

Trailblazing Women In Labor Law: Shannon Liss-Riordan

By **Kevin Stawicki**

Law360 (March 11, 2022, 7:03 PM EST) -- Shannon Liss-Riordan of Lichten & Liss-Riordan has had a long career litigating discrimination, wage and hour, and traditional labor law matters, and has gone after some of the nation's most prominent companies, including Whole Foods, Starbucks, Uber and Lyft, on behalf of workers.



Shannon Liss-Riordan

In her decadeslong practice, she has spearheaded lawsuits against Uber and Amazon.com Inc. for allegedly **misclassifying drivers** as independent contractors to avoid state wage laws. Liss-Riordan **sued IBM** for allegedly weaponizing an arbitration agreement to bury age discrimination claims. She also **went after Whole Foods** at the National Labor Relations Board, alleging the Amazon-owned grocery chain discriminated against workers who refused to remove Black Lives Matter face masks.

On Jan. 25, Liss-Riordan **announced her decision** to run for Massachusetts' next attorney general.

Here, she talks about what it was like to break the glass ceiling and the work that must be done to encourage more women to pursue the legal profession.

This interview has been edited for length and clarity.

What drew you to labor and employment law?

I was an activist during my college days. Coming out of college I jumped into becoming a women's rights organizer and activist in New York. The first job I landed after college was working with the legendary feminist leader Bella Abzug.

I got very close with Bella and I worked with and learned from her. I was struck with how she had big ideas and made things happen. She had been a labor lawyer in her career before she went into politics, going into public office in her 50s. She had a big impact on me when I was figuring out what direction I wanted to go.

Working at a labor and employment firm in Boston, I found my niche in representing workers who had their wages stolen from them, and before I knew it, I was leading class actions across Massachusetts and around the country and began taking on the biggest corporations in America, recovering hundreds of millions of dollars of wages that corporate America stole from working people.

My work started with an emphasis on discrimination and protecting women's rights and racial justice. But I've found that the most basic issues that affect people are making sure they have the money in their pockets to support their families, put food on the table and pay the rent. Unless there are powerful advocates fighting for regular people, it's not an even playing field.

What cases have you worked on that had particular resonance for women workers?

I've prided myself on cases that push the law to expand working people's rights. I always joke that I don't just take on cases and industries — I take on industries and industrywide practices. Many of those industries comprise primarily women workers who have been taken advantage of.

A lot of the industry practices I've taken on have had a pretty heavy impact on women who are leading families, running the household finances, and are often on their own. My crusade against the service industry for depriving workers of tips involved lots of clients who were women and single moms.

One client sat in my office and cried as she remembered the years she put into her career as a banquet server and raised two daughters as a single parent. If only her employer had paid her the gratuities it owed her, that would have made such a difference in her life. I think about that client a lot. Those are the people who I've been fighting for.

Earlier in my career, I took on a number of sexual discrimination and sexual harassment cases where we could create systemic change.

I took on the Boston Police Department. The police stations around the city had locker rooms for the men where there were separate locker rooms for the commanding officers, so they didn't have to shower and change next to the patrol officers whom they supervised. But for the women, when these stations were built there weren't that many women on police forces and I guess it didn't cross anyone's mind that there might be superior female officers one day. So we challenged that as sex discrimination.

I won that case and got the city to agree to redo the stations to make sure the women have the same facilities their male counterparts had. That is just one example of making sure women are getting the same respect and dignity in the workplace as their male co-workers.

What challenges have you faced as a woman in labor law?

While at Harvard Law School, I went down to the career services [office] and looked at the recruiting catalog to see what all the benefits were that the law firms recruiting at Harvard were offering. I tallied what their parental leave benefits were and gave bonus points to the firms that gave benefits to men and women for family leave.

I highlighted the top firms that had the best policies. I was excited to see my colleagues clip out my column [in the Harvard Law Record] and take it with them to their interview to ask the firms why they weren't on this list. Back then, I knew that the best way to influence employers was to have workers, even potential workers, coming together to ask questions and joining together to press employers to provide better benefits.

Starting out as a young attorney, I would show up in court and realize I was the only woman in the courtroom. I would go up against these well-funded, corporate male lawyers, and I'd appear before a judge, and sometimes I think they didn't quite know what to make of me — this young, passionate woman. I would show up prepared and put passion into everything I did. But they heard me. It should not have been such a rarity to see women in the courtroom, especially a young woman, in those days, but it was rare.

More recently, I've seen more women judges and that makes a difference in the atmosphere in the courtrooms. I've seen more women rising higher in the legal profession, and it is becoming a more frequent occurrence that you might show up for a courtroom battle where the lawyers on both sides and the judge may be a woman. I've noticed that a number of times when I've been in that situation, and we've all taken a second to celebrate the fact that the courtroom looked different from the way it may have looked in years past.

There are still tremendous hurdles for women in the legal profession. It's an absolutely exhausting career. I've loved every minute of it. But it's all-encompassing and the burdens of the profession are more likely to drive women out than men. I'm heartened to see some laws getting passed that will make it easier for women and all parents to pursue their dreams and take care of their responsibilities at home and have family lives.

What is your advice for women lawyers?

The most important thing is to follow your passion. There are going to be hurdles for whatever you do. The most important thing is to pursue a career you believe in and that will be meaningful to you.

There's lots of pressure on women who are juggling family and figuring out starting a family while they're developing their careers. There's lots of pressure on women to take on jobs to pay off the debt. But I ask: Is that why you went to law school to take on debt to go get a job to pay off that debt? I think there's a different reason to have a career that's meaningful. Keep that in mind.

You'll figure it out — the details about how you pay your rent or pay your student loans. It's not easy, but if you're doing what you love, you will figure it out.

What would you do as AG to help women workers?

In addition to continuing my career-long fight to helping working people, as attorney general I can fight discrimination on a systemic level. I would use the power of the office to engage in impact litigation to root out discrimination, including sex discrimination and other workplace violations. That's a big untapped potential for the AG's office.

As someone who has experience as a practicing lawyer who has been successful at changing corporate practices across the country, there's a huge opportunity to get more done in the AG's office.

--Additional reporting by Brian Dowling, Emily Brill and Tim Ryan. Editing by Bruce Goldman.

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