AUTHOR INDEX OF CONTRIBUTED ARTICLES

Ruth Burdick, Principles of Agency Permit the NLRB to Consider Additional Factors of Entrepreneurial Independence and the Relative Dependence of Employees When Determining Independent Contractor Status Under Section 2(3) ............................................ 75

Allen Cannon, III and Richard B. Clifford, Jr., Recovering the Costs of DoL Wage Increases Under the Service Contract Act .................................................... 491

Alexander Colvin, Rethinking Bargaining Unit Determination: Labor Law and the Structure of Collective Representation in a Changing Workplace ................................. 419


Ellen J. Dannin, Legislative Intent and Impasse Resolution Under the National Labor Relations Act: Does Law Matter? ............................................................... 11

Rafael Gely, Where Are We Now?: Life After Electromation . . . . . . 45

Janet McEneaney, Arbitration of Statutory Claims in a Union Setting: History, Controversy and a Simpler Solution ...... 137

Charles J. Morris, A Dialogue with the Chairman of the Labor Board: Challenging Conventional Wisdom on the Impact of Current Law on Alternatives Forms of Employee Representation ......................................................... 319
TITLE INDEX OF CONTRIBUTED ARTICLES

A Dialogue with the Chairman of the Labor Board: Challenging Conventional Wisdom on the Impact of Current Law on Alternatives Forms of Employee Representation, Charles J. Morris ............................................. 319

Arbitration of Statutory Claims in a Union Setting: History, Controversy and a Simpler Solution, Janet McEneaney .... 137


Legislative Intent and Impasse Resolution Under the National Labor Relations Act: Does Law Matter?, Ellen J. Dannin ........................................... 11

Principles of Agency Permit the NLRB to Consider Additional Factors of Entrepreneurial Independence and the Relative Dependence of Employees When Determining Independent Contractor Status Under Section 2(3), Ruth Burdick ............................................. 75

Recovering the Costs of DoL Wage Increases Under the Service Contract Act, Allen Cannon, III & Richard B. Clifford, Jr. .................................................. 491

Rethinking Bargaining Unit Determination: Labor Law and the Structure of Collective Representation in a Changing Workplace, Alexander Colvin ........................................ 419

Where Are We Now?: Life After Electromation, Rafael Gely .......................................................... 45

NOTES

‘Borderline’ Sexual Harassment: A Study of Sex Based Discrimination in the United States and Argentina and the Problem of Extraterritorial Application of U.S. Law, Kevin H. Friedman & Christine R. Mertz ......................... 569

Creating a Beck Statute: Recent Congressional Attempts and a Proposal for the Future, Eric J. Felsberg ...................... 247

Maintaining Employees’ Privacy of HIV and AIDS Information in the Workplace, Erika L. Greenfield .................. 277

Robinson v. Shell Oil Co.: Providing Former Employees Protection From Retaliation, Donna P. Fenn .............. 539
The Development of Reassignment to a Vacant Position in the Americans with Disabilities Act, Jeffrey S. Berenholz........ 635

The Family and Medical Leave Act: Unlocking the Door to the “Key Employee” Exemption, Neil S. Levinbook ............. 513

The Human Genome Project: The Road to Our Improved Health or the New Civil Rights Movement, Danielle Leventhal ........................................ 207

Why DOMA and Not ENDA?: A Review of Recent Federal Hostility to Expand Employment Rights and Protection Beyond Traditional Notions, Pat P. Putignano ............. 177
### TABLE OF CASES

<table>
<thead>
<tr>
<th>Case Description</th>
<th>Page(s)</th>
</tr>
</thead>
<tbody>
<tr>
<td>A.S., H. v. Carnicerías Integradas Coto SA</td>
<td>620</td>
</tr>
<tr>
<td>ASI Sys. Int'l</td>
<td>488</td>
</tr>
<tr>
<td>Aero Detroit, Inc., 59, 60, 64, 70, 71</td>
<td></td>
</tr>
<tr>
<td>AFL-CIO Joint Neg. Comm. For Phelps Dodge v. NLRB</td>
<td>462</td>
</tr>
<tr>
<td>Airco Inc. 437, 454</td>
<td></td>
</tr>
<tr>
<td>Airstream, Inc. v. NLRB, 51</td>
<td></td>
</tr>
<tr>
<td>Alford v. Dean Witter Reynolds, Inc., 149, 154</td>
<td></td>
</tr>
<tr>
<td>Allen Services Co., Inc., 438</td>
<td></td>
</tr>
<tr>
<td>Allied Chem. v. Pittsburgh Plate Glass Co., 27-28</td>
<td></td>
</tr>
<tr>
<td>Allied-Bruce Terminix Cos. v. Dobson, 148</td>
<td></td>
</tr>
<tr>
<td>Almonte v. Coca-Cola Bottling Co., 154-55</td>
<td></td>
</tr>
<tr>
<td>Alstate Constr. Co. v. Durkin, 364</td>
<td></td>
</tr>
<tr>
<td>Amalgamated Ass'n of St., Elec., Ry., &amp; Motor Coach Employees v. Pennsylvania Greyhound Lines, Inc., 360</td>
<td></td>
</tr>
<tr>
<td>American Banana Co. v. United Fruit Co., 626</td>
<td></td>
</tr>
<tr>
<td>American Chem. Ass'n v. NLRB, 327</td>
<td></td>
</tr>
<tr>
<td>American Ship Bldg. Co. v. United States, 497</td>
<td></td>
</tr>
<tr>
<td>American Ship Building Co., 335</td>
<td></td>
</tr>
<tr>
<td>American Steel Foundaries v. Tri-City Cent. Trades Council, 91, 106, 130</td>
<td></td>
</tr>
<tr>
<td>Amon Investment Ltd., 450, 453, 468, 470</td>
<td></td>
</tr>
<tr>
<td>Anderson v. Gus Mayer Boston Store of Del, 283-84</td>
<td></td>
</tr>
<tr>
<td>Andrews v. City of Philadelphia, 605</td>
<td></td>
</tr>
<tr>
<td>Anonymous Fireman v. City of Willoughby, 306</td>
<td></td>
</tr>
<tr>
<td>Arnett v. Aspin, 587</td>
<td></td>
</tr>
<tr>
<td>Arnett v. Tuthill Corp., Fill-Rite Div., 308</td>
<td></td>
</tr>
<tr>
<td>Asplundh Tree Expert Co. v. Bates, 148, 361</td>
<td></td>
</tr>
<tr>
<td>Association of Flight Attendants v. Horizon Air Indus., 163</td>
<td></td>
</tr>
<tr>
<td>Association of Flight Attendants v. Ozark Airlines, 585</td>
<td></td>
</tr>
<tr>
<td>Atchison, Topeka &amp; Santa Fe Ry. Co. v. Buell, 158</td>
<td></td>
</tr>
<tr>
<td>Atlas Guard Serv., 341</td>
<td></td>
</tr>
<tr>
<td>Atwood v. Pacific Maritime Ass'n, 163</td>
<td></td>
</tr>
<tr>
<td>Aurora Packing Co. v. NLRB, 121, 134</td>
<td></td>
</tr>
<tr>
<td>Axelson, Inc., 335</td>
<td></td>
</tr>
<tr>
<td>BASF Wyandotte Corp., 334-35</td>
<td></td>
</tr>
<tr>
<td>BASF Wyandotte Corp. v. Chemical Workers Local 227, 334, 335</td>
<td></td>
</tr>
<tr>
<td>Bacashihua v. United States Postal Serv., 149</td>
<td></td>
</tr>
<tr>
<td>Baehr v. Miike, 179, 201-02</td>
<td></td>
</tr>
<tr>
<td>Bailey v. USX Corp., 540, 541, 551, 554</td>
<td></td>
</tr>
<tr>
<td>Baker by Thomas v. General Motors Corp., 402</td>
<td></td>
</tr>
<tr>
<td>Baker v. Texas and Pacific Railroad Co., 123, 124, 133</td>
<td></td>
</tr>
<tr>
<td>Baker Mine Services, Inc., 336</td>
<td></td>
</tr>
<tr>
<td>Banknote Corp. of America, Inc., 445</td>
<td></td>
</tr>
<tr>
<td>Barnes v. Costle, 617</td>
<td></td>
</tr>
<tr>
<td>Barrentine v. Arkansas-Best Freight Sys., Inc., 141, 155, 157</td>
<td></td>
</tr>
<tr>
<td>Barth v. Gelb, 629</td>
<td></td>
</tr>
<tr>
<td>Bates v. Long Island R.R., 158</td>
<td></td>
</tr>
<tr>
<td>Beauchamp v. Great W. Life Assurance Co., 370</td>
<td></td>
</tr>
<tr>
<td>Beaumont Forging Co., 453, 454</td>
<td></td>
</tr>
<tr>
<td>Beck v. Interstate Brands Corp., 293, 294, 296</td>
<td></td>
</tr>
<tr>
<td>Bee Line Eng'g, Inc., 340</td>
<td></td>
</tr>
<tr>
<td>Belknap, Inc. v. Hale, 20</td>
<td></td>
</tr>
<tr>
<td>Bender v. A.G. Edwards &amp; Sons, Inc., 137, 154, 355</td>
<td></td>
</tr>
<tr>
<td>Benson v. Northwest Airlines, Inc., 617, 626, 630, 636, 645, 650</td>
<td></td>
</tr>
<tr>
<td>Bentley's Luggage Corp., 357</td>
<td></td>
</tr>
<tr>
<td>Berry v. Stevinson Chevrolet, 540, 541, 547, 551, 554</td>
<td></td>
</tr>
<tr>
<td>Blum v. Gulf Oil Corp., 184-85</td>
<td></td>
</tr>
<tr>
<td>Bombard v. Fort Wayne Newspapers, Inc., 617, 635</td>
<td></td>
</tr>
<tr>
<td>Borg-Warner Corp., 28</td>
<td></td>
</tr>
<tr>
<td>Borquez v. Ozer, 290, 292, 294, 304</td>
<td></td>
</tr>
<tr>
<td>Breech v. Alabama Power, 159-60</td>
<td></td>
</tr>
<tr>
<td>Bright v. Norshipco &amp; Norfolk Shipbuilding, 155-56, 167</td>
<td></td>
</tr>
</tbody>
</table>
INDEX

Brisentine v. Stone & Webster Corp., 143-44, 146-47, 149, 159, 356
BROAD AVENUE LAUNDRY & TAILORING, 499
Brooks v. Bank of America, 371
Brooklyn Savings Bank v. O'Neil, 356, 379
Brooks v. Circuit City Stores, Inc., 374
Brotherhood of Teamsters Local 631 v. Silver State Disposal Serv., Inc., 378
Brown v. Pro Football, Inc., 26
Bruckner Nursing Home, 341
BROOKLYN SAVINGS BANK v. O'NEIL, 356, 379
Brooks v. Circuit City Stores, Inc., 374
Brotherhood of Teamsters Local 631 v. Silver State Disposal Serv., Inc., 378
Brown v. Pro Football, Inc., 26
Bruckner Nursing Home, 341
Bundy v. Jackson, 601
Burlington Indus., Inc. v. Ellerth, 597-98
Burnside-Ott Aviation Training Ctr. v. United States, 488, 490, 491, 493, 498-99
Bush v. Carrier Air Conditioning, 157-58
C.C. Eastern, Inc. v. NLRB, 121, 134
California Saw & Knife Works, 253, 254
Canadian Imperial Bank of Commerce, 464
Canadian Imperial Bank of Commerce v. B.C. Gov't Employees Union, 465, 466
Canterbury Gardens, 459
Carmita Wood, 598-99
Caro Bags, 341
Carroll v. Talman Savings & Loan Ass'n of Chicago, 582, 585
Carter v. Adams, 384
Carter v. Bennett, 656
Carter v. Tisch, 639-40, 642-43
Carty v. Carlin, 640
Caterpillar, Inc., 13
Caterpillar Inc. v. United Automobile Workers, 334, 356
Central States, Southeast and Southwest Areas Pension Fund v. Central Cartage Co., 149
Chalk v. U.S. Dist. Court Cent. Dist. of Cal., 285
Chariton v. Paramus Bd. of Educ., 528, 529, 532, 537, 538, 539, 541
Chicago Rawhide Mfg. Co. v. NLRB, 66, 324, 325, 328-34, 336, 337
Chisolm v. Kidder, Peabody Asset Mgmt., 390, 391, 392
Ciminerei v. New York Cent. R. Co., 124
City Cab Co. v. NLRB, 121, 134
Claps v. Moliterno Stone Sales, Inc., 155
Clark Construction Group, Inc. v. Akon Demolition, Inc., 392
Clayton v. Int'l Union, United Auto. Workers, 161
Coamo Knitting Mills, Inc., 332, 334, 338
Coastal States Petrochemical Co., 333
Collins Int'l Serv. Co. v. United States, 497, 498
Communications Workers of America v. Beck, 248, 249, 251, 252, 253, 258, 270, 271, 272, 275
Community for Creative Non-Violence v. Reid, 131, 132, 133, 135, 136
ConArga, Inc., 26, 33
Constitution Publ'g Co., 94
Control Servs., Inc., 14
Cook v. Rhode Island, 596
Copps Eng'g Corp. v. NLRB, 330, 334, 338
Cornell U., 456
Cort v. Bristol-Meyers Co., 295
Craft v. Metromedia, Inc., 581, 582, 587, 588
Craker v. Chicago & N.W. Ry. Co., 599
Dancu v. Coopers & Lybrand, 149
Daniels v. Pipe Fitters Ass'n, 370
Daubert v. U.S. Postal Serv., 640
Daw Drug Co. Inc., 456
Dean v. District of Columbia, 201
Dean Witter Reynolds v. Byrd, 155
Degaetano v. Smith Barney, 405
DeSantis v. Pacific Telephone & Telegraph Co., 181-85
Descomp, Inc. v. Sampson, 485
Detroit News, Inc., 13
Detroit Plastics Products Co., 331-32
Dexler v. Tisch, 648
Dial-A-Mattress Operating Corp., 83
Diamond T. Motor Car Co. v. NLRB, 338
Diaz v. Pan American World Airways, Inc., 591
Dickstein v. duPont, 148, 361
Dillon Stores, [a Div. of Dillon Cos.], 59, 60, 64, 67, 68, 70
Dixie Bell Mills, Inc., 453, 454, 455, 456
Doctor's Assocs., Inc. v. Cassaroto, 375
Dodge v. Giant Food, Inc., 561

Published by Scholarly Commons at Hofstra Law, 1998
Doe v. Borough of Barrington, 288
Doe v. City of New York, 287, 292, 293-
Auth., 287, 288, 309, 310
Doe v. Workmen's Compensation Appeal
Board (USAir, Inc.), 279, 283
Don Lee Distrib., Inc., 14-20, 34, 40
Dothard v. Rawlinson, 561, 577-78
Douds v. International Longshoreman's
Ass'n, 446, 452, 454
Drayer v. Krasner, 393
Dunlop v. Carriage Carpet Shop, 552-53
Durning v. Duffens Optical, Inc., 646
Dushaw v. Roadway Express, Inc., 161,
164
EEOC v. Arabian American Oil Co., 547,
564, 624-27, 631, 633
EEOC v. Bermuda Star, 627-28
EEOC v. J.M. Huber Corp., 540, 541,
551, 554
EEOC v. Kidder, Peabody & Co., 412
Electromation, Inc., 45, 51, 52, 53, 54, 55,
56, 57, 64, 65, 66, 68, 71, 72, 73, 321,
323, 329, 336, 342
Elias Mallouk Realty Corp., 334
Ellis v. Railway Clerks, 251
Ellison v. Brady, 604, 605, 628, 630
Emerald Maintenance, Inc. v. United
States, 488, 489-91
Employees' Indep. Union v. Wyman
Gordon Co., 335
Emporium Capwell Co. v. Western
Addition Comm. Org., 158
Erving v. Virginia Squires Basketball
Club, 148-49, 361
Estate of Behringer v. Medical Ctr. at
Princeton, 289, 299, 300, 301, 302, 303,
304
Exxon Corp. v. Esso Workers' Union, 405
Fagan v. National Cash Register Co., 572,
579-80
Faragher v. City of Boca Raton, 581, 591
Farrand v. Lutheran Brotherhood, 372
Federal Baseball Club of Baltimore v.
National League of Prof'l Baseball
Clubs, 362
Federal Food Serv., Inc. v. Sonovan, 485
Federal-Mogul Corp. v. NLRB, 329
Felt v. Atchison, Topeka & Santa Fe Ry.
Co., 157-58
Fernandez v. Wynn Oil Co., 592-93
Fibreboard Paper Prod. Corp. v. NLRB,
27
First Nat'l Maintenance Corp. v. NLRB,
27-28
First Options of Chicago, Inc v. Kaplan,
368, 372, 375, 394
Foley Bros., Inc. v. Filardo, 625
Ford Motor Co. v. NLRB, 124
Ford Motors Co. v. Huffman, 161, 164
Fortino v. Quasar Co., 625
Foster v. Bechtel, 157
Francini v. Phoenix Newspapers, Inc., 167
Francis v. Francis, 402
Freeman v. Local Union No. 135
Chauffeurs, 164
Frigaliment Importing Co. v. B.N.S. Int'l
Sales Corp., 632
Frisch's Big Boy Ill-Mar, Inc., 453
Frito-Lay, Inc., 480
Gebser v. Lago Vista Indep. Sch. Dist.,
597
General Elec. Co. v. Gilbert, 645
General Elec. Co. v. NLRB, 461
General Foods Corp., 322
George H. Whike Contr. Co. v. United
States, 499
Georgia Power Co. v. Johnson, 296
Gerdom v. Continental Airlines, Inc., 585
Gibson v. Neighborhood Health Clinics,
Inc., 369, 372-73
Gilbert v. Homer, 383
Gile v. United Airlines, Inc., 649, 650,
651, 652
Gilmer v. Interstate/Johnson Lane Corp,
137-138, 142-48, 150-59, 164-71, 174-75,
347, 348, 349, 350, 351, 352, 353, 354,
355, 356, 357, 359, 360, 364, 365, 366,
368, 369, 374, 376, 379, 380, 381, 384,
385, 386, 387, 389, 394, 395, 399, 403,
404, 406, 407, 409, 410, 412
Globe Grain & Milling Co. v. Industrial
Comm'n, 105
of Retardation, 299, 306
Goins v. Mercy Ctr. for Health Care
Sers., 283
Gray v. Toshiba Am. Consumer Prods.,
Inc., 147
Great Mortgage Corp. v. Peacock, 149
Greyhound Airport Service, Inc., 339
Griggs v. Duke Power Co., 522, 573-75
Goss v. Lopez, 383
Guillot v. Garrett, 640-42
H.N. Bailey & Assocs. v. United States,
497
Haag Drug Co. Inc., 453, 456, 457
Livadas v. Bradshaw, 151, 166
Local 127, United Shoe Workers v. Brooks Shoe Mfg. Co., 163
Local 2208, IBEW (Simplex Wire), 463
Local 777, Democratic Union Org. Comm., Seafarers Int'l Union v. NLRB, 121, 132, 134, 135
Local Union No. 12, United Rubber Workers v. NLRB, 160
Local Union No. 884 v. Bridgestone/Firestone, Inc., 14
Lockhams, Inc., 339
Los Angeles Newspaper Guild, Local 69, 462, 463
Lundy Packing Co., Inc., 438
Lynn's Food Stores, Inc. v. United States, 488, 492, 494, 495-96
Longchamps, Inc., 339
Lundy Packing Co., Inc., 438
Lynn's Food Stores, Inc. v. United States, 355
M., L.G. v. Antigua SA, 619-20
Magan Med. Clinic, Inc., 59, 60, 61, 62, 63, 64
Mago v. Shearson Lehman Hutton, 137, 149
Manuela Mfg. Co., 332-33, 338
Mares v. Conagra Poultry Co., Inc., 311
Marchand v. Norfolk and Western Railroad, 653
Marshall v. Arlene Knitwear, Inc., 522
Marshall v. N.L. Indus., Inc., 141
Martin v. Dana Corp., 144-45, 150-53, 156, 167-68, 174, 350
Maryland Cas. Co. v. Realty Advisory Bd., 148-49
Massey v. Farmers Ins. Group, 381
Mastic v. Great Lakes Steel Corp., 521
Matson v. Matson, 402
Matuskey v. Medlantic Healthcare Group, 158, 164-65
McClearn v. City of Memphis, 384
McCulloch v. Sociedad Nacional de Minerias de Honduras, 625
McDonald v. City of W. Branch, 141, 157
McDonnell Douglas Corp. v. Green, 572, 574
McKennon v. Nashville Banner Publ’g Co., 351, 389
Mercy-Mem'l Hosp. Corp., v. Local 79 Serv. Employees Int'l Union, 65
Meritor Sav. Bank v. Vinson, 602-03, 606, 628, 629, 645
Merrill Lynch, Pierce, Fenner & Smith v. Alcon Demolition, Inc., 393
Metropolitan Life Ins. Co., 437, 440, 456, 469
Metz v. Merrill Lynch Pierce Fenner & Smith, Inc., 137
Metz v. Transit Mix, Inc., 521
Miami Newspaper Pressman's Local No. 46 v. NLRB, 462
Midessa Television Co. v. Motion Pictures for Television, Inc., 402
Midwest Maintenance & Construction Co. v. Vela., 485
Miller Brewing Co. v. Brewhig Workers Local Union No. 9, 148
Milton v. Scrivner, Inc., 647
Milton Kline et al, d/b/a Kleins' Golden Manor, 339
Mississauga Hydro-Elec. Comm’n, 470
Missouri Heel Co., 339
Mitsubishi Motors Corp. v. Soler Chrysler-Plymouth, Inc., 141-42, 165-66, 348, 349
Modern Plastics Corp. v. NLRB, 330
Monge v. Beebe Rubber Co., 598
Monroe Auto Equip. Co. v. International Union, United Automotive, 152
Moonlight Bldg. Maint. Ltd., 475-76
Moore Corp. Ltd., v. Wallace Computer Serv., Inc., 648
Moore v. Local Union 569, 163
Moses H. Cone Mem'l Hosp. v. Mercury Constr. Corp., 348
National Football League Management Council, 13
National R.R. Passenger Corp. v. Chesapeake & Ohio Ry. Co., 393
National Trust (No.1), 429
National Trust (No.2), 429
Nationwide Mutual Insurance Co. v. Darden, 121, 131, 132, 134, 136
Nelson v. Cyprus Bagdad Copper Corp., 378
Nelson v. Thornburgh, 647
Nelson v. Upsala College, 540, 548, 549, 550, 551
New England Motor Freight, Inc., 339
New York Bus Tours, Inc. v. Kheel, 402
New York City Transit Auth. v. Beazer, 522
New York Indem. Co. v. Indus. Accident Comm’n, 103
Nieves v. Individualized Shirts, 149
Nixon v. Administrator of Gen. Serv., 288
NLRB v. Bell Aerospace Co., 328
NLRB v. Cabot Carbon Co., 51
NLRB v. Catholic Bishop of Chicago, 609
NLRB v. Corning Glass Works, 337, 338
NLRB v. Erie Resistor Corp., 20, 124
NLRB v. Fremont Mfg. Co., 340
NLRB v. General Motors Corp., 248, 251, 252, 258, 269, 271
NLRB v. Hendricks County Rural Elec., 120
NLRB v. Keller Ladders Southern, Inc., 329
NLRB v. Local Union No. 103, Iron Workers, 124
NLRB v. Mackay Radio & Tel. Co., 20
NLRB v. Magic Slacks, Inc., 333
NLRB v. Magnavox Co. of Tenn., 370
NLRB v. Metropolitan Ins. Co., 469
NLRB v. Newport News Shipbuilding & Dry Dock Co., 329, 341, 342
NLRB v. Post Publ’g Co., 330
NLRB v. Raytheon Co., 445
NLRB v. Sharples Chemicals, 329
NLRB v. Summers Fertilizer Co., 330
NLRB v. Town & Country Elec., Inc., 41, 125
NLRB v. Truck Drivers Union, 124
NLRB v. United Food & Commercial Wkrs., 325
NLRB v. United Ins. Co., 107, 121, 122, 123, 126, 128, 131, 133, 135
NLRB v. Verritron Electrical Components, Inc., 342
NLRB v. Webcor Packaging, Inc., 325, 326, 342
NLRB v. Wooster Div. of Borg-Warner Corp., 34, 483
North Am. Van Lines, Inc. v. NLRB, 121, 134
Northrop Corp., 341
Northwood Pulp & Timber Ltd., 445, 464-66, 482, 483
O.K. Economy Stores, 466, 467
O’Brien v. Sky Chefs, Inc., 540, 541, 551, 554
O’Keefe v. General Accident Ins. Co., 596
Office of Personnel Management v. Richmond, 498
Oil, Chem. & Atomic Workers v. NLRB, 459, 462
Oldroyd v. Elmira Savings Bank, FSB, 355
Olmstead v. United States, 277
Oncale v. Sundowner Offshore Services, 394, 570
Overstreet v. North Shore Corp., 364
Pacific Northwest Bell Tel. Co. (1973), 471
Pacific Northwest Bell Tel. Co. (1980), 471
Palmas del Mar Co., 340
Palmer v. Merluzzi, 383
Pantchenko v. C.B. Dolge Corp, 540, 541, 551, 553-54
Pattison v. Meijer, Inc., 652
Pedigo v. P.A.M. Transp., Inc., 649
Peninsula Gen. Hosp. Med. Ctr, 59, 60, 63, 64
Pensacola Tel. Co. v. Western Union Tel. Co., 362
Petrochem Servs. Inc. v. United States, 497
Petrofsky v. United States, 497
Phillips v. Martin-Marrietta Corp., 183, 577, 578, 589-90
Pickering & Co. Inc., 456
Pietro Scalzitti Co. v. International Union of Operating Eng’rs Local No. 150, 361
Plowman v. United States Dep’t of Army, 279, 289, 292, 296
Poire & McLane Corp. v. United States, 500
Polaroid Corp. & Charla Scivally, 59
Polsby v. Chase, 540, 548, 549
Price Waterhouse v. Hopkins, 572
Prince Macaroni Mfg. Co., 341, 342
Prudential Ins. Co. of America v. Lai, 369, 370, 371, 372
Quick v. Donaldson Co., 185
Rabidue v. Osceola Refining Co., 603-04, 605, 629
Radio Officers v. NLRB, 249
Railway Employes’ Dep’t v. Hanson, 249, 250, 251
Ralph Constr. Inc., 492, 497-98
Randolph v. Cooper Indus., 146
Raytheon Service Co., 486
Reed v. Shepard, 540, 548, 549-50, 551
Remington Arms Co., Inc., 327, 332
Rensselaer Polytechnic Inst., 342
Reno Hilton Resorts Corp., 59, 60, 64, 67, 68, 70
Renteria v. Prudential Insurance Co., 369
Renzetti’s Market Inc., 436
Republic Steel Corp. v. Maddox, 164
Research Fed. Credit Union, 59, 60, 61, 64
Rhone v. U.S. Dept of the Army, 655, 656
Riley v. Weyerhauser Paper Co., 646
Roadway Package System, Inc. (1989), 84, 85
Robinson v. Jacksonville Shipyards, 604
Rock-Tenn Co., 480
Rodriquez de Quijas v. Shearson/ American Express, Inc., 141, 165-66, 348, 365, 393
Roe v. Cheyenne Mountain Conference Resort, 311, 312
Rogers v. American Airlines, Inc., 580
Rojas v. TK Comm., Inc., 149
Rollins Transp. Sys., Inc., 341
Romer v. Evans, 178, 194-95
Rosenberg v. Merrill Lynch, Inc., 365, 377
Rutherford v. American Bank of Commerce, 540, 541, 547, 551, 552, 553, 554
Ryder Distribution Resources, Inc., 59, 60, 61, 62, 64
Saari v. Smith Barney, Harris Upham & Co., 355
Safeway Stores, Inc., 456
Saint Vincent's Hosp., 342
Sam M. Jackson, 25
Sarf v. Lewin, 200-01
Sav-On Drugs, Inc., 456
Saxis S.S. Co. v. Multifacts Int'l Traders, Inc., 393
Schlabach Coal Co. v. NLRB, 341
Schmidt v. Methodist Hosp., 645
School Bd. of Nassau County v. Arline, 285, 642
Schuetz v. First Boston Corp., 372
Schulte v. Prudential Ins. Co., 363
Sears, Roebuck & Co., 322
Seattle Post-Intelligencer Dept of Hearst Publications, Inc., 92, 94, 95, 96, 97, 98, 101, 102, 128
Seus v. John Nuveen & Co., 369
Shankle v. B-G Maintenance of Colorado, Inc., 377
Shearson/American Express, Inc. v. McMahon, 141-42, 165-66, 348
Sherman v. Burke Contracting Corp., 540, 541, 551, 554
Shiring v. Runyon, 649
Shotwell v. United States, 499
Shrout v. Black Clawson Co., 601
Silverman v. Major League Baseball Player Relations Comm., 14
Signal Oil and Gas Co., 332
Simmons Indus., Inc., 59, 60
Skidmore v. Swift & Co., 645
Smith v. Liberty Mutual Insurance Co., 184
Southeastern Community College v. Davis, 643, 644-45
Southern California Water Co., 447
Sparks Nugget Inc. v. Hotel-Motel-Restaurant Employees Union, Local 86, 65
Spencer v. General Electric Co., 601
Sportspal, Inc., 340
Sprogis v. United Airlines, Inc., 577, 578
Starbucks Corp. v. CAW, Local 2000, 466
Starbucks Corp. v. CAW, Local 3000, 466, 472
State Compensation Fund v. Indus. Accident Comm’n, 103
Sterling Servs., Inc., 492, 494
Stewart v. Cleveland Guest (Engineering) Ltd., 409
Stewart v. Fairlane Community Mental Health Ctr., 372, 374
Stirren v. Supercuts, Inc., 368, 374, 375
Stockholders Publ’g Co., 99, 100, 101, 102, 112, 116, 128
Stoody Co., Div. of Thermadyne, Inc., 59, 64, 67, 68, 69
Sullivan v. Delta Air lines, Inc., 279, 297
Sunnen Products, Inc., 333-34, 335
Sure-Tan, Inc. v. NLRB, 124, 125, 132
Teamsters Local 312 v. Matlack, Inc., 149
Temco Aircraft Corp., 453, 454, 455
Temple Square Bus Center, 441
<table>
<thead>
<tr>
<th>Case Title</th>
<th>Pages</th>
</tr>
</thead>
<tbody>
<tr>
<td>Texas Dep't of Community Affairs v. Burdine</td>
<td>574</td>
</tr>
<tr>
<td>Textile Workers Union v. Lincoln Mills</td>
<td>138, 165, 359, 361</td>
</tr>
<tr>
<td>Toronto Non-Profit Housing Corp. (City of)</td>
<td>466</td>
</tr>
<tr>
<td>Trailways Lines Inc. v. Trailways Inc. Joint Council, Amalgamated Transit Union</td>
<td>335</td>
</tr>
<tr>
<td>Tran v. Tran</td>
<td>144, 146-47, 157, 174</td>
</tr>
<tr>
<td>Trans World Airlines, Inc. v. Independent Fed'n of Flight Attendants</td>
<td>20</td>
</tr>
<tr>
<td>Transactional Bus System Inc.</td>
<td>447</td>
</tr>
<tr>
<td>Trinity Servs., Inc. v. Marshall</td>
<td>486</td>
</tr>
<tr>
<td>Trustees of Columbia U.</td>
<td>452</td>
</tr>
<tr>
<td>U.F.C.W. v. Canadian Tire Petroleum</td>
<td>451</td>
</tr>
<tr>
<td>U.S. West Communications, Inc.</td>
<td>445</td>
</tr>
<tr>
<td>UAW v. Johnson Controls, Inc.</td>
<td>595</td>
</tr>
<tr>
<td>USWA v. Shrader Canada Ltd.</td>
<td>484-85, 486</td>
</tr>
<tr>
<td>United Electrical, Radio &amp; Machine Workers v. Miller Metal Products, Inc.</td>
<td>361, 363</td>
</tr>
<tr>
<td>United Glass &amp; Ceramic Workers v. NLRB</td>
<td>446, 447</td>
</tr>
<tr>
<td>United Paperworkers Int'l Union v. Misco, Inc.</td>
<td>351, 389, 405-06</td>
</tr>
<tr>
<td>United States v. American Trucking Ass'n, Inc.</td>
<td>103</td>
</tr>
<tr>
<td>United States v. Curtis-Wright Export Corp.</td>
<td>626</td>
</tr>
<tr>
<td>United States v. Motzell</td>
<td>335</td>
</tr>
<tr>
<td>United States v. Serv. Ventures</td>
<td>493</td>
</tr>
<tr>
<td>United States v. Silk</td>
<td>108, 109, 132, 133</td>
</tr>
<tr>
<td>United States v. Westinghouse Elec. Corp.</td>
<td>288, 292, 310</td>
</tr>
<tr>
<td>United Steelworkers v. American Mfg. Co.</td>
<td>139, 152, 156, 385, 395, 399</td>
</tr>
<tr>
<td>United Steelworkers v. Enterprise Wheel &amp; Car Corp.</td>
<td>139, 152, 156, 385, 395, 397, 399</td>
</tr>
<tr>
<td>United Steelworkers v. Warrior &amp; Gulf Navigation Co.</td>
<td>139, 152, 156, 385, 395, 399</td>
</tr>
<tr>
<td>United Transp. Union, Local 74 v. Consolidated Rail Corp.</td>
<td>163</td>
</tr>
<tr>
<td>Uphshaw Coal Corp. v. UMW</td>
<td>402</td>
</tr>
<tr>
<td>Urbania v. Newton</td>
<td>287, 292, 302</td>
</tr>
<tr>
<td>Utility Workers Local 111 (Ohio Power)</td>
<td>16, 462</td>
</tr>
<tr>
<td>Utrad Corp. v. NLRB</td>
<td>340</td>
</tr>
<tr>
<td>Vaca v. Sipes</td>
<td>161, 164, 398</td>
</tr>
<tr>
<td>Vande Zande v. State of Wis. Dept. of Admin.</td>
<td>644</td>
</tr>
<tr>
<td>Vasquez v. Bedsole</td>
<td>645</td>
</tr>
<tr>
<td>Veprinsky v. Fluor Daniel</td>
<td>540, 541, 549-50, 551, 554</td>
</tr>
<tr>
<td>Verzuh v. Rouse</td>
<td>402</td>
</tr>
<tr>
<td>Vizeiano v. Microsoft Corp.</td>
<td>79</td>
</tr>
<tr>
<td>Vons Grocery Co.</td>
<td>59, 60, 64, 67, 68, 69, 70, 322</td>
</tr>
<tr>
<td>Walker's Midstream Fuel &amp; Service Co.</td>
<td>339</td>
</tr>
<tr>
<td>Wall St. Ass'n v. Becker Paribas, Inc.</td>
<td>391</td>
</tr>
<tr>
<td>Walling v. Jacksonville Paper Co.</td>
<td>364</td>
</tr>
<tr>
<td>Ward v. Atlantic Coast Line Railroad Co.</td>
<td>123, 133</td>
</tr>
<tr>
<td>Webcor Packaging, Inc.</td>
<td>59, 60, 64, 67, 68, 70</td>
</tr>
<tr>
<td>Wedding v. Univ. of Toledo</td>
<td>144-46, 152-53</td>
</tr>
<tr>
<td>Weeks v. Southern Bell Tel. &amp; Tel. Co.</td>
<td>575, 591</td>
</tr>
<tr>
<td>Weis Market, Inc.</td>
<td>456</td>
</tr>
<tr>
<td>Wescom, Inc.</td>
<td>455-56</td>
</tr>
<tr>
<td>Westchester Newspapers, Inc.</td>
<td>25</td>
</tr>
<tr>
<td>Western Union Tel Co. v. Foster</td>
<td>362</td>
</tr>
<tr>
<td>Whalen v. Roe</td>
<td>287, 288, 289, 292, 310</td>
</tr>
<tr>
<td>White-Westinghouse Corp.</td>
<td>447</td>
</tr>
<tr>
<td>Wilko v. Swan</td>
<td>138, 365, 393, 394</td>
</tr>
<tr>
<td>Williams v. Katten</td>
<td>361</td>
</tr>
<tr>
<td>Williams v. Pacific Maritime Ass'n, Inc.</td>
<td>163</td>
</tr>
<tr>
<td>Williams v. Saxbe</td>
<td>599</td>
</tr>
<tr>
<td>Williamson v. A.G. Edwards &amp; Sons, Inc.</td>
<td>185</td>
</tr>
<tr>
<td>Willingham v. Macon Tel. Publ'g Co.</td>
<td>577-78, 579-80, 586</td>
</tr>
<tr>
<td>Willis v. Dean Witter Reynolds, Inc.</td>
<td>149, 154, 156</td>
</tr>
<tr>
<td>Wilson v. Southwest Airlines Co.</td>
<td>590-91, 592</td>
</tr>
<tr>
<td>Wirtz v. C&amp;P Shoe Corp.</td>
<td>364</td>
</tr>
<tr>
<td>Wm. A. Smith Contracting Co. v. United States</td>
<td>497</td>
</tr>
<tr>
<td>Woods v. Graphic Communications, Inc.</td>
<td>160, 163</td>
</tr>
<tr>
<td>Woodward Stores (Vancouver) Ltd.</td>
<td>445, 449-50, 451, 468, 468-73, 474, 475, 488-89</td>
</tr>
<tr>
<td>World Wide Press, Inc.</td>
<td>340</td>
</tr>
<tr>
<td>Wright v. Universal Maritime Servs., Inc.</td>
<td>357</td>
</tr>
<tr>
<td>Yates v. Avco Corp.</td>
<td>604</td>
</tr>
<tr>
<td>Yellow Taxi Co. v. NLRB</td>
<td>121, 134</td>
</tr>
<tr>
<td>Yurosek &amp; Son, Inc. v. Teamsters, Chauffeurs, Warehousemen &amp; Helpers, Local Union No. 542, 20</td>
<td></td>
</tr>
</tbody>
</table>