

# Selected Current Bibliography on Labor & Employment Law

*compiled by* Book Review/Updates Editor

Included in this bibliography are recent articles on United States labor and employment law. An attempt has been made to provide full and complete bibliographical data. Readers are encouraged to submit additional titles for possible inclusion in the future.

## ***ALTERNATIVE DISPUTE RESOLUTION (ADR)***

Allison Balc, *PROFESSION CONTRIBUTION: Making It Work at Work: Mediation's Impact on Employee/Employer Relationships and Mediator Neutrality*, 2 PEPP. DISP. RESOL. L.J. 241 (2002).

Edward Brunet, *ARTICLE: Seeking Optimal Dispute Resolution Clauses in High Stakes Employment Contracts*, 23 BERKELEY J. EMP. & LAB. L. 107 (2002).

Lisa M. Eaton, *NOTE: Arbitration Agreements in Labor and Employment Contracts: Well Within the Reach of the FAA*, 2002 J. DISP. RESOL. 193 (2002).

Jeremy Kennedy, *COMMENT: The Supreme Court Swallows a Legal Fly: Consequences for Employees as the Scope of the Federal Arbitration Act Expands*, 33 TEX. TECH L. REV. 1137 (2002).

Christine M. Reilly, *Comments: Achieving Knowing and Voluntary Consent in Pre-Dispute Mandatory Arbitration Agreements at the Contracting Stage of Employment*, 90 CAL. L. REV. 1203 (2002).

## ***AMERICANS WITH DISABILITIES ACT (ADA)***

Gretchen Fuss, *ARTICLE: Refining the Tenth Circuit's Stance on Employee Rights: The ADA, Free Speech in the Workplace, and the Fair Labor Standards Act*, 79 DENV. U.L. REV. 433 (2002).

**CHILD LABOR**

Ronald B. Grayzel, *Primer on Child Labor Torts*, 2002-AUG N.J. LAW. 38 (2002).

Benjamin James Stevenson, *COMMENT: Pursuing an End to Foreign Child Labor Through U.S. Trade Law: WTO Challenges and Doctrinal Solutions*, 7 UCLA J. INT'L L. & FOR. AFF. 129 (2002).

**COMPARATIVE**

Carlton J. Snow, *Collective Agreements and Individual Contracts Employment in Labor Law*, 50 AM. J. COMP. L. 319 (2002).

**DISCRIMINATION**

Peter Reed Corbin & John E. Duvall, *ARTICLE: Employment Discrimination*, 53 MERCER L. REV. 1367 (2002).

Gregory Todd Jones, *NOTE & COMMENT: Testing for Structural Change in Legal Doctrine: An Empirical Look at the Plaintiff's Decision to Litigate Employment Disputes a Decade After the Civil Rights Act Of 1991*, 18 GA. ST. U.L. REV. 997 (2002).

April Minor, *Article: Employment Discrimination and Labor Law*, 24 U. ARK. LITTLE ROCK L. REV. 975 (2002).

Laura B. Mutterperl, *NOTE: Employment at (God's) Will: The Constitutionality of Antidiscrimination Exemptions in Charitable Choice Legislation*, 37 HARV. C.R.-C.L. L. REV. 389 (2002).

Courtney T. Nguyen, *Note: Employment Discrimination and the Evidentiary Standard for Establishing Pretext: Weinstock v. Columbia University*, 35 U.C. DAVIS L. REV. 1305 (2002).

Edmund F. Wehrle, *BOOK REVIEW: Peter Kwong, Forbidden Workers: Illegal Chinese Immigrants and American Labor*, 20 LAW & HIST. REV. 440 (2002).

Nathaniel R. Wolf, *ARTICLE: Employment Discrimination*, 2002 L. REV. M.S.U.-D.C.L. 471 (2002).

**DEFAMATION**

Erin M. Davis, *Comment: The Doctrine of Respondeat Superior: An Application to Employers' Liability for the Computer or Internet Crimes Committed by Their Employees*, 12 ALB. L.J. SCI. & TECH. 683 (2002).

Margo E. K. Reder & Christine Neylon O'Brien, *COMMENT: Corporate Cybersmear: Employers File John Doe Defamation Lawsuits Seeking the Identity of Anonymous Employee Internet Posters*, 8 TELECOMM. TECH. L. REV. 195 (2002).

**ERISA**

Lisa Horwedel Barton, *COMMENT: Reconciling the Independent Contractor Versus Employee Dilemma: A Discussion of Current Developments as they Relate to Employee Benefit Plans*, 29 CAP. U.L. REV. 1079 (2002).

L. Darnell Weeden, *ARTICLE: An HMO Does Not Owe an ERISA Fiduciary Duty to Its Employee Beneficiaries: After Pegram V. Herdrich, Who Will Speak for the Working Class?*, 23 W. NEW ENG. L. REV. 381 (2002).

**GENERAL TOPICS IN LABOR & EMPLOYMENT LAW**

Philip L. Bartlett II, *ARTICLE: Disparate Treatment: How Income Can Affect the Level of Employer Compliance with Employment Statutes*, 5 N.Y.U. J. LEGIS. & PUB. POL'Y 419 (2002).

Felice Batlan, *Article: A Reevaluation of the New York Court of Appeals: The Home, the Market, and Labor, 1885-1905*, 27 LAW & SOC. INQUIRY 489 (2002).

Rebecca M. Blank, *COMMENT: Worker Needs and Response*, 55 INDUS. & LAB. REL. REV. 733 (2002).

Peter Cappelli, *COMMENT: What will the Future of Policy Look Like?*, 55 INDUS. & LAB. REL. REV. 724 (2002).

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Catherine L. Fisk, *ARTICLE: Union Lawyers and Employment Law*, 23 BERKELEY J. EMP. & LAB. L. 57 (2002).

Sanford M. Jacoby, *COMMENT: "Mean and Variance"*, 55 INDUS. & LAB. REL. REV. 729 (2002).

Earl M. Jones, III, Eduardo F. Cuaderes Jr., & Jennifer A. Youpa, *ARTICLE: Employment and Labor Law*, 55 SMU L. REV. 933 (2002).

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**NATIONAL LABOR RELATIONS ACT/NATIONAL LABOR RELATIONS BOARD (NLRA/NLRB)**

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#### **OCCUPATIONAL SAFETY & HEALTH**

Kelli L. Dutrow, *NOTE & COMMENT: Working at Home at Your Own Risk: Employer Liability for Teleworkers Under the Occupational Safety and Health Act Of 1970*, 18 GA. ST. U.L. REV. 955 (2002).