



DEMOCRACY IN THE WORKPLACE

SELECTED BIBLIOGRAPHY

Books

Videos

Book chapters & law review articles

Books

Videos

Livelihood: Honey, We Bought the Company

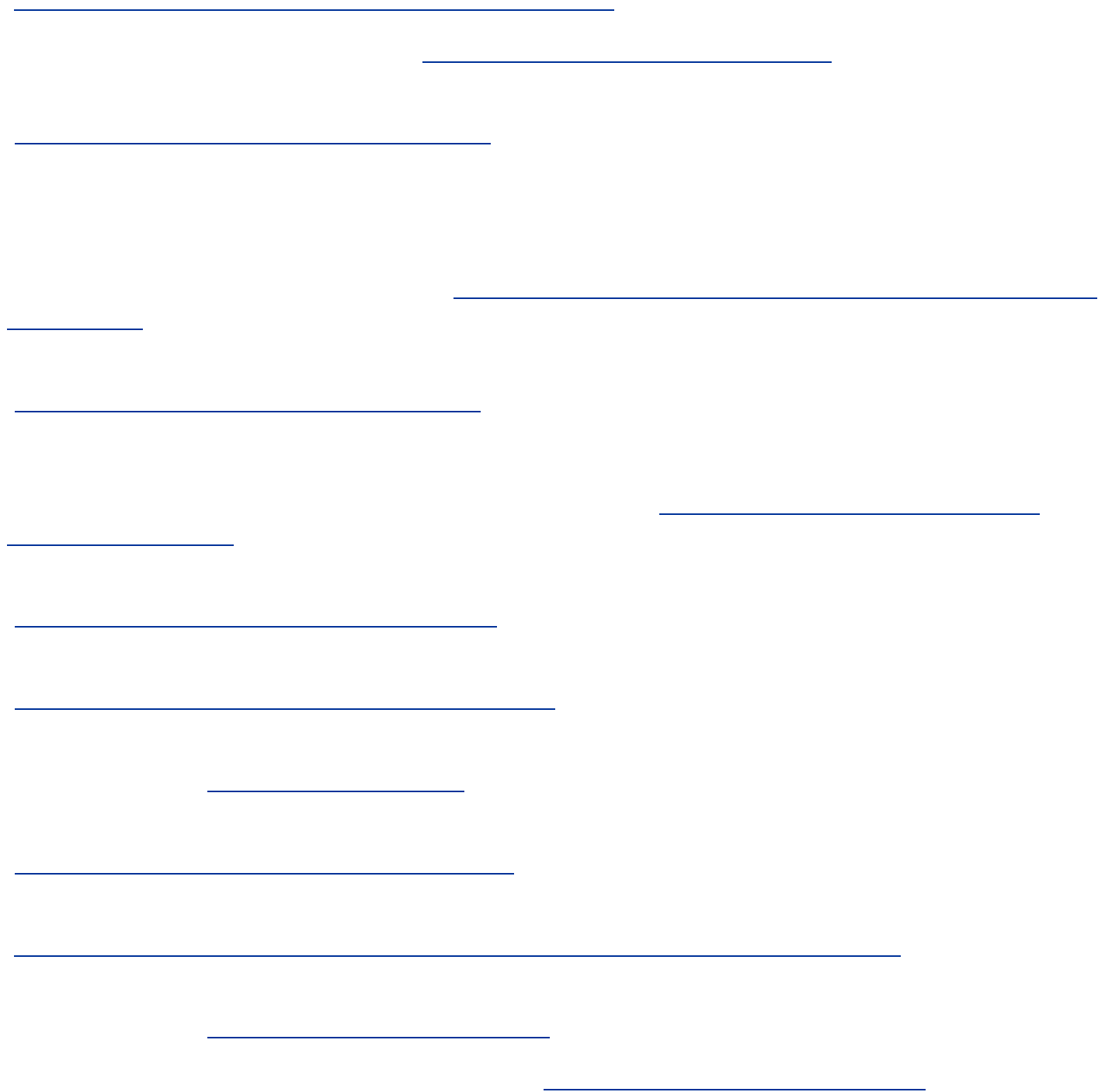
Livelihood: Night Shift

Livelihood: Our Towns

Livelihood: The Workday That Wouldn't Die

Livelihood: Working Family Values

Los Trabajadores = The Workers



We Do the Work: Discounted Lives

We Do the Work: Family Fuel: A Coal Strike Story

We Do the Work: Looking Back: Moments in Labor History

We Do the Work: Looking Back II: More Labor History

We Do the Work: Sewing Our Future

We Do the Work: This Far by Faith

We Do the Work: Ties That Bind

We Do the Work: When Children Do the Work

Book chapters & law review articles

Unexplored Drivers for Adopting Employer ADR Programs: The Need for a Stakeholder's Perspective

The Impact of Unions on Job Satisfaction, Organizational Commitment, and Turnover

Compulsory Arbitration as Part of a Broader Employment Dispute Resolution Process: The Anheuser-Busch Example

Elections, Neutrality Agreements, and Card Checks: The Failure of the Political Model of Industrial Democracy

Adverse Employment Action in Retaliation Cases

Explaining the Spread of At-Will Employment as an Inter-Jurisdictional Race-to-the-Bottom in Employment Standards

Employer-Sponsored Arbitration of Statutory Claims in the Nonunionized Employment Context in

Title II of the Americans with Disabilities Act and Its Prohibition of Employment Discrimination

Extending OWBPA Notice and Consent Protections to Arbitration Agreements Involving Employees and Consumers

Unilateral Modification Provisions in Employment Arbitration Agreements

Family Medical Leave Act Standards of Proof and the Impact of Desert Palace on Retaliation Claims

The Employment Due Process Protocol at Ten: Twenty Unresolved Issues and a Focus on Conflicts of Interest

The Laissez-Faire Arbitration Market and the Need for a Uniform Federal Standard Governing Employment and Consumer Arbitration

Compulsory Employment Arbitration and the EEOC

The Changing Face of Liberalism in Workplace Democracy: The Shift from Collective to Individual Rights

Use of Statistics in Judicial Review of Arbitration Awards .
On Repeat Players, Adhesive Contracts, and the

Employment Arbitration: The Repeat Player Effect

Dispute System Design and Justice in Employment Dispute Resolution: Mediation at the Workplace

Organizational Justice and Workplace Mediation: A Six Factor Model

Employment Dispute Resolution: The Case for Mediation

, Mediation at Work: Transforming Workplace Conflict at the United States Postal Service

Self-determination in Dispute System Design and Employment Arbitration

Decision-making in Employment and Labor Arbitration

Emerging Due Process Concerns in Employment Arbitration

Employee Free Speech and Wrongful Discharge

Employee Free Speech in the Workplace: Using the First Amendment as Public Policy for Wrongful Discharge Actions

Politics, Community, Democracy: Appraising Cac Decision-Making in the First Five Years of Schedule A1

At Age Seventy, Should the National Labor Relations Act be Retired: Proceedings of the 2005 Annual Meeting, Association of American Law Schools Section on Labor Relations and Employment Law

How the García Cousins Lost Their Accents: Understanding the Language of Title VII Decisions Applying English-Only Rules, in

Forming More Perfect Unions: What Organizing Success Among Latino Workers in Southern California Means for the Future of the Labor Movement

The Labyrinth of Solidarity: Why the Future of the American Labor Movement Depends on Latino Workers

The Wages of Syntax: Why the Cost of Organizing a Union Firm's Non-Union Competition Should Be Charged to "Financial Core" Employees

Did Hoffman Plastic Compounds, Inc. Produce Disposable Workers?

Workers' Compensation and Vocational Rehabilitation Benefits for Undocumented Workers: Reconciling the Purported Conflicts Between State Law, Federal Immigration Law, and Equal Protection to Prevent the Creation of a Disposable Workforce

Why the Amendments to the NLRB's Proposed Election Regulations Should Be Approved

No Rights Without a Remedy: The Long Struggle for Effective National Labor Relations Act Remedies

Crumbling Infrastructure, Crumbling Democracy: Infrastructure Privatization Contracts and Their Effects on State and Local Governance

Hoffman Plastics as Labor Law – Equality at Last for Immigrant Workers?

Understanding How Employees' Rights to Organize Under the NLRA Have Been Limited: The Case of Brown University

Counting What Matters: Privatization, People with Disabilities, and the Cost of Low-Wage Work

Law Reform, Collective Bargaining, and the Balance of Power

Not a Limited, Confined, or Private Matter: Who is an Employee Under the National Labor Relations Act

Why At-Will Employment is Bad for Employers and Just Cause is Good for Them

NLRA Values, Labor Values, American Values

Promoting Employee Voice in the American Economy: A Call for Comprehensive Reform

Promoting Employee Voice in the American Economy: A Call for Comprehensive Reform

Review of Labor and Employment Decisions from the Supreme Court's 2008-

2009 Term

The Changing Face of Collective Representation: The Future of Collective Bargaining

Governance of the Workplace: The Contemporary Regime of Individual

Contract

An Alternative Economic Analysis of the Regulation of Unions and Collective Bargaining, in

The Definition of "Employee" in American Labor and Employment Law

*Individual Bargaining, Collective Bargaining and Protective Legislation:
Determining the Terms and Conditions of Employment in the Modern American Employment Relationship*

Law

Employment in the New Age of Trade and Technology: Implications for Labor and Employment

Labor Law, New Governance, and the Ghent System

Maybe It's a Relic, but the Union Model is Essential

Revitalizing Union Democracy: Labor Law, Bureaucracy, and Workplace Associations

Policy

Beyond the Employee Free Choice Act: Unleashing the States in Labor-Management Relations

"It Takes A Movement" - But What Does It Take to Mobilize the Workers (In the U.S. and China)?

Who Mops the Floors at the Fortune 500? Corporate Self-Regulation and the Low-Wage

Democracy

Running the Government Like a Business": Wisconsin and the Assault on Workplace

Toward Fundamental Change for the Protection of Low-Wage Workers: The "Workers' Rights are Human Rights" Debate in the Obama Era

Against Legislation: Garcetti v. Ceballos and the Paradox of Statutory Protection for Public Employees

Labor's Fragile Freedom of Association Post-9/11

Labor as Property: Guestworkers, International Trade, and the Democracy Deficit

Workplace

From North to South Country: Race, Gender and Immigration and the Role of Unions in the Sanitized

New Voices at Work: Race and Gender Identity Caucuses in the U.S. Labor Movement

Speech

Labor Values are First Amendment Values: Why Union Comprehensive Campaigns are Protected

Citizens, United and : The Future of Labor Speech Rights

Becoming Too Small to Bail? Prospects for Workers in the 2011 Economy and 112th Congress

Reading Ricci and Pyett to Deliver Racial Justice Through Union Arbitration

Action?

Unpaid Furloughs and Four-Day Work Weeks: Employer Sympathy or a Call for Collective Employee

No Strict Evidence Rules in Labor and Employment Arbitration

Discrimination Claims

Measures to Encourage and Reward Post-Dispute Agreements to Arbitrate Employment

Ruminations About the EEOC's Policy Regarding Arbitration

Ethical Incentives for Employers in Adopting Legal Service Plans to Handle Employment Disputes

Convergence

Addressing Race Discrimination Under Title VII After Forty Years: The Promise of ADR as Interest-

Claims

An Essay Challenging the Racially Biased Selection of Arbitrators for Employment Discrimination

Embrace Racial Justice

Finding Lawyers for Employees in Discrimination Disputes as a Critical Prescription for Unions to

Opposing Excessive Use of Employer Bargaining Power in Mandatory Arbitration Agreements Through Collective Employee Actions

Proposing a New Paradigm for EEOC Enforcement After Thirty Five Years: Outsourcing Charge Processing By Mandatory Mediation

Debunking The Myth of Employer Advantage From Using Mandatory Arbitration for Employment Discrimination Claims

The Distributive Constitution and Workers' Rights

Rethinking Work and Citizenship

Transnational Labor Citizenship

The Employee Free Choice Act of 2009, Labor Law Reform, and What Can Be Done About the Broken System of Labor-Management Relations Law in the United States

Unions and Privatization: Opening the "Black Box"

Contracting Public Services in New York State: Labor Effects

Toward a Theory of Workplace Conflict: The Case of U.S. Municipal Collective Bargaining

Do Public Sector Strike Bans Really Prevent Conflict?

Regulating Conflict in Public Sector Labour Relations: The Ontario Experience (1984-1993)

Local Government Restructuring: Privatization and Its Alternatives

The Impact of Relations by Objectives (RBO) on the Grievance Mediation and Arbitration Processes: Evidence from the Education Sector in Ontario in

Collective Bargaining in the Public Sector: A Comment

Tradeoffs Among Expressions of Industrial Conflict: Public Sector Strike Bans and Grievance Arbitrations

Human Rights and the Global Economy: Bringing Labor Rights Back In

Embedding Employment Rights in Europe

Workplace Privacy and Monitoring: The Quest for Balanced Interests

Toward a Cohesive Interpretation of the Electronic Communications Privacy Act for the Electronic Monitoring of Employees

Carpe Diem: Privacy Protection in Employment Act

What Hath the Twenty First Century Wrought? Issues in the Workplace Arising from New Technologies & How Arbitrators Are Dealing with Them

How Wal-Mart Fights Unions

The Revival of American Labor Law

Labor Law During Hard Times: Challenges on the 75th Anniversary of the National Labor Relations Act

Bearing Witness to Economic Injustices of Undocumented Immigrant Families: A New Class of 'Undeserving' Working Poor

Enabling Work for People with Disabilities: A Post-Integrationist Revision of Underutilized Tax Incentives

Saving Private Ryan's Tax Refund: Poverty Relief for All Working Poor Military Families

Toward a strategic theory of workplace conflict management

Research on Employment Dispute Resolution: Toward a New Paradigm

The Social Contract and Dispute Resolution: The Transformation of the Social Contract in the U.S. Workplace and the Emergence of New Strategies of Dispute Resolution

Public Sector Collective Bargaining and the Imperative for Service Delivery: An Overview in

The Future of Employment Conflict Management Systems

Public Sector Collective Bargaining Under Challenge

The Paradox of Public Sector Labor Law

Do Cognitive Biases Affect Adjudication?: A Study of Labor Arbitrators

Political Ideology and Labor Arbitrators' Decision-Making in Work-Family

Conflict Cases,

Due Process in Employment Arbitration: The State of the Law and the Need for Self-Regulation

The Legal and Administrative Context of Work and Family

Leave and Related Policies in the USA, Canada and the European Union, in

An Empirical Examination of Factors Affecting Outcomes in Discipline Arbitrations Where Work and Family Responsibilities Conflict: A Preliminary Report, in

Public Sector Labor Law Doctrine and Labor Management Cooperation, in

Ethical Concerns in Drafting Employment Arbitration Agreements After and

Interference with the Right to Leave under the Family and Medical Leave Act

Public Sector Collective Bargaining: The Illinois Experience

The Arbitration of Statutory Employment Claims in

The National Labor Relations Act in Cyberspace: Union Organizing in

Electronic Workplaces

Strategies for an Employee Role in Corporate Governance

Trouble in Sin City: Protecting Sexy Workers' Civil Rights

Erasing Boundaries: Masculinity, Sexual Minorities, and Employment Discrimination

Discrimination Redefined

Reproducing Gender on Law School Faculties

Creating Masculine Identities: Bullying and Harassment "Because of Sex"

Babes and Beefcake: Exclusive Hiring Arrangements and Sexy Dress Codes

Discrimination in Our Midst: Law School's Potential Liability for Employment Practices

Rethinking Civil Rights and Employment at Will: Toward a Coherent National Discharge Policy

Employees Losing Power, Losing Jobs: Making the Case for Mediating Power in the Era of Buy-Ins and Bailouts

Industrial Citizenship, Social Citizenship, Corporate Citizenship: I Just Want My Wages

The Right to Strike, an Essential Component of Workplace Democracy: Its Scope and Global Economy

Constraining Public Employee Speech: Government's Control of Its Workers' Speech to Protect Its Own Expression

Relieving (Most of) the Tension: A Review of Samuel R. Bagenstos, Law & The Contradictions of the Disability Rights Movement

Synergistic Solutions: An Integrated Approach to Solving the Caregiver Conundrum for "Real" Workers

Why Care About Caregivers?: Using Communitarian Theory to Justify Protection of 'Real' Workers

The Perfect Compromise: Bridging the Gap between At-Will Employment and Just Cause

Reasonable Burdens: Resolving the Conflict Between Employees with Disabilities and Their Co-Workers

Re-Defining Superwoman: An Essay on Overcoming the "Maternal Wall" in the Legal Workplace

Victimizing the Abused? Is Termination the Solution when Domestic Violence Comes to Work?

A Review of Gender on Trial: Sexual Stereotypes and Work/Life Balance in the Legal Workplace

Sex Plus Age Discrimination: Protecting Older Women Workers

Marital Status Discrimination: A Proposal for Title VII Protection

The Story of Jespersen v. Harrah's: Women and Makeup at

Work, in

Antisubordination, Rights and Radicalism,

Freedom of Dress: State and Private Regulation of Clothing, Hair, Makeup, Tattoo and Piercing

Choices,

Labored Law: Bilateralism Or Pluralism, Ossification Or Reformation?

Democracy and Dispute Resolution: Systems Design and the New Workplace

Passion and Reason in Labor Law

Dead Man's Town: Violence and Legal Interpretation in Local 1330

Toward Third-Party Liability for Wage Theft

Acting Like a Union": Protecting Workers' Free Choice by Promoting Workers' Collective Action

A Proposal to American Labor

Open Source Unionism: Beyond Exclusive Collective Bargaining

Worker Representation ... Again!

A Strategy for Labor, in

in

The Folks Who Brought You the Weekend: Labor and Independent Politics, in

A Strategy for Labor

Three Transnational Discourses of Labor Law in Domestic Reforms

Everyday Indignities: Race, Retaliation, and the Promise of Title VII

Speaking Against Norms: Public Discourse and the Economy of Racialization in the Workplace

Parties and Transformative Politics

In Defense of Mandatory Arbitration (If Imposed on the Company)

Introduction: Dreaming About Arbitration Reform

, Placing the Reality of Employment Discrimination Cases in a Comparative Context

Creeping Mandatory Arbitration: Is It Just?

Foreword: Competing and Complementary Rule Systems: Civil Procedure and

ADR

In Search of the Best Procedure for Enforcing Employment Discrimination Laws: A Comparative

Analysis

ADR Is Here: Preliminary Reflections on Where It Fits in a System of Justice

Is the U.S. Out on a Limb? Comparing the U.S. Approach to Mandatory Consumer and Employment Arbitration to that of the Rest of the World
