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S Ben Porath



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venerable and highly influential series at which the theme was and Retaliation and Whistleblowers and There could not be a more timely exploration of this complex workplace issue The United States Supreme Court in several pending cases and in the recent landmark cases of Burlington Northern v White and Garcetti v Ceballos has turned its full attention to workplace retaliation claims States and municipalities also continue to struggle in laying out the scope of permissible claims under state constitutional and statutory whistleblower provisions and under the common law of wrongful discharge Among the new and significant issues considered in this volume are the following new limits on the scope of the cause of action in the wake of Burlington Northern implied protection of employee activity under ADEA and the FLSA the scope of and protected activity and under and 806 of the Sarbanes Oxley Act issues of privilege when investigation counsel are used to inform corporate decision making state whistleblower laws and the expansion or preemption of common law protections under the common law tort of wrongful discharge NLRA protection of collective protests by non union workers and potential expansion of the formal definition of and jobs and under Garcetti v Ceballos to foreclose the first amendment avenue Besides papers by panelists at the Conference ten other leading practitioners and academics also provide commentary in this volume As always this important annual publication offers definitive current scholarship in its theme area of labor and employment law As such it will be of inestimable value to practitioners government officials academics and others interested in developments in U S employment and labor relations law and practice

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