

Selected Current Bibliography on Labor & Employment Law

compiled by Book Review 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. Most materials are from the holdings of the Biddle Law Library and have been personally examined by the compilers. Readers are encouraged to submit additional titles for possible inclusion in the future.

Alternative Dispute Resolution

- Stuart L. Bass, *What the Courts Say About Mandatory Arbitration*, DISPUTE RESOLUTION J., Nov. 1999, at 24.
- Russell Evans, Note, *Engalla v. Permanente Medical Group, Inc.: Can Arbitration Clauses in Employment Contracts Survive a "Fairness" Analysis?*, 50 HASTINGS L.J. 635 (1999).
- L. Anthony George, *Controlling Legal Costs in Labor Arbitration*, COLO. LAW., June 1999, at 75.
- Michelle R. Mitchell, Book Review, *Arbitration Agreements: When Do Employers Waive Their Rights?*, 14 BYU J. PUB. L. 83 (1999).
- Morton H. Orenstein, *Mandatory Arbitration: Alive and Well or Withering on the Vine?*, DISPUTE RESOLUTION J., Aug. 1999, at 57.

Americans with Disabilities Act (ADA)

- Kimberly E. Robertson, *Representations of Total Disability on Claims for Social Security Benefits: Powerful, but Not Conclusive, Evidence That the Claimant is Not a Qualified Individual with a Disability Under the ADA*, 29 U. MEM. L. REV. 651 (1999).

Collective Bargaining

- John J. Deis, Comment, *The Unionization of Independent Contracting Physicians: A Comedy of Errors*, 36 HOUS. L. REV. 951 (1999).

- Michael H. LeRoy, *Employee Participation in the New Millennium: Redefining a Labor Organization Under Section 8(A)(2) of the NLRA*, 72 S. CAL. L. REV. 1651 (1999).
- James Gray Pope, *The First Amendment, the Thirteenth Amendment, and the Right to Organize in the Twenty-First Century*, 51 RUTGERS L. REV. 941 (1999).
- Holly J. Wilmet, *Naked Feminism: The Unionization of the Adult Entertainment Industry*, 7 AM. U.J. GENDER SOC. POL'Y & L. 465 (1999).

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- Bonnie Chen, Note, *Mixing Law and Art: The Role of Anti-Discrimination Law and Color-Blind Casting in Broadway Theater*, 16 HOFSTRA LAB. & EMPLOYMENT L.J. 515 (1999).
- Roberto L. Corrada, *Familiar Connections: A Personal Review of Latino Identity, Gender, and Class Issues in the Context of the Labor Dispute Between Sprint and La Conexion Familiar*, 53 U. MIAMI L. REV. 1065 (1999).
- Elaine Draper, *The Screening of America: The Social and Legal Framework of Employers' Use of Genetic Information*, 20 BERKELEY J. EMP. & LAB. L. 286 (1999).
- Shawn M. Filippi & Edward J. Reeves, *Equality or Further Discrimination? Sexual Orientation Nondiscrimination in Oregon Statutory Employment Law After Tanner v. Ohsu*, 3 J. SMALL & EMERGING BUS. L. 269 (1999).
- Jeffrey P. Klenk, *Emerging Coverage Issues in Employment Practices Liability Insurance: The Industry Perspective on Recent Developments*, 21 W. NEW ENG. L. REV. 323 (1999).
- Reka S. Koerner, Note, *Pregnancy Discrimination in Mexico: Has Mexico Complied with the North American Agreement on Labor Cooperation?*, 4 TEX. F. ON C.L. & C.R. 235 (1999).
- Jessica Mollie Marlies, *The Whys of Lies and Vaughan v. Metrahealth: Can an Employer's Lie Be Used to Make an Inference of Discrimination?*, 77 N.C. L. REV. 2246 (1999).
- Martha I. Morgan, *Taking Machismo to Court: The Gender Jurisprudence of the Colombian Constitutional Court*, 30 U. MIAMI INTER-AM. L. REV. 253 (1998).
- Bruce H. Phillips, *Faragher v. City of Boca Raton and Burlington Industries, Inc. v. Ellerth: Sexual Harassment Under Title VII Reaches Adolescence*, 29 U. MEM. L. REV. 601 (1999).

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- Stephen F. Befort & Christopher J. Kopka, *The Sounds of Silence: The Libertarian Ethos of ERISA Preemption*, 52 FLA. L. REV. 1 (2000).
- Geoffrey Edwards, *Preemption Gone Wrong: Reconsidering ERISA Preemption of Wrongful Termination Claims in the Ninth Circuit*, 32 U.C. DAVIS L. REV. 1079 (1999).

Fair Labor Standards Act (FLSA)

- Lawrence E. Henke, Comment, *Is the Fair Labor Standards Act Really Fair? Government Abuse or Financial Necessity: An Analysis of the Fair Labor Standards Act 1974 Amendment—The § 207(K) Exemption*, 52 SMU L. REV. 1847 (1999).

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- Nancy J. King, *The Family Medical Leave Act: An Ethical Model for Human Resource Policies and Decisions*, 83 MARQ. L. REV. 321 (1999).

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- Alice Marie Pettigrew, Comment, *Employment—Aka v. Washington Hospital Center: The District of Columbia Circuit Seeks Middle Ground in the Pretext-Only/Pretext-Plus Debate*, 29 U. MEM. L. REV. 863 (1999).
- Donald J. Spero, *State Immunity to Suits in Federal Court Under Federal Employment Laws After Seminole Tribe v. Florida*, 29 U. MEM. L. REV. 739 (1999).

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- Elvia R. Arriola, *The Value of Our Work*, 53 U. MIAMI L. REV. 1037 (1999).
- Joshua Briones, Student Scholarship, *Paying the Price for NAFTA: NAFTA's Effect on Women and Children Laborers in Mexico*, 9 UCLA WOMEN'S L.J. 301 (1999).
- Angela R. Broughton, et al., *International Employment*, 33 INT'L LAW. 291 (1999).
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- Morgen A. Sullivan, Note, *"A Derelict in the Stream of the Law": Overruling Baseball's Antitrust Exemption*, 48 DUKE L.J. 1265 (1999).

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- David L. Gregory, *Introduction to the Colloquium on the Welfare Workforce*, 73 ST. JOHN'S L. REV. 747 (1999).
- Nancy E. Hoffman, *Workfare Implications for the Public Sector*, 73 ST. JOHN'S L. REV. 769 (1999).