

Labor Law

Second Edition

Samuel Estreicher
Matthew T. Bodie



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Monthly Labor Review, 1989 Publishes in depth articles on labor subjects current labor statistics information about current labor contracts and book reviews *Special Interest* Terry M. Moe, 2011-04-01 Why are America's public schools falling so short of the mark in educating the nation's children Why are they organized in ineffective ways that fly in the face of common sense to the point that it is virtually impossible to get even the worst teachers out of the classroom And why after more than a quarter century of costly education reform have the schools proven so resistant to change and so difficult to improve In this path breaking book Terry M Moe demonstrates that the answers to these questions have a great deal to do with teachers unions which are by far the most powerful forces in American education and use their power to promote their own special interests at the expense of what is best for kids Despite their importance the teachers unions have barely been studied *Special Interest* fills that gap with an extraordinary analysis that is at once brilliant and kaleidoscopic shedding new light on their historical rise to power the organizational foundations of that power the ways it is exercised in collective bargaining and politics and its vast consequences for American education The bottom line is simple but devastating as long as the teachers unions remain powerful the nation's schools will never be organized to provide kids with the most effective education possible Moe sees light at the end of the tunnel however due to two major transformations One is political the other technological and the combination is destined to weaken the unions considerably in the coming years loosening their special interest grip and opening up a new era in which America's schools can finally be organized in the best interests of children **A Purposive Approach to Labour Law** Guy Davidov, 2016-05-05 The mismatch between goals and means is a major cause of crisis in labour law The regulations that we use the legal instruments and techniques are no longer in sync with the goals they are supposed to advance This mismatch leads to a problem of coverage where many workers who need the protection of labour law are not covered by it as well as a problem of obsolescence as labour laws are not sufficiently updated in light of dramatic changes in the labour market Adopting a purposive approach to interpretation and legislative reform this volume addresses this crisis of mismatch It first articulates the goals of labour law both general and specific through an in depth normative discussion and a consideration of critiques The book then proceeds to reconsider our means asking what we need to change or improve in the laws themselves in order to better advance the goals Some of the proposed solutions are at the level of judicial interpretation others at the legislative level The book offers several examples of the way a purposive analysis should be performed in concrete cases It also recommends institutional structures that are suited to ongoing adaptation of the law to ensure that our goals are advanced even when circumstances frequently change Finally in response to the crisis of enforcement in this field which frustrates the achievement of labour law's goals several proposals to improve compliance and enforcement are considered *Alternative Dispute Resolution in the Employment Arena* Samuel Estreicher, David Sherwyn, 2004-01-01 This volume which reprints the proceedings of the New York University 53rd Annual

Conference on Labour features work that provides data to answer many of the questions that form the basis of many of the policy arguments The contributors explore solutions to problems in the American workplace The Church and Employment Law John Duddington,2022-12-16 This book examines the current law on the employment status of ministers of religion together with religious workers and volunteers and suggests reforms in this area of the law to meet the need for ministers to be given a degree of employment protection It also considers the constant theme in Christian history that the clergy should not be subject to the ordinary courts and asks whether this is justified with the growth of areas such as employment law The work questions whether it is possible to arrive at a satisfactory definition of who is a minister of religion and along with this who would be the employer of the minister if there was a contract of employment Taking a comparative perspective it evaluates the case law on the employment status of Christian and non Christian clergy and assesses whether this shows any coherent theme or line of development The work also considers the issue of ministerial employment status against the background of the autonomy of churches and other religious bodies from the State together with their ecclesiology The book will be of interest to academics and researchers working in the areas of law and religion employment law and religious studies together with both legal practitioners and human resources practitioners in these areas **Cases and Materials on the Law Governing the Employment Relationship** Samuel Estreicher,Michael C. Harper,1992 **Cases and Materials on Employment Discrimination Law** Samuel Estreicher,Michael C. Harper,2008 This law school casebook presents updated materials on employment discrimination law The book provides a text for a comprehensive course on substantive and procedural law including in depth analysis of models of proof under Title VII as well as of the special problems presented by the regulation of sex age disability and retaliatory discrimination The book also highlights procedural systems under Title VII the Age Discrimination in Employment Act ADEA and the Americans with Disabilities Act ADA as well as issues of coordination between private arbitration and federal and state regulation *International Abstracts of Human Resources* ,2005 **Workplace Privacy** Jonathan Remy Nash,Samuel Estreicher,2010-01-01 Employers everywhere today must delicately balance the need to maintain a safe and proper workplace with employees rights and the risk of liability The fact that new technologies make it easier for employers to monitor their employees whereabouts communications and activities only serves to make the issue more acute Now in this collection of essays by outstanding scholars and practitioners in U S labour law and practice employers and their legal counsel will find a broad array of important contributions to the law and study of workplace privacy Based on papers delivered at the 58th annual labour conference of the New York University Center on Labor and Employment Law this book reflects and analyzes recent developments providing the best comprehensive work on U S workplace privacy How far should employers be allowed to go in monitoring employers Where do employers rights to run their businesses end and employees privacy rights begin Is the existing law sufficient to resolve recurring conflicts These are among the big questions tackled in these articles Among the many specific issues covered are

the following use of global positioning systems GPS in tracking employees background checking for job applicants email monitoring physical monitoring of employees scope and lawfulness of so called lawful activity laws employer involvement in employees nonworkplace behaviour e g drug testing employees rights of association regulation of fraternizing and dating among employees employee privacy issues in employer union bargaining privacy issues in public sector employment privacy issues and threats of terrorism and efforts by employers to verify employees nationality and immigration status Authors pay special attention to fast break developments such as in the extraterritorial reach of the European Union s data protection directive and the current status of the U S National Labor Relations Board s Register Guard decision A special feature is a very early draft of a chapter of the forthcoming Restatement Third of Labor and Employment Law made available through the graces of the American Law Institute on the U S common law of employee privacy rights As always this important annual publication offers definitive current scholarship in its theme area of labour and employment law As such it will be of inestimable value to practitioners government officials academics and others interested in developments in employment and labour relations law and practice **American Book Publishing Record** ,2003

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