

JASON R. BENT

ACADEMIC APPOINTMENTS

Chicago-Kent College of Law, Illinois Tech

Chicago, IL

Associate Dean for Strategic Initiatives (July 2026-present)

Director, Martin H. Malin Institute for Law and the Workplace (August 2025-present)

Professor of Law (August 2025-present)

Courses: Employment Relationships, Employment Discrimination, Worker Safety Seminar

Stetson University College of Law

Gulfport, FL

Visiting Professor of Law (Spring 2026)

Course: Employment Discrimination (remote)

Professor of Law (2018-2025)

Associate Dean for Academic Affairs (Jan. 2019– Dec. 2023)

Associate Professor of Law (2014-2018)

Assistant Professor of Law (2011-2014)

Courses: Civil Procedure, Employment Law, Employment Discrimination, Complex Litigation, Workers' Compensation, Remedies, Worker Safety Law & Policy, Federal Courts, Comparative Workplace Privacy & Autonomy: US & EU (1-credit study abroad in Madrid, Spain)

University of Illinois Urbana-Champaign College of Law

Champaign, IL

Visiting Professor of Law (Fall 2026)

Course: Civil Procedure

Washington University School of Law

St. Louis, MO

Visiting Professor of Law (Spring 2023)

Course: Causation in Employment Discrimination Law (remote, 1-credit)

Penn State University, Dickinson School of Law

University Park, PA

Shughart Fellow and Visiting Assistant Professor (2010-2011)

Courses: Employment & Labor Law, Contracts

EDUCATION

University of Michigan Law School

Ann Arbor, MI

Juris Doctor, *Magna Cum Laude* (2000)

Grinnell College

Grinnell, IA

Bachelor of Arts, *with honors*, Economics (1997)

PUBLICATIONS

Books and Treatises

LEGAL PROTECTION FOR THE INDIVIDUAL EMPLOYEE (West Academic 7th ed., 2025), with Kenneth G. Dau-Schmidt, Matthew W. Finkin, and Ruben J. Garcia

THE STATISTICS OF DISCRIMINATION: USING STATISTICAL EVIDENCE IN EMPLOYMENT DISCRIMINATION CASES (Thomson Reuters 2024-2025 ed.), with Jennifer Shinall, and multiple prior editions with co-author Ramona Paetzold

REMEDIES: CASES, PROBLEMS, AND STRATEGIES (Aspen, forthcoming 2026), with Marco Jimenez

AN ILLUSTRATED GUIDE TO CIVIL PROCEDURE (Wolters-Kluwer 4th ed., 2019), with Michael P. Allen and Michael Finch

Articles and Book Chapters

Compensability, Opportunism, and the Race to the Bottom: A View from (Near) the Bottom, 37 ABA J. OF LAB. & EMP. L. 221 (2023), invited contribution to symposium

Fairness in Algorithmic Selection: How to Comply with Title VII, 35 ABA J. OF LAB. & EMP. L. 241 (2021), with Kelly Trindel and Sara Kassir

Is Algorithmic Affirmative Action Legal? 108 GEORGETOWN L.J. 803 (2020)

OSHA, the Opportunism Police, 2019 BYU L. REV. 365 (2019)

Searching for Common Law Amid the Statutes: Report on the Restatement of Employment Law, Chapter 4, 21 EMPLOYEE RIGHTS & EMPLOYMENT POLICY JOURNAL 459 (2017)

Hope for Zimmerism: Overcoming the Empathy Problem in Antidiscrimination Law, 20 EMPLOYEE RIGHTS & EMPLOYMENT POLICY JOURNAL 277 (2016)

Health Theft, 48 CONNECTICUT LAW REVIEW 637 (2016)

The Case for Split Recovery in “Immemployment” Law (Ten-Foot Pole Not Required), chapter in COMPARATIVE PERSPECTIVES ON REMEDIES: VIEWS FROM FOUR CONTINENTS, Carolina Academic Press

P-Values, Priors, and Procedure in Antidiscrimination Law, 63 BUFFALO LAW REVIEW 85 (2015)

Hidden Priors: Toward a Unifying Theory of Systemic Disparate Treatment Law, 91 DENVER UNIVERSITY LAW REVIEW 807 (2014), paper selected for invitation to symposium

Curtailing Voter Intimidation By Employers After Citizens United, 43 STETSON LAW REVIEW 595 (2014), invited contribution to symposium

An Incentive-Based Approach to Regulating Workplace Chemicals, 73 OHIO STATE LAW JOURNAL 1389 (2012)

The Telltale Sign of Discrimination: Probabilities, Information Asymmetries, and the Systemic Disparate Treatment Theory, 44 MICHIGAN JOURNAL OF LAW REFORM 797 (2011), paper selected for presentation at the Fourth Annual Employment & Labor Law Scholars Forum, Seton Hall Law School (January 22, 2010)

Systemic Harassment, 77 TENNESSEE LAW REVIEW 151 (2009)

What the Lilly Ledbetter Fair Pay Act Doesn’t Do: “Discrete Acts” and the Future of Pattern or Practice Litigation, 33 RUTGERS LAW RECORD 31 (April 2009), reprinted in WOMEN AND THE LAW (Jane Campbell Moriarty, ed., 2009)

Student Note, *Sentencing Equality for Deportable Aliens: Departures from the Sentencing Guidelines on the Basis of Alienage*, 98 MICHIGAN LAW REVIEW 1320 (2000)

Works in Progress and Agenda

Second-Guessing Employers (in progress)

Working in the Age of the Artificial Intelligence Revolution: A Comparison of the Regulations of the European Union and Common Law Countries, invited to author a selection of chapters on the U.S. legal framework, completion expected Summer 2027

The Text and Context of Title VII's "Particular Religion" Exception (in progress)

Shorter Works

Symposium Introduction and Dedication, 45 STETSON LAW REVIEW 1 (2016)

Second Circuit Breaches Barrier to Class Certification, NATIONAL LAW JOURNAL (2006)

Sex Harassment May Be A Jury Issue, NATIONAL LAW JOURNAL (2006)

Managing the Risks of Sanctions in Federal Appeals, CORPORATE COUNSEL (2003), with David B. Goroff

PRIOR LEGAL EXPERIENCE

Smith & Bent, P.C., Environmental and Employment Litigation Practice
Principal and Shareholder (2005-2011) Chicago, IL

Practice included representing an employer in connection with potential applicability of workers' compensation exclusive remedy tort bar; representing a business executive in connection with sexual harassment allegations; representing an employer in wage payment and collection hearing; and representing a legal staffing company in connection with all employment related matters.

Foley & Lardner, LLP, Employment, Commercial Litigation, and Appellate Practice
Associate (2002-2005) Chicago, IL

Practice included representing employers in individual and systemic litigation matters, including Title VII, ADEA, ADA, and state law discrimination claims, whistleblowing claims, trade secret claims, breach of contract claims, enforceability of noncompete agreements, and recovery of overpayment of ERISA contributions.

Hon. Cornelia Kennedy, United States Court of Appeals for the Sixth Circuit
Judicial Law Clerk (2001-2002) Detroit, MI

Hon. Joan B. Gottschall, United States District Court for the Northern District of Illinois
Judicial Law Clerk (2000-2001) Chicago, IL

Foley & Lardner, LLP, Litigation
Summer Associate (Summer 1999 and Summer 2000) Milwaukee, WI

Dorsey & Whitney, Health Law and Litigation
Summer Associate (Summer 1998) Des Moines, IA

PRESENTATIONS AND AWARDS

Policy Developments Impacting Employers (panel), Federal Bar Association Annual Employment Law Seminar (April 27, 2026)

Is the Trustee an Employer?, Special Needs Trust Conference at Stetson University College of Law (October 24, 2025)

The Text and Context of Title VII's "Particular Religion" Exception, Labor Law Group Conference, held at Chicago-Kent College of Law (June 20, 2024)

Compensability, Opportunism, and the Race to the Bottom: A View from (Near) the Bottom, Saint Louis University School of Law symposium, *Fifty Years After "Inadequate and Inequitable": Reflections on State Workmen's Compensation Laws* (October 11, 2022)

Is Algorithmic Affirmative Action Legal?, selected as winner of the Southeastern Association of Law Schools (SEALS) Call for Papers contest, presented at the SEALS Annual Meeting on July 29, 2019

Searching for Common Law Amid the Statutes: Report on the Restatement of Employment Law, Chapter 4, Labor Law Group Conference at Indiana University-Bloomington, Maurer School of Law (November 18-19, 2016)

Hope for Zimmerism: Overcoming the Empathy Problem in Antidiscrimination Law, Seton Hall University School of Law (October 21, 2016)

When Charlotte's Web Tangles With Employment Law, at *Charlotte's Tangled Web* live continuing professional education event co-sponsored by the Stetson University College of Law and the University of South Florida College of Medicine (October 10, 2014)

Curtailing Voter Intimidation By Employers After Citizens United, Stetson Law Review Symposium, *Taking Stock of Citizens United: How the Law Has (and Has Not) Changed Four Years Later* (February 28, 2014)

Reading the NLRB Tea Leaves: Looming Changes to Labor Organization in Higher Education, 35th Annual National Conference on Law and Higher Education (February 17, 2014)

Hidden Priors, Denver University Law Review Symposium, *Revisiting Sex: Gender and Sex Discrimination Fifty Years After the Civil Rights Act* (January 31, 2014)

Reframing Feasibility Analysis (new title: *Health Theft*), Eighth Annual Colloquium on Current Scholarship in Labor and Employment Law, University of Nevada Las Vegas (September 27, 2013)

Hidden Priors: Plausibility and Inference in Systemic Discrimination Cases, Seventh Annual Colloquium on Current Scholarship in Labor and Employment Law, Northwestern University School of Law (September 15, 2012)

Hidden Priors: Plausibility and Inference in Systemic Discrimination Cases, 2012 Annual Meeting of the Southeastern Association of Law Schools (July 30, 2012)

An Incentive-Based Approach to Regulating Workplace Chemicals, Sixth Annual Colloquium on Current Scholarship in Labor and Employment Law, Loyola Law School Los Angeles, California (September 16-17, 2011)

The Telltale Sign of Discrimination: Information Asymmetries, Statistical Evidence, and the Pattern or Practice Doctrine, Fourth Annual Employment & Labor Law Scholars Forum, Seton Hall Law School (January 22-23, 2010)

Arbitration of Employment Discrimination Claims After 14 Penn Plaza v. Pyett, Chicago Bar Association (May 18, 2010)

Employee Use of Social Media: Individual Privacy Rights vs. Employer Due Diligence, Chicago Bar Association, Civil Rights and Constitutional Law Committee (April 16, 2010)

Employment Law for the New Lawyer, Chicago Bar Association (October 27, 2009)

Opening A Law Office: Capitalization, Chicago Bar Association, Law Practice Management & Technology Committee (March 27-28, 2009; January 14, 2010)

Guest Lecturer, *Opening A Law Office: Capitalization*, Chicago-Kent Law School (September 10, 2009)

Guest Speaker, Creative Careers and Organizational Management, Grinnell College (February 20, 2009)

OTHER PROFESSIONAL AND COMMUNITY ACTIVITIES

Labor Law Group, Executive Committee (2026-present); Member (2024-present)

College of Labor and Employment Lawyers, Fellow (elected for Class of 2026)

Employment and Labor Relations Section Officer, AALS (Executive Committee, 2016-2017; Chair, 2015; Vice-Chair, 2014; Secretary, 2013)

Southeastern Association of Law Schools, Moderator Committee (2019-2021)

Guest Contributor, *The Workplace Prof Blog*, http://lawprofessors.typepad.com/laborprof_blog/

Editorial Board of the *ABA Journal of Labor & Employment Law*, f/k/a *The Labor Lawyer*, published by the American Bar Association (2009-2012)

Assistant Coach, Northeast Little League softball, St. Petersburg, FL (2024-2025); Hot Shots softball, Wilmette, IL (2026)

Volunteer, St. Petersburg Free Clinic (2012-2025)

Coach and judge of high school mock trial events for the Chicago Public Schools (2002-2005) and the Northwest Suburban Bar Association (2008)

Organizer, ABA Law Day, Des Moines East High School (2011, 2014)