LAW 360, January 5, 2021

Quoted in Mark Powell, “State Supreme Court Says Undocumented Workers Can Get Comp Benefits,” WORKCOMP CENTRAL, January 5, 2021

Quoted in Virginia Jeffries, “Coronavirus (Covid-19) and vaccines: What if my employer requires me to get it?,” CLEAR HEALTH COSTS, December 11, 2020

Quoted in Mark Powell, “WCIRB Study Links Treatment Delays to Higher Claim Costs,” WORKCOMP CENTRAL, November 18, 2020

Quoted in Virginia Jeffries, “Coronavirus (Covid-19) and workers’ compensation: When your employer won’t pay up,” CLEAR HEALTH COSTS, November 13, 2020

CV of Michael C. Duff

Quoted in Sam Lemonick, “Who pays when a graduate student gets hurt?,” CHEMISTRY & ENGINEERING NEWS, November 1, 2020

Quoted in Lori Chordas, “Workers’ Compensation: On the Front Line,” BEST’S REVIEW, November 2020

Quoted in Beth Ewen, “How Employers Can Prepare for Rise in Pandemic-related Lawsuits,” FRANCHISE TIMES, October 28, 2020

Quoted in Rick Gell, “Kamala Harris should be the only Democrat to question Amy Coney Barrett for these 6 important reasons,” RAWSTORY, October 12, 2020

Quoted in Evan Hoopfler, “Southwest Airlines wants employees to take pay cuts. Will the unions go along?,” DALLAS BUSINESS JOURNAL, October 7, 2020

Quoted in Robert Iafolla, “Union Elections Hang in the Balance as NLRB Ponders Vote by Mail,” BLOOMBERG DAILY LABOR REPORT, October 7, 2020

Quoted in David Sirota, “Barrett Crushed Gig Workers Weeks Before Likely SCOTUS Nomination,” THE DAILY POSTER, September 26, 2020

Quoted in Mark Powell, “With Presumption in Place, Investigators Could Play Role in Covid-19 Claims,” WORKCOMP CENTRAL, September 23, 2020

Quoted in Mark Powell, “Golden State Stands Out in Considering COVID Costs for New Rate Filing,” WORKCOMP CENTRAL, September 17, 2020

Quoted in Roz Plater, “Why Your Employer May Not Have to Tell You If a Co-Worker Has COVID-19,” HEALTHLINE, September 15, 2020

Quoted in Braden Campbell, “4 Labor Cases To Watch In The End of 2020,” LAW 360, September 4, 2020

Quoted in Sindhu Sundar, “Retail Workers Face Rough Road in Corporate Bankruptcies,” YAHOO FINANCE, September 1, 2020

Quoted in Christopher Yasicjko, “When Athletes Walked, Was it a Boycott or a Strike,” BLOOMBERG NEWS, August 28, 2020 reprinted in the WASHINGTON POST of the same date

Quoted in Mark Powell, “Newsom’s Order Creating COVID Presumption Was Unconstitutional, Defense Firm Alleges,” WORKCOMP CENTRAL, August 21, 2020

Quoted in Aarthi Swaminathan, “Coronavirus: Some college students returning to campus are being met with liability waivers,” YAHOO FINANCE, August 12, 2020

Quoted in Billy House, “McConnell Fight for Liability Shield a Key Hitch as Talks Stall,” BLOOMBERG LAW, August 11, 2020

Andrew Kreighbaum and Fatima Hussein, “Campus Workers Fear Contagion as Colleges Seek Legal Immunity,” BLOOMBERG LAW, August 5, 2020

Quoted in Mark Powell, “Study: Health Care Workers File 9 Times More COVID-Related WC Claims Than Other Groups,” WORKCOMPCENTRAL, August 4, 2020

Quoted in Robert Iafolla, “Employers Get Major Protections in GOP Liability Shield Bill,” BLOOMBERG LAW, August 3, 2020

Quoted in Josh Eidelson & Hassan Kanu, “It’s Now Even Easier to Fire U.S. Workers for What They Say,” Bloomberg Law, July 30, 2020

Quoted in Hailey Ross & Jason Woleben, “Signs of Price Flattening Emerging in Workers’ Compensation Market,” S & P GLOBAL MARKET INTELLIGENCE, July 24, 2020

Quoted in Robert Iafolla & Fatima Hussein, “No Mask, No Service Rules Leave Workers Open to Customer Abuse,” BLOOMBERG LAW, July 21, 2020

Quoted in David Sirota, “NY Dems Created McConnell’s Corporate Immunity Template Amid A Flood of Cash,” TOO MUCH INFORMATION, July 20, 2020

Quoted in Ricardo Alonso-Zaldivar, “COVID-19 heroes must jump through hoops for workers’ comp,” ASSOCIATED PRESS, July 11, 2020

Quoted in Braden Campbell, “Want Workers To Sign COVID-19 Waivers? Don't Go There.,” LAW360, July 2, 2020

Quoted in Fatima Hussein & Jaclyn Diaz, “Covid Wrongful Death Suits Test Employer Liability to Families,” BLOOMBERG LAW, June 25, 2020

Quoted in David Sirota, “The Supreme Court Just Gave Corporations a License to Steal,” MOYERS ON DEMOCRACY, June 24, 2020

Quoted in Mark Powell, “Senator Amends Presumption Bill to Mimic Governor’s EO; Businesses Worry About Increased Costs,” WORKCOMPCENTRAL, June 23, 2020

Quoted in Mark Powell, “California WCIRB Moves Forward with Telecommuter Classification, Will Define Rate in August,” WORKCOMPCENTRAL, June 18, 2020

Quoted in Vin Gurrieri, “COVID Suits Test 'Public Nuisance' Claim In Workplace Cases,” Law 360, June 9, 2020

Quoted in Tom Coulter, “Committee votes to draft bill to shield businesses from COVID-19 lawsuits,” Wyoming Tribune Eagle, June 5, 2020

Quoted in Robert Iafolla, “McDonald’s Case Tests Nuisance Theory for Job Virus Safety,” BLOOMBERG LAW, June 4, 2020

Quoted in Olga Khazan, “A Hidden COVID-19 Risk Factor: Your Boss,” THE ATLANTIC, June 1, 2020

Quoted in David Sirota, “Cuomo gave immunity to nursing home executives after big campaign donations” THE GUARDIAN, May 26, 2020

Quoted in Tom Hals, “COVID-19 lawsuit takes on McDonald’s like it was a rowdy bar,” REUTERS, May 26, 2020.

CV of Michael C. Duff

Quoted in David Dayen, “Lab Rats to Shore Up Hospital Revenue Streams,” THE AMERICAN PROSPECT, May 22, 2020

Quoted in Jim Sams, “More States Push COVID-19 Claims to Work Comp; Potential Cost Anyone’s Guess,” CLAIMS JOURNAL, May 19, 2020

Quoted in Robert Iafolla, “Workers’ Comp Systems Poised for Deluge of Covid-19 Claims,” BLOOMBERG LAW, May 8, 2020

Quoted in Mark Powell, “Employers, Carriers Could Bear Cost of Newsom’s COVID-19 Order, but Questions Remain,” WORKCOMP CENTRAL, May 8, 2020

Quoted in Katy Murphy, “California labor, business groups in fierce battle over coronavirus workers’ comp change,” POLITICO, April 20, 2020

Quoted in Robert Iafolla, “A Legal Guide for Employers After Virus-Driven Union Layoffs,” Bloomberg Law, April 17, 2020

Quoted in Braden Campbell, “Virus-Inspired Worker Uprisings May Have Lasting Impact,” LAW360, April 15, 2020

Quoted in Mark Powell, “WCIRB to Consider Excluding COVID-19 Claims From Experience Rating Modifications,” WorkCompCentral, April 13, 2020

Quoted in Fatima Hussein, “Workers’ Comp Premiums Could Skyrocket With Covid-19 Claims,” Bloomberg Law, March 30, 2020

Quoted in Jaclyn Diaz, “Gigging With Benefits Proposed as Answer to Existential Threat,” Bloomberg Law, March 9, 2020

Quoted in Robert Iafolla, “More Than Half of NLRB Regional Offices Have Top-Level Vacancies,” Bloomberg Law, March 4, 2020

Quoted in Camille Erickson & Nick Reynolds, “Wyoming lawmakers move to protect workers, counties, against future coal bankruptcies,” CASPER STAR TRIBUNE, Feb. 17, 2020

Quoted in Robert Iafolla, “More Labor Law Charges Possible Under NLRB Union Election Rule,” BLOOMBERG LAW/DAILY LABOR REPORT, January 3, 2020

Interviewed in Lee McDonald, “Workers’ Comp, Not Courts, Should Handle Workplace PTSD Claims,” A.M. BEST TV, Austin, TX, December 12, 2019

Quoted in Fatima Hussein, “‘Culture of Fear’ Grips UPS; Workers Say Injuries Underreported,” BLOOMBERG LAW/DAILY LABOR REPORT, December 4, 2019

Quoted in William Rabb, “From Body Armor to Opioid Disposal Bags, BWC Taking Comp Spending in New Directions,” WORKCOMP CENTRAL, October 21, 2019

Profiled in Member Spotlight, NATIONAL ACADEMY OF SOCIAL INSURANCE, October 2019

Quoted in Heather Richards, Lesley Clark, and Kelsey Brugger, “3 Takeaways From Murray Bankruptcy,” E&E NEWS, October 30, 2019

Quoted in Robert Iafolla, “Limited Options for Unions When Labor Board Nixes Election Win,” BLOOMBERG LAW/BUREAU OF NATIONAL AFFAIRS, September 20, 2019

Quoted in Robert Iafolla, “New NLRB Standard Ups Ante for Union, Employer Negotiating,” BLOOMBERG LAW/BUREAU OF NATIONAL AFFAIRS, September 12, 2019

Quoted in Andrew Graham, “Lawmakers form committee to protect miners, Wyo. in bankruptcies,” WYOFILE, September 6, 2019

Quoted in Camille Erickson, “Uninsured Blackjewel Coal Miners Left to Turn to Open Health Care Market,” CASPER STAR TRIBUNE, September 4, 2019

Quoted in Evan Hoopfer, “American wants mechanics to pay for flight cancellations. Will it work?,” DALLAS BUSINESS JOURNAL, August 20, 2019

Quoted in Alex Ebert, Chris Marr, and Josh Eidelson, “Barstool Sports Founder’s Tweetstorm Raises Labor Row,” BLOOMBERG LAW/BUREAU OF NATIONAL AFFAIRS, August 13, 2019

Quoted in Stephen Caruso, “Backed by high-powered law firm, Pa. state worker files class action suit to demand union dues refund,” PENNSYLVANIA CAPITAL-STAR, August 13, 2019

Quoted in Andrew Graham, “Power Play: Big Investment Firm Escapes Blackjewel ‘Unscathed,’” WYOFILE, August 13, 2019

Quoted in Camille Erickson, “More healthcare for retired Kemmerer coal miners? Maybe, but only a little,” CASPER STAR TRIBUNE, August 12, 2019

Quoted in Robert Iafolla, “Fiat Workers Try to Restart Lawsuit Over UAW-Carmaker Collusion,” BLOOMBERG LAW/BUREAU OF NATIONAL AFFAIRS, August 8, 2019

Quoted in Robert Iafolla, “Workplace Rules Seldom Pass Labor Board’s Legal Test,” BLOOMBERG LAW/BUREAU OF NATIONAL AFFAIRS, August 7, 2019

Quoted in Shane Sanderson and Camille Erickson, “Wyoming’s oilfield commutes can be deadly. But the full extent of the problem isn’t clear,” CASPER STAR TRIBUNE, August 5, 2019

Quoted in Seth Klamann, “For Kemmerer Mine Retirees, Judge’s Decision Leaves them with No Health Benefits and Few Options,” CASPER STAR TRIBUNE, February 24, 2019

Quoted in Heather Richards, “With a Declining Market for its Coal, a Wyoming Town Deals with Something New: Uncertainty,” CASPER STAR TRIBUNE, February 24, 2019

Quoted in Allie Gross, “Injured at work, some go unaided,” JACKSON HOLE NEWS & GUIDE, February 20, 2019

Interviewed (and broadcast on air) Melodie Edwards, “Is A Wyoming Law For Undocumented Workers Making Workplaces More Dangerous?,” WYOMING PUBLIC RADIO, February 15, 2019

Quoted in Heather Richards, “Coal Firm Seeks End to Employee, Retiree Obligations in Kemmerer,” CASPER STAR TRIBUNE, January 17, 2019

CV of Michael C. Duff

Quoted in Kerry Drake, “Air Ambulance Bill Reneges on Promise to Wyoming Workers,” WYOFILE, January 8, 2019

Interviewed (and broadcast on air) Melodie Edwards, Lawmakers Propose Bill to Deal with Air Ambulance Costs, WYOMING PUBLIC RADIO, January 4, 2019

Quoted in Kate Halloran, “Fifth Circuit Upholds DOL’s Subcontractor OSHA Protection,” AMERICAN ASSOCIATION FOR JUSTICE, TRIAL (December 2018)

Quoted in Andrew Graham, “Analysis: Lawmakers See Culture War in Anti-LGBTQ Appeasement,” WYOFILE, December 7, 2018

Quoted in Braden Campbell, “Division Sown by UPS Contract Rift May Bode Ill for IBT,” LAW360, October 19, 2018

Quoted in Michael Gordon, “Company Couldn’t Cut Disabled Worker’s Benefits so it ‘Went Rogue’ and Had Him Arrested, Lawyer Says,” The CHARLOTTE OBSERVER, October 23, 2018

Quoted in Vin Gurrieri, “5 Supreme Court Petitions Employers Should Watch,” LAW360, September 22, 2018

Quoted in Branden Campbell, “Grievance-Handling Claims Get Tougher For Unions To Beat,” LAW360, September 19, 2018

Quoted in Peter Rousmaniere, “The Grand Bargain: Not So Rock Solid.” Workers’Compensation.com, September 5, 2018

Quoted in Josh Eidelson, “Kavanaugh Sided With Trump Casino in 2012 to Thwart Union Drive,” BLOOMBERG, July 30, 2018

Quoted in Jennifer A. Dlouhy and Josh Eidelson, “Trump’s Deregulators Emboldened by Kavanaugh Supreme Court Pick,” BLOOMBERG, July 25, 2018

Quoted in Editorial Board, “State Should Assist Workers with Unpaid Wage Claims,” CASPER STAR TRIBUNE, July 11, 2018

Quoted in Heather Richards, “Wyoming Doesn’t Offer Remedy for Wage Disputes with Current Employers,” CASPER STAR TRIBUNE, June 30, 2018

Quoted in Emily Brill, “ERISA Question May Kill States’ Retirement Programs,” LAW360, June 8, 2018

Quoted in Justin Bachman and Mary Schlangenhein, “The Days of the Airline Strike May be Over,” BLOOMBERG, June 8, 2018

Quoted in Josh Eidelson, “Musk Stock-Option Tweet Violated U.S. Labor Law, UAW Alleges,” BLOOMBERG, May 24, 2018

Quoted in Josh Eidelson, “Airline Pilots May be Next in the Corporate War on Unions,” BLOOMBERG, May 1, 2018

Quoted in William Rabb, “Court to Decide if Kentucky Can Hold a Georgia Hospital to its Fee Schedule,” WORKCOMP CENTRAL, April 24, 2018

Quoted in Mike Elk and Karina Moreno, “Union Leader Faces Members’ Protest Over Sexual Misconduct Claims,” THE GUARDIAN, April 22, 2018

Quoted in Peter Rousmaniere, “The Real Gig Problem for Work Comp,” WORKERSCOMPENSATION.COM, April 18, 2018

Quoted in Josh Eidelson, “U.S. Labor Board’s Holocaust Commemoration Goes Awry,” BLOOMBERG, April 13, 2018

Quoted in William Rabb, “Death Benefits Bill Goes to Governor,” WORKCOMP CENTRAL, April 9, 2018

Quoted in Josh Eidelson, “Labor Board Democrat Under Investigation for Loose Talk,” BLOOMBERG, March 29, 2018

Quoted in Josh Eidelson, “Trump Labor Board Scrambles to Avoid Pro-Worker Ruling, Lawyers Claim,” BLOOMBERG, March 17, 2018

Quoted in Joyce Famakinwa, “Postmates Paid Premiums, but Cases Still Rare,” BUSINESS INSURANCE, March 5, 2018

Quoted in Bruce Vail, “Inside the Trump Administration’s Plan to Shrink the NLRB,” IN THESE TIMES, January 31, 2018

Quoted in Stephen Caruso, “Pittsburgh Post-Gazette employees plan byline strike Thursday to protest stalled contract negotiations with management,” PITTSBURGH CITY PAPER, January 24, 2018

Quoted in Daniel Marans, “How a Literal Shock Inspired a Former Marine to Run for Office as a Democratic Socialist,” HUFFPOST, November 14, 2017

Quoted in J. Todd Foster, “Lawmakers to Use Off Year to Study Compounds, Designated Doctors,” WORKCOMP CENTRAL, November 6, 2017

Quoted in J. Todd Foster, “Claimants’ Attorneys: Proposed Protz Fix Unconstitutional,” WORKCOMP CENTRAL, October 12, 2017

Quoted in Emily Brill, “Drug-Court Work Rehab Program Took Worker’s Benefits, Report Says,” WORKCOMP CENTRAL, October 6, 2017

Quoted in J. Todd Foster, “Medical Ethicist Says Attorney and Doctor-Owned Pharmacy is Conflict of Interest,” WORKCOMP CENTRAL, September 26, 2017

Quoted in Daniel Marans, *Did the Washington Post Break a Law When it Disciplined a Reporter Over a Jeff Bezos Op-Ed?* HUFFPOST, September 15, 2017

Quoted in J. Todd Foster, “Lawmakers Urged to Close Anti-Fraud Loophole Used Against Undocumented Workers,” WORKCOMP CENTRAL, August 25, 2017

Quoted in J. Todd Foster, “Panelist: Grand Bargain Imperiled, but State Has Constitutional Safeguard,” WORKCOMP CENTRAL, August 9, 2017

Quoted in J. Todd Foster, “Business Interests Huddle with Lawmakers Over Protz Ruling that Removed IREs,” WORKCOMP CENTRAL, August 2, 2017

Quoted in J. Todd Foster, “Attorneys Take No Issue with DWC’s Interpretation of Compounds as ‘Specialty Services,’” WORKCOMPCENTRAL, July 21, 2017

Quoted in J. Todd Foster, “Court Decision Could Affect State’s [Pennsylvania] Ability to Enact Formulary, Officials Say,” WORKCOMPCENTRAL, June 29, 2017

Quoted in Jim Sams, “Inaction By Lawmakers Not Always a Partisan Divide,” WORKCOMPCENTRAL, June 26, 2017

Quoted in Emily Brill, “Single-Payer Bill to Consider How Experience Ratings Fit into Comp Merger,” WORKCOMPCENTRAL, June 5, 2017

Quoted in Peter Rousmaniere, “Unconstitutional in Alabama,” WORKERSCOMPENSATION.COM, May 17, 2017

Quoted in Alan Pyke, “Introducing Alex Acosta, Trump’s Slightly Less Terrible Labor Pick,” THINKPROGRESS, March 2, 2017

Quoted in Emily Brill, “Appeals Court Misinterpreted Definition of ‘Willful Misconduct,’ High Court Finds,” WORKCOMPCENTRAL, March 1, 2017

Quoted in Bryce Covert, “The Nurses Who Lost Their Jobs Thanks to Trump’s New Labor Secretary Nominee,” THINKPROGRESS, February 23, 2017 (Note: I argued in support of the nominee)

Quoted in Nat Levy, “Postmates ordered to pay 2+ years of workers’ comp premiums for more than 3,000 couriers,” GEEKWIRE, December 13, 2016

Featured in Emily Brill, “Workers’ Comp Professor Has One Foot in Theoretical, Practical,” WORKCOMPCENTRAL, November 22, 2016

Quoted in Sherri Okamoto, “Unlevel Playing Field?” in WORD ON WORKERS’ COMPENSATION 2016, WORKCOMPCENTRAL, November 10, 2016

Quoted in J. Todd Foster, “Federal Interest in Comp Making Some Nervous, but Quick Action Unlikely,” WORKCOMPCENTRAL, October 7, 2016

Quoted in LexisNexis Newsroom Staff, “8 Myths and Facts About Workers’ Compensation,” LEXISNEXIS LEGAL NEWSROOM WORKERS’ COMPENSATION LAW, August 19, 2016

Quoted in Timothy Noah, “Who’s Afraid of the Persuader Rule,” POLITICO, August 3, 2016

Quoted in David DePaolo, “The Real Objection to Opt Out,” WORKCOMPCENTRAL, June 10, 2016

Quoted in Emily Brill, “Report: Opt Out in Texas Shifts \$400M-\$600M to Public, Private Payers,” WORKCOMPCENTRAL, June 10, 2016

Quoted in Howard Berkes, “Oklahoma Commission Declares Workers’ Comp Alternative Unconstitutional,” NATIONAL PUBLIC RADIO, February 29, 2016

Quoted in Karen C. Yotis, “Federalization of Workers’ Comp: Politics, Opt-Outs and Survival of the State-Based Status Quo,” LEXISNEXIS LEGAL NEWSROOM, WORKERS COMPENSATION LAW, February 19, 2016

Quoted in Sherri Okamoto, “Claimant Attorneys Fight Cost Cutting with Constitutional Challenges” in WORD ON WORKERS’ COMPENSATION 2015, WORKCOMP CENTRAL, November 25, 2015

Quoted in Moshe Z. Marvit, “Duquesne’s NLRB Filing Reads as a Brazen Threat To Adjunct Union Organizers,” IN THESE TIMES, August 3, 2015

Quoted in Andrew Elrod, “Inside the Case That Could Hold McDonald’s Responsible for Union-busting,” IN THESE TIMES, April 29, 2015

Quoted in Lisa Nagele-Piazza, “Uber, Lyft Drivers’ Wage Claims May Affect On-Demand Business Model, Attorneys Say,” BLOOMBERG BNA DAILY LABOR REPORT, April 8, 2015

Quoted in Richie Bernardo, “2015’s Hardest Working Cities in America.” WALLETHUB, February 2015

Quoted in Andrew Elrod, “How a Good Employer Supports Union Busting,” THE NATION, August 15, 2014

Interviewed by Melodie Edwards, “Latino Workplace Safety,” WYOMING PUBLIC RADIO, July 18, 2014

Interviewed by Mike Elk, “Former DOJ Inspector General Represents GOP NLRB Member Caught in Scandal,” IN THESE TIMES, April 11, 2012

Quoted in Geoff Williams, “Workers’ Compensation, Employers Complication,” NFIB.COM, December 14, 2012

EXPERIENCE

ACADEMIC LEGAL EXPERIENCE

University of Wyoming College of Law 8/2006-present

Academic Appointments

Professor of Law	7/2012-present
Associate Professor of Law	8/2009-6/2012
Assistant Professor of Law	8/2006-7/2009

Administrative Experience

Associate Dean of Student Programs and External Relations	10/2015-9/2016
--	----------------

Responsible for day-to-day management of student programs, including oversight of student recruitment, admissions, and career services; supervision of external relations with a variety of entities including State Bar officials, legal employers, undergraduate pre-law advisors, and the Law School Admissions Council; catalyst for new program development responsive to rapid changes in the overall law school environment; coordination of student counseling, academic support, and Bar admissions support; and staff supervision in connection with each of these functions.

Washington University in St. Louis School of Law	1/2022
Visiting Professor of Law (Intersession)	
Saint Louis University School of Law	8/2021-12/2021
Visiting Professor of Law	
University of Denver, Sturm College of Law	1/2013-5/2013
Visiting Professor of Law	

NON-ACADEMIC LEGAL EXPERIENCE

National Labor Relations Board , Philadelphia, PA; Minneapolis, MN <i>Regional Office Attorney</i>	9/1997-8/2006
McTeague, Higbee & MacAdam et al. , Topsham, ME <i>Associate Attorney</i>	9/1995-8/1997
Massachusetts Department of Industrial Accidents , Boston, MA <i>Appeals Division Law Clerk</i>	6/1993-6/1995

HONORS, AWARDS, & PEER ORGANIZATIONS

Member, *American Law Institute*, “Our membership consists of eminent judges, lawyers, and law professors from all areas of the United States and from many foreign countries, selected on the basis of professional achievement and demonstrated interest in improving the law.”

Winston S. Howard Distinguished Professor of Law, *University of Wyoming College of Law*, 2020-2023, a professorship established to “recognize and retain a distinguished professor of law who has outstanding abilities as a scholar and teacher.” Recipients are selected by a faculty committee and serve a multi-year appointment.

Contributing Editor, JOTWELL (Journal of Things We Like (Lots)), Worklaw Section, Organization/website “filling a telling gap in legal scholarship by creating a space where legal academics can go to identify, celebrate, and discuss the best new scholarship relevant to the law.”

Recipient, University of Wyoming Potter Law Club “2020 Most Outstanding Faculty” (Selected by third-year class).

Scholar-Member, *Center for Progressive Reform*, “The Center for Progressive Reform is a network of more than 60 acclaimed scholars from across the United States who work with a professional staff of policy analysts and communications experts to advocate for robust protections for health, safety, and the environment.”

Recipient, *2017 University of Wyoming College of Law Extraordinary Merit Award*, for “outstanding service to the College of Law and the University of Wyoming.”

Fellow, American Bar Foundation, “The Fellows is an honorary organization of attorneys, judges, law faculty, and legal scholars whose public and private careers have demonstrated outstanding dedication to the welfare of their communities and to the highest principles of the legal profession. Membership in The Fellows is limited to one percent of lawyers licensed to practice in each jurisdiction. Members are nominated by their peers and elected by the Board of the American Bar Foundation.”

Member, National Academy of Social Insurance, “The National Academy of Social Insurance is a nonprofit, nonpartisan organization made up of the nation's leading experts on social insurance. Its mission is to advance solutions to challenges facing the nation by increasing public understanding of how social insurance contributes to economic security.”

Fellow (through 2019), College of Workers' Compensation Lawyers, “The College of Workers' Compensation Lawyers has been established to honor those attorneys who have distinguished themselves in their practice in the field of workers' compensation. Members have been nominated for the outstanding traits they have developed in their practice of twenty years, or longer, representing plaintiffs, defendants, serving as judges, or acting for the benefit of all in education, overseeing agencies and developing legislation.”

Pound Academic Fellow, Pound Civil Justice Institute, Group of twenty-three legal academics from law schools across the U.S. who serve with Pound Institute Trustees to keep the Institute abreast of the latest legal trends and to assist the Institute in maintaining a relevant, meaningful dialogue with the nation's courts and law schools.

Recognition Award, Workers' Injury Law and Advocacy Group, September 2016, for research and writing focused on injured workers and the attempted deregulation of workers' compensation systems

Centennial Distinguished Professor of Law, University of Wyoming College of Law, 2014-2017, a professorship established to “recognize and retain a distinguished professor of law who has outstanding abilities as a scholar and teacher.” Recipients are selected by a faculty committee and serve a multi-year appointment.

MISCELLANEOUS CONTRIBUTIONS

Consulted by Congressional Committee on Education and the Workforce in winter of 2016 to provide legal analysis on the intersectionality of ERISA and state workers' compensation systems in the context of emerging and novel employee benefits models

Testified before Wyoming Legislature Select Committee on Coal/Mineral Bankruptcies, on October 14, 2019, on options to protect employees and state revenue within the parameters of federal bankruptcy law

Testified before Wyoming Legislature Joint Judiciary Committee on COVID-19 liability immunity issues

COURSE INSTRUCTION

Bankruptcy (2019-2020)

Employee Benefits (2017-2018)

CV of Michael C. Duff

Alternative Dispute Resolution in the Workplace (2014-2015)

Torts (2013-present; Saint Louis University School of Law, Fall 2021)

Evidence (2013, 2021-Present)

Administrative Law (2008-2012; University of Denver, Sturm College of Law, Spring 2013)

Introduction to Law (2007-2012)

Workers' Compensation Law (2007, 2013-present; Washington University in St. Louis School of Law, January 2022; Saint Louis University School of Law, Fall 2021)

Labor Law (2007-present; University of Denver, Sturm College of Law, Spring 2013)

Administrative Law (University of Wyoming College of Law, Guest lecturer, 2006)

Alternative Dispute Resolution (University of Wyoming College of Law, Guest lecturer, 2006)

Contract Enforcement and Interpretation (Rutgers University School of Management and Labor Relations, Adjunct, Spring 2002)

INSTITUTIONAL GOVERNANCE & SERVICE

Student Conduct Hearing Officer, assigned by University Dean of Students to hear sensitive sexual assault case, February, 2017

Member, University of Wyoming Provost, Vice President of Academic Affairs Search Committee, Spring 2016

Member, University of Wyoming Faculty Dispute Resolution Panel, 2014-2015, Chair, Ad Hoc Hearing Committee, 2014-2015, selected by University Administration and Faculty Senate to hear sensitive faculty dismissal/sexual assault case

Member, University of Wyoming College of Law Dean Search Committee, 2014-2015

Member, University of Wyoming College of Law Honor Council, 2013-2015 (Chair, 2014)

Member, University of Wyoming University Reappointment, Tenure & Promotion Committee, 2013-2015

Faculty Consultant, University of Denver Sturm College of Law, Wagner National Labor and Employment Law Moot Court Competition, Spring 2013

Founder & Director, University of Wyoming College of Law Academic Support Program, 2006-2012

Member, University of Wyoming College of Law ABA Accreditation Committee, 2012-2013

Member, University of Wyoming College of Law Academic Policies and Procedures Committee, 2012
Chair, University of Wyoming College of Law Bar Examination Task Force, 2012

CV of Michael C. Duff

Member, University of Wyoming Faculty Academic Standards and Rights and Responsibilities Committee, 2011-2012

Member, University of Wyoming College of Law Admissions Committee, 2007– 2011, 2014-present

Member, University of Wyoming College of Law Clinics and Skills Committee, 2011-2013

Member, University of Wyoming College of Law Marketing Committee, 2011-2013

Member, University of Wyoming College of Law Faculty Appointments Committee, 2009-2010, 2016-2017

Faculty Consultant, University of Wyoming College of Law, Appellate National Moot Court, 2006-2009, 2012

REPORTED LITIGATION

Northeast Iowa Telephone Company, 346 NLRB 465 (2006)

Volair Contractors, 341 NLRB 673 (2004)

Smucker Company, 341 NLRB 35 (2004)

American Sprinkler DE, 2002 WL 225708 (2002)

In re Bakery Workers Local 6, 337 NLRB 407 (2002)

Jacee Electric, Inc., 335 NLRB 568 (2001)

Neshaminy Electrical Contractors, Inc., 334 NLRB 994 (2001)

Ebroadburl Realty Corp., 330 NLRB 70 (1999)

Three-I Truck Line, Inc., 1999 WL 33452951(1999)

BIW Deceived v. S6, Marine Workers, 132 F.3d 824 (1st Cir. 1997)

Ciampi v. Hannaford Brothers Co., 681 A.2d 4 (1996) *cert. denied* 519 U.S. 1056 (1997)

NON-LEGAL WORK EXPERIENCE

U.S. Airways, Philadelphia, PA 3/1986-8/1992
Fleet Service Agent

Flying Tiger Line, Philadelphia, PA 7/1983-7/1986
Claims Prevention Supervisor

PROFESSIONAL ASSOCIATIONS

American Bar Association, Tort Trial and Insurance Practice Section, Workers' Compensation Committee (2015-2020; Vice Chair August 2015-2020)

American Association for Justice (2014-2019)

Wyoming Bar Association (2014-2016)

American Civil Liberties Union, Member (2006-2012)

American Bar Association, Labor and Employment Section, Member (1995-2000; 2006-2012)

Maine Bar Association, Member (1995-1997)

PUBLIC SERVICE

Board of Directors, Snowy Range Academy (K-9 Elementary School), Chair, 2015-2016; 2010-2012; Member 2014-2017)

During my 2015-16 Chairmanship oversaw school's ascent to top academic K-8 school in Albany County School District (Wyoming) and one of the highest performing K-8 schools in state of Wyoming (est. top 5%) on statewide performance assessment.

Election Judge, County of Albany, Wyoming (2007-2010)

Panelist, American Civil Liberties Union, Wyoming Statewide Advisory Panel (2007-2012)

Advisory Board Member and Interim Director, Social Justice Research Center at the University of Wyoming, (2007-2010; Interim Director: Spring 2009)

Faculty Consultant, University of Wyoming United Multicultural Council (2007-2008)

Board Member, Board of Zoning Appeals, Golden Valley, Minnesota (2004-2006)

BAR ADMISSION

Maine 1996