

# Griffin Toronjo Pivateau

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Department of Management  
Spears School of Business  
Oklahoma State University  
Stillwater, Oklahoma 74078  
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## Academic appointments

### Oklahoma State University

Puterbaugh Professor of Legal Studies and Ethics in Business, 2016-Present.

Associate Professor of Legal Studies, 2015-Present.

Assistant Professor of Legal Studies, 2009-2015.

### Sam Houston State University

Lecturer, 2008–2009.

## Education

### University of Texas School of Law

Juris Doctorate, 1990.

### McNeese State University

Bachelor of Arts, 1983.

## Research interests

My research examines the ability of the law to affect the business environment. Within this focus area, I have followed three related research streams: employer-employee relationships, dispute resolution mechanisms, and restrictions on employee mobility.

## Publications

G. Pivateau and G. Nerger, *The Worker Classification Dilemma: The IRS Test and the Platform Economy*, 53 Texas Tech Law Review 535 (2021).

G. Pivateau and A. Washington, *Prospects and Pitfalls: Confronting Sexual Harassment in the Legal Cannabis Industry*, 28 American University Journal of Gender, Social Policy & Law 1 (2020).

G. Pivateau, *Opposite Sides of the Same Coin: Worker Classification in the New Economy*, 37 Hofstra Labor & Employment Law Journal 95 (2019).

G. Pivateau, *Defining the Scope of Employment Law: Innovation, Entrepreneurship, and Employment*, 153 Revue Lamy de Droit des Affaires 31 (2019).

G. Pivateau, *An Argument for Restricting the Blue Pencil Doctrine*, 7 Belmont Law Review 1 (2019).

G. Pivateau, *The Prism of Entrepreneurship: Creating a New Lens for Worker Classification*, 70 Baylor Law Review 595 (2018).

G. Pivateau, *Mandating Individual Arbitration: The Legality of Class Action Waivers in Employment Arbitration Agreements*, 52 *Gonzaga Law Review* 541 (2017).

G. Pivateau, *Enforcement of Noncompete Agreements: Protecting the Public Interest Through an Entrepreneurial Approach*, 46 *St. Mary's Law Journal* 483 (2015).

G. Pivateau, *Rethinking the Worker Classification Test: Entrepreneurship, Employees, and Empowerment*, 34 *Northern Illinois University Law Review* 67 (2013).

G. Pivateau. *Private Resolution of Public Disputes: Employment, Arbitration, and the Statutory Cause of Action*, 32 *Pace Law Review* 114 (2012).

L. Lucas and G. Pivateau, *Attorneys and Entrepreneurs: Creating Value for Small Business Startups*, 18 *Texas Wesleyan Law Review* 717 (2012).

G. Pivateau. *A Standard of Reasonableness: Constraining Mandatory Arbitration Clauses in Employment Agreements*, 22 *Southern Law Journal* 169 (2012).

G. Pivateau. *Preserving Human Capital: Using The Noncompete Agreement to Achieve Competitive Advantage*, 4 *Journal of Business, Entrepreneurship, and Law* 319 (2011).

G. Pivateau. *Reconsidering Arbitration: Evaluating the Future of the Manifest Disregard Standard*, 21 *Southern Law Journal* 41 (2011).

G. Pivateau. *Putting the Blue Pencil Down: An Argument for Specificity in Noncompete Agreements*, 86 *Nebraska Law Review* 672 (2008).

G. Pivateau. *Tackling the Competitive Sports Doctrine: A New Proposal for Sports Injuries in Texas*, 9 *Texas Review of Entertainment & Sports Law* 85 (2007).

## **Awards and fellowships**

Jackson Lewis Employment Law Best Paper Award, ALSB National Conference, 2021.

Regents Distinguished Teaching Award, 2017. (Top teaching award at Oklahoma State).

Greiner Undergraduate Teaching Award, 2017. (Top teaching award in the Spears School of Business).

Faculty of Distinction, OSU Business Student Council, 2017.

Faculty of Distinction, OSU Business Student Council, 2016.

Faculty of Distinction, OSU Business Student Council, 2012.

Richard W. Poole Research Excellence Award, 2011.

## Judicial citations to research

*Hassler v. Circle C Resources*, 2022 WY 28 (Supreme Court of Wyoming, 2022).  
*Golden Rd. Motor Inn, Inc. v. Islam*, 132 Nev. 476, 376 P.3d 151 (Supreme Court of Nevada, 2016).  
*Unlimited Opportunity, Inc. v. Waadah*, 290 Neb. 629, 861 N.W.2d 437 (Supreme Court of Nebraska, 2015).  
*FP UC Holdings, LLC v. Hamilton*, 2020 Del. Ch. LEXIS 110 (Court of Chancery of Delaware, 2020).  
*Del. Elevator, Inc. v. Williams*, 2011 Del. Ch. LEXIS 47 (Court of Chancery of Delaware, 2011).  
*Steiner v. Am. Friends of Lubavitch (Chabad)*, 177 A.3d 1246 (District of Columbia Court of Appeals, 2018).  
*Feld v. Borkowski*, 790 N.W.2d 72 (Supreme Court of Iowa, 2010).  
*Lee v. Loftin*, 277 S.W.3d 519 (Court of Appeals of Texas, Twelfth District, Tyler, 2009).

## Presentations

G. Pivateau, *Unjust and Contrary: The Unworkable Blue Pencil Doctrine*, Paper presented at Academy of Legal Studies in Business National Conference, Louisville, Kentucky, July 29, 2022.

G. Pivateau, *The Worker Classification Dilemma: The IRS Test and the Platform Economy*, Paper presented at Academy of Legal Studies in Business National Conference, Minneapolis, Minnesota, August 4, 2021.

G. Pivateau and A. Washington, *Prospects and Pitfalls: Confronting Sexual Harassment in the Legal Cannabis Industry*, Center for Legal Studies and Business Ethics, Cannabis in the States Conference, Oklahoma City, Oklahoma, February 28, 2020.

G. Pivateau, *Opposite Sides of the Same Coin: Worker Classification in the New Economy*. Paper presented at Academy of Legal Studies in Business National Conference, Montreal, Quebec, August 9, 2019.

G. Pivateau, *Defining the Scope of Employment Law: Innovation, Entrepreneurship, and Employment*. Paper presented at Congrès 2019 de l'Association Française Droit et Management, Paris, France, June 22, 2019.

G. Pivateau, *Mandating the Blue Pencil: Legislative Overreach and the Noncompetition Agreement*. Paper presented at Academy of Legal Studies in Business National Conference, Portland, Oregon, August 11, 2018.

G. Pivateau, *The Prism of Entrepreneurship: A New Economic Reality Test*. Paper presented at Academy of Legal Studies in Business National Conference, Savannah, Georgia, August 9, 2017.

G. Pivateau, *Class Action Waivers in Employment Agreements*. Paper presented at the Southeastern Academy of Legal Studies in Business Conference, Durham, North Carolina, November 10-12, 2016.

G. Pivateau. *Noncompete Agreements: An Entrepreneurial Approach*. Paper presented at the Southern Academy of Legal Studies in Business Conference, San Antonio, Texas, April 3-6, 2014.

G. Pivateau. *Rethinking the Worker Classification Test: Employees, Entrepreneurship, and Empowerment*. Paper presented at the Southern Academy of Legal Studies in Business Conference, San Antonio, Texas, March 7-9, 2013.

G. Pivateau. *A Standard of Reasonableness: Constraining Mandatory Arbitration Clauses in Employment*

*Agreements*. Paper presented at Southern Academy of Legal Studies in Business Conference, San Antonio, Texas, March 6–8, 2011.

G. Pivateau. *Reconsidering Arbitration: Evaluating the Future of the Manifest Disregard Standard*. Paper presented at the Southern Academy of Legal Studies in Business Conference, San Antonio, Texas, March 4–6, 2010.

## **University service**

OSU Faculty Council Retirement and Fringe Benefits Committee, Chair, 2018-2020

OSU Faculty Council Executive Committee, 2018-2020.

OSU General Education Advisory Council, 2017-2019.

OSU Faculty Council, 2017-2020.

OSU Regents Distinguished Teaching Award Selection Committee, 2019.

Department of Economics and Legal Studies Personnel Committee, 2015-2017.

Spears School Technology Fee Committee, 2015-2017.

Spears School Distance Learning Committee, 2010-2015.

Faculty Advisor, OSU Men's Lacrosse Team, 2010-2016.

## **Seminars**

G. Pivateau, Taking Charge of Discrimination and Misconduct in the Workplace, Oklahoma Municipal Clerks, Treasurers and Finance Officials Association Academy, 2022.

G. Pivateau, The Legal Context of Human Resources Decisions, Oklahoma, 2022.

G. Pivateau, Preventing Discrimination in 2021. Chesapeake Energy Corporation, Oklahoma City, 2021.

G. Pivateau, The Legal Context of Human Resources Decisions, Oklahoma, 2021.

G. Pivateau, #TimesUp, #MeToo, and the Law. #TimesUp Conference, Oklahoma City, 2018.

G. Pivateau, God, Government, and Ethics: The Ethics of the Establishment Clause. Association of Oklahoma City Attorneys, 2016.

G. Pivateau, Religious discrimination: More Complicated Than Ever. Oklahoma Municipal Clerks, Treasurers and Finance Officials Association Academy, 2016.

## **International academic experience**

### **Oklahoma State University Study Abroad**

Dublin, Ireland, 2022.

Madrid, Spain, 2019.

Paris, France, 2017.

### **Oklahoma State University at Burgundy School of Business**

Dijon, France

Emerging Strategies for a Changing Europe: The Legal Issues. 2010-2016.

## **Courses taught**

Employment Law  
Legal Aspects of International Business  
European Union Law  
Legal Environment of Business  
Commercial Transactions

## **Professional activities**

Member, Academy of Legal Studies in Business.  
Member, Southern Academy of Legal Studies in Business.

## **Professional licenses**

State Bar of Texas, 1990.  
Louisiana State Bar Association, 1991.

## **Encyclopedia entries**

Alcalde in *The New Handbook of Texas*. (Austin: Texas State Historical Association, 1996) 1: 95.  
Ayuntamiento in *The New Handbook of Texas*. (Austin: Texas State Historical Association, 1996) 1: 327.  
Alguacil in *The New Handbook of Texas*. (Austin: Texas State Historical Association, 1996) 1: 103.  
Cabildo in *The New Handbook of Texas*. (Austin: Texas State Historical Association, 1996) 1: 883.  
Escribano in *The New Handbook of Texas*. (Austin: Texas State Historical Association, 1996) 2: 891.  
Regidor in *The New Handbook of Texas*. (Austin: Texas State Historical Association, 1996) 5: 516.  
Sindico Procurador in *The New Handbook of Texas*. (Austin: Texas State Historical Association, 1996) 5: 1058.

## **Reported opinions**

Hallmark Capital Group, LLC v. 6320 Hayne Blvd, Inc., 312 Fed. Appx. 651 (5th Cir. 2009).  
Ned v. Turner, 11 S.W.3d 407 (Tex.App. Houston [14th Dist.] 2000).  
Roman Forest PUD v. McCorkle, 999 S.W.2d 931 (Tex.App. Beaumont 1999).  
Gilbert v. Pettiette, 7 S.W.3d 895 (Tex.App. Houston [1 Dist.] 1999).

## **Languages**

English (native), French (advanced), Spanish (basic)