

SHEFALI MILCZAREK-DESAI, JD, MA

SSRN page: <http://ssrn.com/author=3093968> • Clinic Website: <https://law.arizona.edu/workers-rights-clinic/shefalimdesai@arizona.edu> • (520) 591-5598

TEACHING AND RESEARCH INTERESTS

Clinical Legal Education, Employment and Labor Law, Immigration Law, Pre-Trial Litigation Practice, Civil Litigation, Movement Lawyering

Paid Sick Time, Workers’ Rights, Immigrant Workers in Long-Term Care, Movement Law, Worker-Owned Cooperatives, Critical Legal Theories, Feminist Jurisprudence

ACADEMIC APPOINTMENT

University of Arizona, James E. Rogers College of Law, Tucson, AZ

<i>Associate Clinical Professor of Law</i>	2021-Present
<i>Director, Workers’ Rights Clinic</i>	2018-Present
<i>Assistant Clinical Professor of Law</i>	2019-2021
<i>Clinical Director, Workers’ Rights Clinic/Immigrant Justice Clinic</i>	2018-2019

Direct, supervise, and teach post-graduate law fellows, law students in the JD, Master’s in Legal Studies (MLS), and BA in Law programs the skills necessary to engage in client-centered and cross-cultural lawyering through direct representation, policy research and writing, and community outreach to immigrant, migrant and other workers in low-paid, essential, and frontline industries.

Engage in ongoing strategic partnerships with Harvard University Labor and Worklife Program, National Legal Advocacy Network, Northern Arizona University Center for Health Equity Research, Arizona Mexican Consulate Offices, Arizona Employment Lawyers Association, Southside Workers Center, Tucson Cooperative Network, YWCA of Southern Arizona, Community Food Bank of Southern Arizona, and others to deliver live and online presentations and trainings.

OTHER COLLEGE OF LAW TEACHING (SINCE 2018)

Introduction to Immigration Law and Policy, in-person and online MLS and BA in Law Course (designed and taught), Spring 2018-Present

Foreign Diplomat Training Course in United States Immigration Law and Policy, online Diplomat Certificate Course (co-designed and taught), Fall 2019-Present

EDUCATION

University of Arizona College of Law, Juris Doctor, *cum laude*, 2001

Full-Tuition Scholarship

Note and Comment Editor, Arizona Journal of International and Comparative Law

Journal Note: “Hearing Afghan Women’s Voices”

University of Arizona College of Social and Behavioral Sciences, Masters Degree in Gender and Women’s Studies, 2001

Created joint-degree program, College of Law and Women’s Studies Department

Graduate Preceptorship in Gender and Women’s Studies Department

Thesis: “(Re)Locating Other/Third World Women”

Whittier College, BA in English Literature, Minor in Biology, *summa cum laude*, 1997

Commencement Speaker, Whittier Scholar’s Program, Whittier Full-Tuition Scholarship

Claremont College Summer Research Fellowship

Co-created Women’s Studies Program and Minor

Thesis: “American Nirvana—Immigration as Hindu Transformation in the Fiction of Bharati Mukherjee”

Division III Tennis

Classical Clarinet

PROFESSIONAL AND LEGAL WORK EXPERIENCE

Arizona Supreme Court

Law Clerk to Honorable Vice Chief Justice Ruth V. McGregor 2001-2002

DeConcini, McDonald, Yetwin & Lacy Law Firm

Associate and Elected Shareholder 2002-2008

Employment and labor law, litigation, education law, civil rights law

Assisted in litigation of *Flores v. Arizona*, 516 F.3d 1140 (9th Cir.)

Represented Arizona school districts, charter schools, employers, employees

Administrative hearings, trainings and investigations

Private Practice

Attorney and Author 2008-2018

Litigation, employment, education, immigration and asylum law, creative writing

HONORS AND AWARDS

University of Arizona, College of Law, Distinguished Public Service Scholar Award, 2021

Sustainable Economies Law Center Fellowship, 2021-2022

National Employment Lawyer’s Association, The Employee Rights Advocacy Institute for Law and Policy Scholarship, Summer 2021

Rhodes Scholarship, Arizona State Winner and District 15 Finalist, Fall 1996

University of Notre Dame Feminist Jurisprudence Award, Fall 2001

Ranked First, College of Law Small Course Faculty Rankings, Spring 2019

Ranked First, College of Law Small Course Faculty Rankings, Fall 2018

Tom Clark Litigation with Civility Award, Spring 2001

Outstanding Pro Bono Attorney Award, Volunteer Lawyers Program, March 2004

Kore Press International Memoir Competition, Finalist, 2016

SERVICE AND OUTREACH

Bar Admissions

Ninth Circuit Court of Appeals, District of Arizona, State of Arizona

Arizona Law School and University of Arizona Committees and Service (since 2018)

University of Arizona College of Law, Bacon Immigration Law and Policy Program, Co-Chair, 2020-present

University of Arizona College of Law, Certificate Committee, Chair, 2021-2022

University of Arizona College of Law, Faculty Awards Committee, Member, 2021-2022

University of Arizona College of Law, Diversity Committee, Member, 2020-2022

University of Arizona College of Law, Certificate Committee, Member, 2019-2021

University of Arizona College of Law, Diversity Committee, Chair, 2019-2020

University of Arizona College of Law, Enrichment Committee, Member, 2019-2020

Supervision of 14 individual students (substantial papers, law review notes, journal notes, independent study, undergraduate honors thesis, master's thesis and committee)

Guest lecturer in other Arizona Law courses and seminars

- International Human Rights, Paid Sick Leave Laws in the United States, Spring 2021
- Digital Filmmaking and Community Outreach, BA in Film Course, U.S. Asylum Law Overview, Spring 2020
- Introduction to Employment Law, BA in Law Course, State and Local Laws, Fall 2018
- Procedure, BA in Law Course, U.S. Immigration Law and Policy Overview, Fall 2018

- Visual Storytelling and the Law, BA in Law Course, U.S. Asylum Law Overview, Fall 2018

Affiliate Faculty, University of Arizona, Center for Latin American Studies

Affiliate Faculty, University of Arizona, Human Rights Practice

State and Local Outreach (since 2018)

National Legal Advocacy Network, Service Workers' Clinic, May 4, 2021.

Lead Counsel in *Tolano v. El Rio Bakery*, 2019 WL 6464748 (D. Ariz. 2019), establishing workers' rights to retaliation damages under Arizona's Fair Wages and Healthy Families Act, November 27, 2019.

Immigration Symposium *Innovating Immigration Law and Policy: Visions for a Just Future*, over 200 attendees, November 15, 2019.

Community Presentations (since 2018)

Mexican Consulate (Tucson and Phoenix) Labor Week, September 2018, 2019, 2020

Community Food Bank of Southern Arizona, employment and labor laws, Spring 2018, 2019, 2020

Tucson and Phoenix area high schools, youth labor laws, Spring 2018, 2019

YWCA of Southern Arizona, employment and labor laws, Spring 2019

Northern Arizona University Center for Health Equity Research, paid sick leave laws, Spring 2020

Pima County Attorney's Office, universal representation in immigration proceedings, Fall 2019

Conferences and Memberships (since 2018)

American Association of Law Schools Annual Conference, January 2022 (Co-Presenter, with Tara Sklar)

American Association of Law Schools Annual Conference, Women in Legal Education Section, Equality, Intersectionality, and Status in the Legal Academy, January 2022 (Co-Presenter, with Sylvia Lett)

Rocky Mountain Junior Scholars Conference, November 2022 (Workshop Presenter and Participant)

Inaugural Workshop for Asian American Women in the Legal Academy, August 2021

Feminist Legal Theory Series, Summer 2021

National Employment Lawyer's Association Annual Conference, Raising the Bar for Workers' Rights, Summer 2021

Arizona Employment Lawyer's Association Annual Convening, Spring 2021, Spring 2020, Spring 2019 (Presenter)

American Association of Law Schools Clinical Conference, May 2021

American Association of Law Schools Annual Conference, January 2021

Rocky Mountain Junior Scholars Conference, November 2020 (Workshop Participant)

American Public Health Association Annual Conference, October 2020 (Presenter)

American Association of Law Schools Clinical Conference, May 2019

American Association of Law Schools, 2018-Present

National Employment Lawyer's Association, 2018-Present

Arizona Employment Lawyer's Association, 2018-Present

Arizona State Bar Employment and Labor Law Section, 2018-Present

American Public Health Association Membership, 2020-2021

SCHOLARLY ARTICLES, PEER REVIEWED PAPERS, AND OTHER PUBLICATIONS

Opening the Pandemic Portal to Re-Imagine Paid Sick Leave for Immigrant Workers, 111 California Law Review __, (forthcoming 2023) ([SSRN](#))

The Los Angeles Times, "OSHA has long failed to protect some of our most vulnerable workers," January 26, 2022 ([op-ed](#)); featured in:

- *Quad-City Times*, February 1, 2022 ([column](#));
- *West Hawaii Today*, January 31, 2022 ([commentary](#));
- *The Telegraph*, January 30, 2022 ([op-ed](#));
- *The Derrick.*, January 28, 2022 ([commentary](#));
- *Yahoo! News*, January 26, 2022 ([op-ed](#))

The Return of Typhoid Mary? Immigrant Workers in Nursing Homes, Journal of Elder Policy (2021) (co-author, with Tara Sklar; peer-reviewed) ([article](#))([SSRN](#))

Why Nursing Home Aides Exposed to COVID-19 Aren't Taking Sick Leave, The Conversation, November, 23, 2020 ([article](#)) (co-author, with Tara Sklar); featured in:

- “Precarious Working Conditions of Nursing Home Employees Foster Spread of Covid,” *Truthout*, November 29, 2020 ([text](#))
- “Why Nursing Home Aides Exposed to COVID-19 Aren’t Taking Sick Leave,” *Associated Press News*, November 23, 2020 ([text](#)) and published in:
 - *Iowa Capital Dispatch*, November 28, 2020 ([text](#));
 - *Seattle Post-Intelligencer*, November 23, 2020 ([text](#))
 - *The Telegraph*, November 23, 2020 ([text](#));
 - *Chronicle Tribune*, November 23, 2020 ([text](#));
 - *Yahoo! Money*, November 23, 2020 ([text](#))
- “The Return of Typhoid Mary: Immigrant Workers in Nursing Homes,” Law Professors Health Law Blog, December 15, 2020 ([text](#))
- “The Return of Typhoid Mary: Immigrant Workers in Nursing Homes,” Law Professors Immigration Law Blog Article of the Day, December 1, 2020 ([text](#))

The Other Front Line: Immigrant Workers, Nursing Homes, and COVID-19, Arizona Daily Star, May 24, 2020 ([op-ed](#))

Arizona Workers Rights During Coronavirus: A Guide for Immigrant Workers, James E. Rogers College of Law, Workers’ Rights Clinic, August 2020 ([legal guide](#))

Soledad: A Film Documenting U.S. Immigration Detention and Asylum Law and Policy, 2019 (author and co-producer, with documentary filmmaker Lisa Molomot) ([website](#)); Screenings, Awards and Laurels:

Docscapes Screening, *The Loft Cinema*, October 26, 2021
 Best of Arizona, *Arizona International Film Festival*, 2021
 Best Documentary Film, *Global Impact Film Festival*, 2020
 Best Women’s Film, *Society of Photographic Education*, 2020
 Official Selection, *New Haven Documentary Film Festival*, 2021
 Official Selection, *Home is Distant Shores Film Festival*, 2020
 Official Selection, *Washington D.C. Film Festival*, 2020
 Official Selection, *Seattle Latino Film Festival*, 2020
 Official Selection, *Houston Latino Film Festival*, 2020
 Official Selection, *Festival de Cine Latino Americano*, 2020
 Official Selection, *Central American International Film Festival*, 2019

Constitutional Cities: Sanctuary Jurisdictions, Local Voice, and Individual Liberty, 50 *Columbia Human Rights Law Review* 1 (2018), (co-author, with Dean Emeritus Toni Massaro) ([SSRN](#))

Federal and State Regulatory Power Over Sanctuary Jurisdictions: Implications for Tucson, Arizona, White Paper for City of Tucson (2017), (co-author, with Dean Emeritus Toni Massaro and Professor Nina Rabin)

ReLocating Other/Third World Women: An Alternative Approach to Santa Clara Pueblo v. Martinez’s Construction of Gender, Culture and Identity, 13 *UCLA Women’s Law Journal* 235 (2005) ([SSRN](#))

Hearing Afghan Women's Voices: Feminist Theory's Reconceptualization of Women's Human Rights, Note, 16 Arizona Journal of International and Comparative Law 805 (1999) ([SSRN](#))

Constitutional Cities, Ms. Magazine (2017) ([article](#))

Asylum: A Six Part Series, Corporeal Clamor (2017-2018) ([essays](#))

A Usable Past: An Interview with Bharati Mukherjee in *Conversations with Bharati Mukherjee*, University Press of Mississippi (2009) (co-author, with Professor Tony Barnstone)

Living Fearlessly With and Within Differences in This Bridge We Call Home (eds. Gloria Anzaldua and AnaLouise Keating) (2002)

Reconceptualize Feminism in *Sojourner Magazine* (2000)

WORKS IN PROGRESS

Flipping the Switch: Two BIPOC Law Professors Embrace and Enunciate Difference to Further Equality in Legal Academia (coauthor, with Sylvia Lett)

Racial Justice in Long-Term Care: Amplifying the Voices of Immigrant Workers (co-author, with Tara Sklar)

Arizona Immigrant Workers' Rights Technology-Based Toolkit and Survey, in conjunction with and through a grant from Northern Arizona University, Center for Health Equity Research, Immigrant Research, Practice, and Policy Program (co-author, with Samantha Sabo, Jill Guernsey De Zapien, Melissa Liebert)

SELECTED SCHOLARLY PRESENTATIONS AND SPEAKING EVENTS (SINCE 2018)

International Academic Network on Migration, "Workers' Rights, Paid Sick Leave, and Immigrant Workers," forthcoming May 2022.

American Association of Law Schools Annual Clinical Conference, "National Labor Relations Board Practice in the Clinical Setting," (Panelist), forthcoming May 2022.

Orange County Jewish Coalition for Refugees, "The Making of Soledad," (Panelist), forthcoming May 2022.

American Society on Aging Annual Conference, "Racial Justice in Long Term Care: Amplifying the Voices of Immigrant Workers" (co-author, with Tara Sklar), forthcoming April 2022.

University of Arizona, Diversity and Inclusion Symposium, Harnessing the Power of Diversity, "Flipping the Switch: Two BIPOC Law Professors Embrace and Enunciate Difference to Further Equality in Legal Academia" (coauthor, with Sylvia Lett), January 20, 2022.

American Association of Law Schools Annual Conference, Aging and the Law Section, Inequality and Aging, “Racial Justice in Long Term Care: Amplifying the Voices of Immigrant Workers” (co-author, with Tara Sklar), January 8, 2022.

American Association of Law Schools Annual Conference, Women in Legal Education Section Main Program, Equality, Intersectionality, and Status in the Legal Academy, “Flipping the Switch: Two BIPOC Law Professors Embrace and Enunciate Difference to Further Equality in Legal Academia” (coauthor, with Sylvia Lett), January 6, 2022.

U.S. Immigration Law Update: The Latest Changes and Developments, Foreign Diplomat Program, Concluding Workshop on leading topics in U.S. Mexico Relationships, Instituto Matías Romero, Mexico City, December 7, 2021.

Soledad Documentary Film Panels (co-panelist)

The Loft Cinema, October 26, 2021

The University of Arizona James E. Rogers College of Law, October 25, 2021

The University of Arizona College of Public Health, September 30, 2021

Diplomats as Legal Liaisons: A New Model for Legal Education, (Panelist), Washington, D.C., September 2021.

James E. Rogers College of Law, Foreign Ministry of Mexico, Symposium “Legal Developments in the U.S. - Mexico Relationship,” Presenter, “Immigration Law and Policy Update,” April 23, 2021 (virtual)

Asylum Law and Film, Panelist, New Day Films Presentation of *Soledad*, February 17, 2021 (virtual)

James E. Rogers College of Law Black Law Student Association’s Antiracist and Social Justice Reading Group, Panelist, “Education as Property,” November 9, 2020 (virtual)

American Public Health Association Annual Conference, Presenter, “The Return of Typhoid Mary: Immigrant Workers in Nursing Homes,” October 26, 2020 (virtual)

State Bar of Arizona, Speaker, “Retaliation Damages Under Arizona’s Minimum Wage Law,” September 15, 2020 (virtual)

Mexican Consulate, Co-Presenter (with clinical law students), “Workers’ Laws and Adjustments due to COVID-19,” September 1, 2020 (virtual) ([video](#))

LawCats Live, James E. Rogers College of Law, Co-Speaker (with Professor Tara Sklar), “The Other Front Line: COVID-19, Immigrant Workers and Public Health Consequences,” July 22, 2020 (virtual) ([video](#))

James E. Rogers College of Law, Immigration Law Students Association Supreme Court Oral Argument Series, Speaker, “DACA and DREAMers,” April 30, 2020 (virtual)

Innovating Immigration Law and Policy Symposium, James E. Rogers College of Law, Panelist, “Re-envisioning Labor and Migration,” November 15, 2020

James E. Rogers College of Law, Faculty Works-in-Progress, “An Immigration Idea Everyone Can Love,” Presenter, August 23, 2019

James E. Rogers College of Law, Foreign Ministry of Mexico Symposium, Presenter, “Immigration Update,” October 2019

Mexican Consulate, Pima County Board of Supervisors, and Pima County Attorney’s Office, Speaker, “Protecting Families and Communities in Pima County,” April 8, 2019

The School of Geography and Development and The Graduate Interdisciplinary Program in Social, Cultural, and Critical Theory, Speaker, “Constitutional Cities and Universal Representation: Radical Hope in Times of Despair,” March 15, 2019

QuantLaw Conference, James E. Rogers College of Law, Co-Presenter (with clinical law students), “More Than a Promise? Evaluating the Impact of Arizona’s Earned Paid Sick Time Law on Workers and their Families,” March 14, 2019

Columbia Human Rights Law Review Symposium, Co-Speaker (with Dean Emeritus Toni Massaro), “Constitutional Cities: Sanctuary Jurisdictions, Local Voice, and Individual Liberty,” March 4, 2019

Arizona Employment Lawyer’s Association Annual Convention, Co-Presenter (with clinical law students), “Arizona Paid Sick Leave and the Workers’ Rights Clinic,” February 22, 2019

Arizona Women Lawyer’s Association, Speaker, “Radical Hope in Times of Despair: Constitutional Cities and Universal Representation,” January 28, 2019

James E. Rogers College of Law Faculty Works-in-Progress, Presenter, “Workers’ Rights Clinic Design,” January 7, 2019

Kore Press, Speaker, “Asylum and Radical Hope,” June 2018

National Organization for Women Phoenix Chapter, Speaker, “Asylum,” April 2018

SELECTED MEDIA (SINCE 2018)

The Pew Charitable Trusts Stateline, “OSHA to States: Protect Workers from COVID of Forfeit Authority,” October 22, 2021 ([text](#))

PBS Newshour, “The U.S. will develop a federal heat standard for the first time. Here’s what advocates and labor experts want,” October 7, 2021 ([text](#))

Verify, “No, migrants in immigration detention facilities are not required to get the Covid-19 vaccines,” September 21, 2021 ([text](#))

KGUN, “Arizona suing Biden administration over vaccine mandates,” September 14, 2021 ([video and text](#))

KVOA, “Arizona is first state to sue Biden administration over vaccine mandates,” September 14, 2021 ([text](#))

KJZZ, “Arizona Public Doctor: Biden’s Vaccine Mandate ‘A Step in the Right Direction,’” September 13, 2021 ([text](#))

Arizona Daily Star, “Experts: Biden mandate legal,” September 12, 2021

Arizona Capital Times, “Biden’s mandate of COVID rules for large employers is legal, Arizona labor attorneys say,” September 11, 2021 ([text](#))

Soledad Documentary Film Interview with Film Director Lisa Molomot, September 2021 ([video](#))

KVOA, “Could refusal to vaccinate cost you unemployment benefits?,” August 17, 2021 ([video and text](#))

The Pew Charitable Trusts Stateline, “Many States Resist Adapting Worker Safety Rules to Pandemic,” January 13, 2021 ([text](#))

The Arizona Daily Star “What You Need to Know About Workplace COVID-19 Testing,” August 1, 2020 ([text](#))

KOLD News 13, “County Considering How to Bring Workers Back to the Office, Some Worried About COVID-19 Risk,” May 15, 2020 ([text](#))

KOLD News 13, “Lawmakers Request Investigation into Pima County’s New Restaurant Regulations,” May 15, 2020 ([text](#))

The Arizona Republic, “For Undocumented, virus may bring greater costs, greater medical risks,” April 18, 2020 ([text](#))

University of Arizona COVID-19 Health Law Resources, “The Other Frontline: Immigrant Workers Rights, Fears, and Public Health Consequences,” Featured Guest, April 23, 2020 ([video](#)).

The Buzz/Arizona Public Media (PBS), “Should Tucson Become a Sanctuary City?,” Guest, September 19, 2019 ([audio](#))

University of Arizona, Gender and Women’s Studies Department, Featured Guest, May 2, 2019 ([video](#))

Arizona 360/Arizona Public Media (PBS), “Challenges Straining the Immigration Court System,” Featured Guest, November 16, 2018 ([video](#))

Arizona 360/Arizona Public Media (PBS), “Understanding Challenges to the Flores Agreement,” Featured Guest, September 17, 2018 ([video](#))

GRANTS (SINCE 2018)

Co-PI, Arizona Office of Research Innovation & Impact, Hispanic Serving Institution Seed Grant, 2021, *Racial Justice in Long-Term Care: Amplifying the Voices of Immigrant Workers*, 2021-2022, \$15,000.

Co-Director, Immigrant Research, Practice and Policy Program Grant, *Bilingual Workers’ Rights Toolkit*, Northern Arizona University’s Center for Health Equity Research, 2020-2021, \$10,000.

Co-Lead, Haury Partnering Grant, *Building a Network that Incubates Worker-Owned Cooperatives for a Regenerative Society*, Agnese Nelms Haury Program in Environmental and Social Justice, Jan. 2020-Dec. 2020, \$5,600.

University of Arizona, College of Law, Summer Research Grant, 2019 (\$10,000), 2020 (\$8,000), 2021 (\$10,000).

COLLABORATORS

Dr. Samantha Sabo, DrPH, MPH, Associate Professor, Health Sciences, Northern Arizona University

Dr. Melissa Liebert, PhD, Assistant Professor, Department of Anthropology, Northern Arizona University

Alexandra Samarron Longorio, RDN, MPHc, Researcher, Health Sciences, Northern Arizona University

Jill Guernsey De Zapien, Associate Dean for Community Programs (ret.), College of Public Health, University of Arizona

Floribella Redondo-Martinez, CHW, BS, Arizona Community Health Worker Association, Inc.

Tara Sklar, JD, MA, Health Law, University of Arizona James E. Rogers College of Law

Lisa Molomot, Professor of Practice, University of Arizona James E. Rogers College of Law BA in Law Program and University of Arizona School of Theatre, Film and Television

Rafael Camacho, Professor of Practice, University of Arizona James E. Rogers College of Law BA in Law Program

Yue (Max) Li, Researcher, School of Natural Resources and the Environment, University of Arizona

Sheila Maddali, Executive Director, National Legal Advocacy Network

Katelyn Parady, National Council for Occupational Safety and Health

Ricardo Nuñez, Director, Economic Democracy, Sustainable Economies Law Center