

HIBA HAFIZ

Associate Professor of Law
Boston College Law School

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ACADEMIC APPOINTMENTS

Boston College Law School , Boston, MA	2018 – present
Associate Professor of Law (with tenure)	2023 – present
Assistant Professor of Law	2018 – 2023
The University of Chicago Law School , Chicago, IL	2016-2018
Harry A. Bigelow Teaching Fellow and Lecturer in Law	

ACADEMIC AND PROFESSIONAL AFFILIATIONS

Harvard Law School, Labor and Worklife Program Wertheim Research Fellow	September 2022 – December 2022
Yale University, Thurman Arnold Project Fellow	2020-present
Roosevelt Institute Fellow	2022-present

GOVERNMENT APPOINTMENTS AND JUDICIAL CLERKSHIPS

Federal Trade Commission, United States Expert Advisor on Labor Market Competition	October 2022 – October 2023
United States Court of Appeals for the First Circuit Law Clerk for the Honorable Juan R. Torruella	2012-2013
United States District Court for the District of New Jersey Law Clerk for the Honorable José L. Linares	2011-2012

EDUCATION

Columbia University School of Law Harlan Fiske Stone Scholar Notes and Submissions Editor, COLUMBIA HUMAN RIGHTS LAW REVIEW	J.D., 2010
Yale University, Department of Comparative Literature Dissertation: <i>The Novel and the Ancien Régime: Britain, France, and the Rise of the Novel in the Seventeenth Century</i>	Ph.D., 2007 M.Phil., 2005
Columbia University, Department of English and Comparative Literature	M.A., 2000
Wellesley College Departmental Honors in Philosophy	B.A. in Philosophy, <i>magna cum laude</i> , 1999

SCHOLARLY PUBLICATIONS

Towards a Progressive Labor Antitrust, 125 COLUM. L. REV. (forthcoming 2025)

Antitrust Exemptions for Collective Bargaining, ANTITRUST L.J. (forthcoming 2025) (invited symposium contribution)

The Law of Geographic Labor Market Inequality, 172 U. PA. L. REV. 1183 (2024)

Antitrust and Race, 100 WASH. U. L. REV. 1471 (2023)

- Selected for 2022 Harvard/Stanford/Yale Junior Faculty Forum

Labor Market Regulation and Worker Power (with Ioana Marinescu), 90 U. CHI. L. REV. 469 (2023)

Rethinking Breakups, 71 DUKE L. J. 1491 (2022)

- Nominated for Best Academic Article: General Antitrust for Concurrences and George Washington University Law School's 2022 Antitrust Writing Awards
- Reviewed by Madeline Verniero, *Recentering Worker Welfare in the Breakup Debates*, THE REGULATORY REVIEW: PENN PROGRAM ON REGULATION (Oct. 19, 2021)

The Brand Defense, 43 BERKELEY J. EMP. & LAB. L. 1 (2022)

- Reviewed by Jessica Silbey, *Trademark, Labor Law, and Antitrust, Oh My!*, JOTWELL (Sept. 10, 2021)

Structural Labor Rights, 119 MICH. L. REV. 651 (2021)

Interagency Coordination on Labor Regulation, 6 ADMIN. L. REV. ACCORD 199 (2021) (essay)

- Reviewed by Ryan Nelson, *More Just, More Efficient Workplace Regulation*, JOTWELL (May 17, 2022)

Ownership Work and Work Ownership, U. CHI. L. REV. ONLINE (2020) (invited symposium essay)

Interagency Merger Review in Labor Markets, 95 CHI.-KENT L. REV. 37 (2020) (invited symposium article)

Labor Antitrust's Paradox, 86 U. CHI. L. REV. 381 (2019)

- Reviewed by Catherine Fisk, *Taking Business Law Back from the Economists: Building Worker Power Through Antitrust Reform*, JOTWELL (Aug. 26, 2020)

Picketing in the New Economy, 38 CARDOZO L. REV. 1845 (2018)

Economic Analysis of Labor Regulation, 2017 WIS. L. REV. 1115 (2017)

Beyond Liberty: Toward a History and Theory of Economic Coercion, 83 TENN. L. REV. 1071 (2016)

WORKS IN PROGRESS

Regulating in Pandemic (with Diane Ring, Shuyi Oei, and Natalya Shnitser)

UNFREE LABOR: THE LEGAL GEOGRAPHY OF WORK (book-length project)

THE LAW OF WAGES (book-length project)

PROFESSIONAL EXPERIENCE

Cohen Milstein Sellers & Toll, PLLC, Washington, D.C. 2013-2016
Associate, Antitrust Practice Group

American Civil Liberties Union – Puerto Rico, San Juan, PR August – September 2013
Volunteer Attorney

International Rights Advocates, Washington, D.C. 2010-2011
David W. Leebron Human Rights Fellow

Centro de los Derechos del Migrante , Zacatecas, Mexico Legal Fellow	August – September 2010
Center for Constitutional Rights , New York, NY Legal Intern	Summer 2009, Spring 2010
International Criminal Tribunal for the Former Yugoslavia , The Hague, The Netherlands Legal Intern, Office of the Prosecutor	Summer 2008

ADDITIONAL PUBLICATIONS AND PRESS

The Trends and Cases That Will Define US Antitrust in 2024, PROMARKET BLOG (Jan. 5, 2024)

A Federal Job Guarantee to Combat Geographic Inequality, ROOSEVELT INSTITUTE (Nov. 9, 2023)

The Sling: Economic Analysis and Competition Policy Research Interview, Episode 6, SLINGSHOT PODCAST (May 22, 2023)

A Whole-of-Government Approach to Increasing Worker Power, ROOSEVELT INSTITUTE (Dec. 15, 2022)

How Antitrust Can Better Regulate Thin Labor Markets, PROMARKET BLOG (Mar. 29, 2022)

Why a “Whole-of-Government” Approach is the Solution to Antitrust’s Current Labor Problem, PROMARKET BLOG (Nov. 18, 2021)

The Labor Justice System, LAW AND POLITICAL ECONOMY BLOG (Nov. 2, 2021)

Imperfect Competition in Labor Markets, COMPETITION POLICY INTERNATIONAL: CPI ANTITRUST CHRONICLE (Oct. 14, 2021)

Big Ag’s Monopsony Problem: How Market Dominance Harms U.S. Workers and Consumers, WASHINGTON CENTER FOR EQUITABLE GROWTH (Feb. 18, 2021) (with Nathan Miller)

Who Does Antitrust Work For? An Exploration of Labor Antitrust, OUR CURIOUS AMALGAM PODCAST: ABA ANTITRUST LAW SECTION (Nov. 2, 2020)

Removing the Limits on Economic Mobility, BOSTON COLLEGE LAW SCHOOL MAGAZINE (June 25, 2020)

Why We Need Interagency Merger Review in Labor Markets, THE CLS BLUE SKY BLOG: COLUMBIA LAW SCHOOL’S BLOG ON CORPORATIONS AND CAPITAL MARKETS (Dec. 24, 2019) (invited)

How Drivers Can Beat Uber at Its Own Game, THE NEW YORK TIMES (July 17, 2019)

The Antitrust Case Against Big Tech, WBUR RADIO BOSTON (March 19, 2019)

The Red-Scare Relic That Holds Back Smart Labor Policy, THE NEW YORK TIMES (May 1, 2018)

How Legal Agreements Can Silence Victims of Workplace Sexual Assault, THE ATLANTIC (Oct. 18, 2017)

Featured in David Reich, *Facing Down Monopolies: Professor Hiba Hafiz Sees Antitrust Law as a New Tool for Labor*, BOSTON COLLEGE LAW SCHOOL MAGAZINE (Winter 2023)

Quoted in Dan Papsun & Robert Iafolla, *Labor Violations to Receive New Merger Scrutiny Via Agency Pact*, BLOOMBERG LAW (July 22, 2022)

Quoted in Kevin Draper, *Fighters Win Key Ruling in Case That Could Upend U.F.C.'s Business*, THE NEW YORK TIMES (Dec. 10, 2020)

Quoted in Robert Iafolla, *Labor Board's Power Challenged in Offensive Speech Case*, BLOOMBERG LAW (Nov. 26, 2019)

Quoted in Hassan Kanu, *Democrats Sharpen Legal Attack on Labor Board Rule Outsourcing*, BLOOMBERG LAW (Sept. 17, 2019)

Quoted in Robert Iafolla, *Labor Board Repeatedly Topples Precedent Without Public Input*, BLOOMBERG LAW (July 12, 2019)

Quoted in Robert Iafolla, *NLRB "Joint Employer" Plan Short on Cost Economics: Academics*, BLOOMBERG LAW (Jan. 17, 2019)

SELECTED ACADEMIC PRESENTATIONS

Duke Legal Theory and Capitalism Conference, Durham, NC November 8, 2024
"Theorizing the Law of Wages"

BYU Law Future of Antitrust Interdisciplinary Conference, Sundance, UT October 11, 2024
"Towards a Progressive Labor Antitrust"

BC-MIT Workshop on Worker and Employer Power in the American Political Economy, Cambridge, MA (co-organizer with Kathleen Thelen) September 13, 2024
"Regulating Employer Power in the Administrative State"

The Antitrust Enforcement Symposium 2024, University of Oxford, Centre for Competition Law and Policy, Oxford, UK June 23, 2024
"Labour Market Dynamics and Competition Enforcement"

2024 Annual Meeting on Law and Society, Denver, CO June 8, 2024
"Towards a Progressive Labor Antitrust"

Culp Colloquium, Harvard Law School, Cambridge, MA May 29, 2024
Discussant, Culp Colloquium Series

American Antitrust Institute Annual Policy Conference, New Thinking on the Antitrust Treatment of Collective Action, Washington, DC May 22, 2024
"Antitrust and Organized Labor: Recent and Future Developments"

New York University Wagner Graduate School for Public Service, Building Worker Power as Anti-Monopoly May 10, 2024
"Why Merger Review Matters for Working People"

Princeton University Center for Human Values, Spring Conference on Reckoning with Race in the Law, Princeton, NJ May 7, 2024
"Antitrust and Race: An Overview and Postscript"

Boston College Law School, Critical Approaches to Public Law Workshop, Newton, MA April 19, 2024
"Towards a Progressive Labor Antitrust"

University of Pennsylvania Law School, Pennsylvania Law Review: Author Lunch, Philadelphia, PA April 15, 2024
"The Law of Geographic Labor Market Inequality"

Roosevelt Institute, Preserving the Administrative State: Threats to Administrative Law Enforcement in the Courts , Washington, DC Panelist, “Constitutional Challenges to the NLRB’s Authority”	April 9, 2024
Boston University Law School, Critical Race Theory Seminar , Boston, MA “Unfree Labor: The Legal Geography of Work”	April 2, 2024
Cardozo School of Law, Heyman Center on Corporate Governance Colloquium , New York, NY “The Law of Geographic Labor Market Inequality”	March 28, 2024
University of Alabama School of Law, Faculty Workshop , Tuscaloosa, AL “Towards a Progressive Labor Antitrust”	February 26, 2024
New York University School of Law, 2024 Next Generation of Antitrust, Data Privacy, and Data Protection Scholars , New York, NY “Towards a Progressive Labor Antitrust”	January 26, 2024
Boston University Law School Faculty Workshop , Boston, MA “The Law of Geographic Labor Market Inequality”	December 7, 2023
Cornell Law School, Law and Economics Colloquium , Ithaca, NY “The Law of Geographic Labor Market Inequality”	December 1, 2023
University of Nebraska College of Law, Rural Reconciliation Project, Law and Rurality Workshop , Lincoln, NE “The Law of Geographic Labor Market Inequality”	November 17, 2023
Harvard Law School, Empirical Legal Studies Series , Cambridge, MA “On Quantifying Employer Power and its Harms”	October 23, 2023
Temple University Beasley School of Law, Competition/Regulation: Controlling Corporate Power in the Digital Economy , Philadelphia, PA “On Labor and Competition”	October 19, 2023
Annual Rural Sociological Society Conference , Burlington, VT “The Law of Geographic Labor Market Inequality”	August 4, 2023
University of Pennsylvania Carey Law School, Symposium on Competition Law and Policy , Philadelphia, PA “New Antitrust Concerns in Labor Markets”	April 7, 2023
Harvard Law School, Law and Political Economy Conference , Cambridge, MA Moderator, “Labor Law at a Crossroads”	April 1, 2023
Glasgow Competition Talk, University of Glasgow , Glasgow, Scotland (on Zoom) “Antitrust Law and Worker Power”	March 9, 2023
New York University Law School , New York, NY “Current Developments in Labor Antitrust Enforcement and Policy”	March 7, 2023

Harvard Law School, Food System Workers Seminar , Cambridge, MA “Protecting Food System Workers from Employer Power through Antitrust Enforcement”	February 21, 2023
George Washington University Law School, Faculty Workshop , Washington, DC “The Legal Landscape of Labor Market Inequality”	January 25, 2023
Association of American Law Schools Annual Meeting, Section on Labor Law , San Diego, CA “The Law of Geographic Labor Market Inequality”	January 6, 2023
Association of American Law Schools Annual Meeting, Section on Employment Law , San Diego, CA “Antitrust Regulation of Non-Compete Agreements”	January 4, 2023
Antitrust Scholars Roundtable, University of California, Irvine Law School , Irvine, CA “Labor Antitrust in Thin Markets”	November 4, 2022
Vanderbilt Law School, Colloquium on Scholarship in Employment and Labor Law (COSELL) , Nashville, TN “Regulating Rural and Distressed Labor Markets”	October 22, 2022
Harvard/Stanford/Yale Junior Faculty Forum, Harvard Law School , Cambridge, MA “Antitrust and Race”	June 9-10, 2022
University of California, Irvine Law School, Antitrust and Race Conference , Irvine, CA “Antitrust and Race”	May 20, 2022
University of Chicago Law School, Law and Labor Market Power , Chicago, IL “Labor Market Regulation and Worker Power” (with Ioana Marinescu)	May 6, 2022
Boston College Law School Junior Faculty Roundtable , Boston College Law School, Newton, MA (on Zoom) “Labor Market Regulation and Worker Power”	March 18, 2022
Yale Law School, Antimonopoly Reading Group – Labor Markets Invited Guest Speaker, “Antimonopsony and Labor Markets”	March 14, 2022
New York University School of Law, 2022 Next Generation of Antitrust, Data Privacy and Data Protection Scholars Conference , New York, NY (on Zoom) “Rethinking Breakups”	January 28, 2022
American Bar Association , Washington, D.C. (on Zoom) Panel Participant, “More Monopsony, More Problems: A Critical Look at Monopsony Power and its Role in Social and Racial Inequality”	January 27, 2022
Tel Aviv University Faculty of Law, Labor and Employment Workshop , Tel Aviv, Israel (on Zoom)	October 31, 2021

	“Structural Labor Rights”	
Yale Law School, American Constitution Society , New Haven, CT	Panel Participant, “Antitrust, Big Tech, and Democracy”	October 28, 2021
Yale Law School, Information Society Project Workshop , New Haven, CT	“Antitrust in Thin Markets”	October 20, 2021
Temple University Beasley School of Law Faculty Workshop , Philadelphia, PA	“Rethinking Breakups”	October 13, 2021
University of Iowa College of Law Faculty Workshop , Iowa City, IA	“Rethinking Breakups”	September 9, 2021
Yale University, Thurman Arnold Project Workshop , New Haven, CT	“Rethinking Breakups”	August 9, 2021
Boston College Law School Faculty Workshop , Boston College Law School, Newton, MA	“Beyond Divestiture”	July 27, 2021
Boston College Law School Faculty Open House , Boston College Law School, Newton, MA (on Zoom)	“Rural Labor Monopsony”	April 15, 2021
Cardozo Law School , New York, NY (on Zoom)	Panelist, “Paid to Play: College Athletes Face Off with the NCAA in the High Court”	April 6, 2021
Boston University Law School, Intellectual Property Workshop , Boston University Law School, Boston, MA	“The Brand Defense”	March 23, 2021
Association of American Law Schools Annual Meeting, Section on Sports Law , San Francisco, CA	“Labor Antitrust Implications of NCAA Compensation Rules”	January 9, 2021
University of Chicago Law School, Public Law in the Time of Trump Seminar , Chicago, IL (on Zoom)	“Regulating in Pandemic”	November 6, 2020
University of Florida Summer Antitrust Workshop Series , University of Florida Levin College of Law (on Zoom)	“Vertical Joint Employers”	July 31, 2020
Competition Policy International Roundtable (on Zoom, invited)	“Antitrust Policy in the 21st Century: Is There a Need for a Reform?: Session 1”	July 10, 2020
Antitrust Scholars’ Conference , Yale Law School (on Zoom)	“Regulating Vertical Conduct in Franchising”	June 1, 2020
Administrative Law and the Workplace Symposium , Texas A&M University School of Law, Fort Worth, TX (on Zoom, invited)	“Interagency Coordination on Labor Market Regulation”	April 3, 2020

Alt-Labor Law Symposium: The State of the Law of the New Labor Movement , Chicago-Kent College of Law, Chicago, IL “Interagency Merger Review in Labor Markets”	November 14, 2019
Symposium: Lee Fennell’s <i>Slices and Lumps: Division and Aggregation in Law and Life</i> , University of Chicago Law School, Chicago, IL “Work Ownership and Ownership Work”	November 8, 2019
American Constitution Society, 2019-2020 SCOTUS Preview , Boston College Law School, Newton, MA Panel Participant, “2019-2020 SCOTUS Preview”	September 25, 2019
Boston College Law School Faculty Workshop , Boston College Law School, Newton, MA “Structural Labor Rights”	August 13, 2019
Labor and Employment Relations Association 71st Annual Meeting , Cleveland, OH “Labor Market Regulation and Inequality”	June 15, 2019
2019 Annual Meeting on Law and Society , Washington, D.C. “Towards a New Labor Antitrust”	May 31, 2019
Rigorous Policy Pilots Workshop, Administrative Conference of the United States (ACUS) , Washington, D.C. Participant, “Labor Market Regulation”	May 30, 2019
Re-Thinking the Chicago School of Antitrust Law Symposium , University of Chicago Law School, Chicago, IL “Post-Chicago Labor Antitrust”	May 10-11, 2019
Harvard Roundtable Discussion on Criminal Prosecutions & Workplace Violations , Harvard Law School, Cambridge, MA Participant, “Criminal Antitrust Enforcement in Labor Markets”	January 18, 2019
American Bar Association Panelist, “UFC Antitrust Litigation: Monopsony in Labor Markets”	July 19, 2018
Columbia Law School , New York, NY “Picketing in the New Economy”	September 15, 2017
University of Chicago Law School , Chicago, IL “Picketing in the New Economy”	August 17, 2017
International Meeting on Law and Society , Mexico City, Mexico “Economic Analysis of the Primary-Secondary Distinction in Labor Law”	June 23, 2017
American Constitution Society Midwestern Conference , Northwestern University Pritzker School of Law, Chicago, IL “Higher Education and Labor: The Impact of <i>Columbia University</i> ”	October 15, 2016
American Antitrust Institute , Private Enforcement Conference, Young Lawyers Panel, Washington, D.C. “Current Priorities in Antitrust Enforcement Practice”	November 18, 2015

Columbia Law School, New York, NY April 17, 2008
“Juvenile Life Without Parole in the United States”

GOVERNMENT AND OTHER PRESENTATIONS AND FILINGS

Federal Trade Commission, Bureau of Competition, Washington, DC April 26, 2023
“Antitrust and Race”

National Labor Relations Board, Washington, D.C. (on Zoom) April 12, 2022
Invited Keynote Speaker, “Constitutionality Day”

United States Appeals Court for the Fourth Circuit October 5, 2020
Brief of Labor Law Scholars and Experts as Amici Curiae, *National Association of Immigration Judges v. McHenry*

National Labor Relations Board January 14, 2019
Comment, “*The Standard for Determining Joint Employer Status*”

New York City Department of Consumer Affairs, Office of Labor Policy & Standards, New York, NY January 26, 2018
“Economic Analysis in Labor and Employment Regulation”

HONORS, AWARDS, AND GRANTS

Economic Security Project, Antimonopoly Academic Grant (2023) – Project: “Labor Monopsony and Geographic Inequality”

Harvard/Stanford/Yale Junior Faculty Forum (2022)

Boston College Research Expense Grant (2022)

Columbia University School of Law, David W. Leebron Human Rights Fellowship (2010-2011)

Parker School Recognition of “A” in International Law (2010)

Best Petitioner Brief Award, Frederick Douglass Moot Court Competition, Northeast Region (2009)

Columbia University School of Law, Human Rights Internship Fellowship (2008)

Frederick A. & Marion S. Pottle Fellowship in 18th-Century British Studies, Beinecke Rare Book & Manuscript Library, Yale University (2006-2007)

Yale University Dissertation Fellowship (2006-2007)

Yale University John F. Enders Fellowship (2005)

Yale University Thomas H. and Luther Fuller Scholarship (2004-2005)

Yale University Warnock Internship at the Yale Boswell Editions (2004-2005)

Lewis Walpole Library Graduate Summer Fellowship (2004)

Yale University Council on East Asian Studies Summer Language Grant (2002)

Yale University Fellowship (2001-2005)

Columbia University Departmental Teaching Fellowship (2000-2001)

TEACHING

Courses: Labor Law, Antitrust Law, Administrative Law, Work Law

Seminar: Labor Market Regulation, Labor Policy and Geographic Inequality

ADDITIONAL SERVICE AND ACTIVITIES

Boston College Law School: Co-Chair, Public Service Committee (2024-present); Member, Speech Policy Task Force (2024-present); Peer Advisor, Drinan Scholars (2024-present); Member, Diversity, Equity, Inclusion, and Belonging Committee (2023-2024); Member, Public Service Committee (2023-2024); Member, Drinan Scholars Program Working Group (2020-2022); Member, Diversity, Equity, Inclusion, and Belonging Working Group (2020-2022); Summer Faculty Workshop Coordinator (2021); Student Bar Mentorship Program (2021-present); Member, COVID-19 Emergency Relief Committee (2020-2021); Member, Public Interest Law Foundation Racial Justice Stipends Committee (2020-present); Member, 1L Elective Assessment Committee (2019-2021); Convener, Boston Area Junior Faculty Roundtable (2019-2021); Co-Organizer, Regulation and Markets Workshop (2018-present); Member, Judicial Clerkship Committee (2018-2023); 1L Advisor (2018-present); Faculty Advisor, Boston College Law and Political Economy Group (2023-present); Faculty Advisor, Middle Eastern Law Students Association (2018-present)

Additional Service: Member, Working Group on the Law & Political Economy of Labor, Technology and Production, Harvard Law School (2023-present); Assistant Editor, Antitrust Law Journal (2023-present); Executive Committee Member, AALS Section on Antitrust and Economic Regulation (2021-present); Judge, Lewis Jackson National Student Writing Competition in Employment and Labor Law (2021); Editorial Consultant, ABA Open-Source Antitrust Casebook Project (2021-present); American Law & Economics Association, 30th Annual Meeting Area Organizer (2020); Board Member, Algebra Society; Board Member, Resource Equity (2017-2018); Street Law Program, Washington, D.C. (Spring 2014)

OTHER PROFESSIONAL MEMBERSHIPS

Bar Memberships: New York; Supreme Court of the United States