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but across all four issues this polarization is less extreme on the courts than it is in Congress As for the undemocratic judge story here too Keck's findings are hardly black and white While some decisions can be characterized as thwarting the popular will there are just as many in which the judges and the public seem to be pushing in the same direction Ultimately Keck concludes that the time to fear courts is not when they start protecting rights but when they start protecting only or mostly those rights favored by Republicans or by Democrats Keck's rigorous analysis of these judicial controversies is sure to engender interest both inside and outside the academy and be hailed as a landmark study of judicial review United States Commission on Civil Rights, 1969 Public Employee Discharge and Discipline Isidore Silver, 2001-01-01 Managing public employment cases in today s volatile fast changing legal arena is no easy task Just keeping up with the complex developments in constitutional labor civil service administrative and common law can be a full time job Aspen Publishers Public Employee Discharge and Discipline is the definitive work on every aspect of public employment law This invaluable two volume resource is the only one of its kind to deal with all public employment disciplinary and discharge issues for federal state and municipal employees The Third Edition offers thorough analysis and in depth discussion of such essential topics as First Amendment and whistleblowing Public sector collective bargaining and arbitration Due process in discipline and discharge Administrative and judicial review Title VII ADA FMLA and other discrimination laws Sexual harassment under 1983 Title IX and Title VII Drug testing Invasion of privacy Applicability of common law tort and contract principles of wrongful discharge Summaries of federal and state cases Also with Public Employee Discharge and Discipline you will also get a BONUS CD ROM containing over 30 easy access customizable forms as well as current surveys of state and federal cases Public Employee Discharge and Discipline has been updated with the latest developments including Latest developments in the movement to limit or abrogate public employment collective bargaining Gross v FBL Financial Services a Supreme Court decision requiring an employee to prove that age discrimination was and quot the soleand quot and and quot but forandquot cause of discharge under the ADEA 29 U S C and 623 a Adoption of Gross andquot Sole Motiveandquot Standard by Seventh Circuit in Fairley v Andrews and Serwatka v Rockwell Analysis of Thompson v N A Stainless L P a 2011 unanimous Supreme Court decision that retaliation against a fiancand e for an employee s Title VII claim was actionable Discussion of Staub v Proctor another 2011 unanimous Supreme Court decision that a supervisor s bias may be and quot a motivating factorandquot for and a proximate cause of a discriminatory discharge if it played some role in contributing to it whether or not a non biased decisionmaker conducted an independent investigation Evidentiary issues in discrimination litigation including Sprint United Management Co v Mendelsohn a Supreme Court holding that and quot me too and quot evidence of age discrimination comments against other employees by other supervisors may be admissible if relevant to the culture of the employer and Reid v Google Inc a California Supreme Court decision that non decisionmaker co workers andquot stray remarksandquot were relevant to an age discrimination claim Discussion of 14 Penn Plaza LLC v Pyett a

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