

# Selected Current Bibliography on Labor & Employment Law

*compiled by the Book Review/Casnote 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.

## **Americans with Disabilities Act**

Lesley B. Foss, Case Comment, *Constitutional Law—Personal, Civil, and Political Rights: The Rights of the Disabled to Physical and Legal Access to Courts is Upheld Under Title II of the Americans with Disabilities Act*, 81 N. DAK. L. REV. 199 (2005).

Debra L. Greenberger, Note, *Toward Increased Notice of FMLA and ADA Protections*, 80 N.Y.U. L. REV. 1797 (2005).

Ashley W. A. Hammerich, Case Comment, *Tennessee v. Lane: Money Damages Under the ADA*, 13 DIG. 111 (2005).

Mathew P. Hampton, *The Fourth “r”: Sustaining the ADA’s Private “Right” of Action Against States for Disability Discrimination in Public Education*, 83 WASH. U. L.Q. 631 (2005).

## **Employment Discrimination**

Carlos A. Ball, *Looking for Theory in All the Right Places: Feminist and Communitarian Elements of Disability Discrimination Law*, 66 OHIO ST. L.J. 105 (2005).

Dede Koffie-Lart & Christopher J. Tyson, *Title VII of the Civil Rights Act of 1964, Sixth Annual Review of Gender and Sexuality Law*, 6 GEO. J. GENDER & L. 615 (2005).

Arthur S. Leonard, *Sexual Minority Rights in the Workplace*, 43 BRANDEIS L.J. 145 (2005).

Ernest F. Lidge III, *Financial Costs as a Defense to an Employment Discrimination Claim*, 58 ARK. L. REV. 1 (2005).

Brian Mooney, Casenote, *Civil Rights—Sexual Harassment—Employers May Assert Affirmative Defenses in Hostile Environment Cases Resulting in Constructive Discharge*, 35 CUMB. L. REV. 457 (2005).

Laura Beth Nielson & Robert L. Nelson, *Empirical Perspectives on Law and Discrimination: Rights Realized? An Empirical Analysis of Employment Discrimination Litigation as a Claiming System*, 2005 WIS. L. REV. 663.

Elizabeth A. Pendo, *The Politics of Infertility: Recognizing Coverage Exclusions as Discrimination*, 11 CONN. INS. L.J. 293 (2005).

Paul M. Secunda, *A Public Interest Model for Applying Lost Chance Theory to Probabilistic Injuries in Employment Discrimination Cases*, 2005 WIS. L. REV. 747.

Michael Selmi, *Sex Discrimination in the Nineties, Seventies Style: Case Studies in the Preservation of Male Workplace Norms*, 9 EMP. RTS. & EMP. POL'Y J. 1 (2005).

Courtney Weiner, Note, *Sex Education: Recognizing Anti-gay Harassment as Sex Discrimination Under Title VII and Title IX*, 37 COLUM. HUM. RTS. L. REV. 189 (2005).

### **General**

Gary Chartier, *Toward a New Employer-Worker Compact*, 9 EMP. RTS. & EMP. POL'Y J. 51 (2005).

Thomas G. Eron, *Employment Law, 2003–2004 Survey of New York Law*, 55 SYRACUSE L. REV. 919 (2005).

Michael H. LeRoy, *Getting Nothing for Something: When Women Prevail in Employment Arbitration Awards*, 16 STAN. L. & POL'Y REV. 573 (2005).

Cynthia Nance, *Spoilation of Evidence in Employment Law Cases*, 43 BRANDEIS L.J. 165 (2005).

Jun Roh, Comment, *The Aftermath of September Eleventh: The Increased Exploitation of Undocumented Workers in the Workplace*, 5 WYO. L. REV. 237 (2005).

Margaret L. Satterthwaite, *Crossing Borders, Claiming Rights: Using Human Rights Law to Empower Women Migrant Workers*, 8 YALE HUM. RTS. & DEV. L.J. 1 (2005).

Maria Wusinich, *Compulsory Pre-Dispute Arbitration Clauses in the Employment Context After EEOC v. Luce*, Forward, Hamilton, & Scripps, 5 PEPP. DISP. RESOL. L.J. 57 (2005).

Jill Yung, *Big Brother IS Watching: How Employee Monitoring in 2004 Brought Orwell's 1984 to Life and What the Law Should Do About It*, 36 SETON HALL L. REV. 163 (2005).