

Selected Labor & Employment Law Capsule Reviews

compiled by Book Review/Updates Editor

Randy S. Rabinowitz, ed., *Occupational Safety and Health Law, 2d. edition* (BNA Books, 2002. 265pp. \$265).

This newly updated treatise goes beyond the details of the OSH Act to survey important developments under other federal legislation and regulations affecting occupational safety and health. The treatise also provides in-depth explanations of the authority and actions of the Occupational Safety and Health Review Commission; the Federal Mine Safety and Health Act; the National Institute for Occupational Safety and Health; the role of the states; and the impact of the OSH Act on private litigation and workers' compensation laws. In addition, this resource provides text of the OSH Act, state plan procedures, and a detailed index to enhance research.

Terry Thomason, Timothy P. Schmidle, & John F. Burton, Jr., *Workers' Compensation: Benefits, Costs and Safety under Alternative Insurance Arrangements* (W.E. Upjohn Institute for Employment Research, 2001. 457pp. \$43 cloth, \$25 paper).

The authors identify four principal objectives which have dictated policymakers' efforts with regard to workers' compensation programs: 1) adequate benefits, 2) affordable costs, 3) delivery system efficiency, and 4) prevention of workplace injuries and disease. Through an analysis of state-specific cost, benefit, and injury data for 48 states drawn from the period of 1975-1995, the authors evaluate the relationship between the four objectives and how various public policies implemented by states and the federal government achieve those objectives.

Lani Guinier & Susan Sturm, *Who's Qualified* (Beacon Press, 2001 118pp. \$13.00).

In this slim paperback by law professors Lani Guinier (Harvard University) and Susan Sturm (Columbia University), the authors critique affirmative action as too modest a remedy and propose a model of selection based on performance, not prediction. Essays by Stephen Steinberg, Derrick Bell, Howard Gardner, Mary C. Waters and Carolyn Boyes-Watson, Claude M. Steele, Paul Osterman, Maureen A. Scully and Deborah M. Kolb, Michael J. Piore, Peter Sacks, and Peter Cappelli produce a lively debate within this book's covers.