

1. Record Nr.	UNINA9910151719703321
Autore	Rutherglen George
Titolo	Employment discrimination law : visions of equality in theory and doctrine / / George Rutherglen, John Barbee Minor Distinguished Professor at Law, Barron F. Black Research Professor, University of Virginia
Pubbl/distr/stampa	St. Paul, Minnesota : , : West Academic Publishing, , 2017 ©2017
ISBN	1-68328-007-5
Edizione	[Fourth edition.]
Descrizione fisica	1 online resource (258 pages)
Collana	Concepts and insights series
Disciplina	344.7301/133
Soggetti	Discrimination in employment - Law and legislation - United States United States
Lingua di pubblicazione	Inglese
Formato	Materiale a stampa
Livello bibliografico	Monografia
Nota di bibliografia	Includes bibliographical references and index.
Nota di contenuto	Development of the law -- Discrimination and equality -- Individual claims of intentional discrimination -- Class claims : from intentional discrimination to disparate impact -- Affirmative action -- Sex discrimination under Title VII and the Equal Pay Act -- Other forms of discrimination and defenses under Title VII -- Procedures under Title VII -- Remedies -- Reconstruction Civil Rights Acts -- Age discrimination in Employment Act -- Disabilities -- State laws.
Sommario/riassunto	"This book provides an introduction to the field of employment discrimination law, both at the abstract level of theory and at the concrete level of doctrine...The leading decisions of the Supreme Court receive an..analysis, in terms both of theory and doctrine, putting them in the context of the relevant statutory provisions and other judicial decisions. This book offers three different theoretical perspectives based on history, economics, and critical social theory to explain both the complexities and the tensions inherent in existing law. The new edition of this book addresses several major developments in the field. Liability for retaliation has largely expanded under Title VII and other statutes, some of which do not explicitly prohibit this form of discrimination. The Supreme Court continues to refine the requirement

of proof of intentional discrimination in individual cases, relying outside of the main prohibitions in Title VII on a test of "but for" causation. In class actions, the decision in Wal-Mart Stores Inc. v. Dukes has redefined the circumstances in which a class action can be certified and re-examined how the procedural requirements for certification interact with the merits of the plaintiffs claims. Affirmative action has come under renewed scrutiny in two decisions by the Supreme Court in Fisher v. University of Texas, resulting in ambivalent signals about the standards for assessing the constitutionality of affirmative action plans. The Courts decisions on gay marriage have implications for the coverage of the laws against employment discrimination, as revealed by recent controversies over transgender rights. All of these major developments, and others as well, are covered in the new edition of this book."--
