

# Litigation, Courts, and Women Workers

Ronan J. Merschke



# Litigation Courts And Women Workers

**Katrin Zwirgmaier**



## **Litigation Courts And Women Workers:**

Litigation, Courts, and Women Workers Karen J. Maschke, 1989-06-23 From the larger field of women and employment law Maschke has carved out a study that focuses exclusively on the impact Title VII of the 1964 Civil Rights Act has had on women workers Maschke focuses on the history of women workers from the days of protective laws through the difficult birth of the Equal Employment Opportunity Commission to present day struggles involving pregnant workers sexual harassment and comparable worth Although legalistically oriented the book is also attuned to the political in noting diverse strategies among women's organizations and the varying congressional and presidential commitments to the promotion of the equality of women's workers Concise and readable with a select bibliography and index Choice A major contribution to the literature on the legal rights of women workers this volume combines empirical investigation and case law analysis to provide a thorough study of sex discrimination litigation under Title VII of the Civil Rights Act of 1964 As the author notes at the outset Title VII although not a panacea for sex discrimination is the most important federal statute guaranteeing equality in the workplace for women workers Her study examines how women have fared in Title VII litigation and how the Equal Employment Opportunity Commission EEOC as the government's enforcement agency played a role in Title VII litigation and in the development of legal policy in this area Divided into three major sections the volume begins by exploring the protective labor laws that restricted women's job opportunities at the turn of the century Maschke goes on to trace the origins of Title VII and to examine the political controversy surrounding the use of litigation to enforce Title VII The second section analyzes the development of law resulting from cases involving pregnancy discrimination sexual harassment wage discrimination and protective policies In addition to case law analysis these chapters examine the EEOC's response to the issues and demonstrate that the agency has often been inconsistent in developing sex discrimination policies In the final section Maschke addresses group and EEOC litigation activities in sex discrimination cases focusing on aspects of decision making in the federal courts The concluding chapter considers how courts and the litigation process played a role in expanding the rights of women workers 1975 Handbook on Women Workers United States. Women's Bureau, 1975 1993 Handbook on Women Workers, 1994 Time of Change, ... Handbook on Women Workers, 1975 Women and Sexual Harassment Robert C Berring, Anja A Chan, 2014-05-01 Here is a valuable guide that saves researchers investigating sexual harassment in the workplace enormous amounts of time and money Focusing on the hostile environment claim under Title VII of the Civil Rights Act of 1964 Women and Sexual Harassment is a complete resource tool In one easy to use volume it provides a detailed background and history of the hostile environment claim as well as an extensive guide on how to use and where to find the best resources available on this topic Unlike some legal books Chan's book does not require cover to cover reading to access pertinent information Anyone whether they are interested in the specifics of the hostile environment claim or sexual harassment in general will be able to locate the information they're looking for with the help of this handy guide It

saves enormous amounts of time effort and money for researchers by providing extensive listings and evaluations of statutes cases agency decisions law review articles annotations and books containing information on this subject Readers can use the book to get a better understanding of the hostile environment claim or use it like a dictionary to pinpoint the specific resources that will be most useful to their area of research Women and Sexual Harassment is logically divided into five complete parts to make it easy to use Part 1 Clearly explains how to best use the book to access specific information Part 2 Describes the history and present state of the hostile environment claim in a manner that is to the point yet is more thorough than descriptions of the claim found in articles cases or other sources Part 3 Research guide Directs researchers to the best sources for information categorized by type and area Includes tips that will save hours in the library and will help researchers find the most up to the minute articles and cases Part 4 Bibliography of primary legal sources Covers statutes regulations and case law on the hostile environment claim and sexual harassment Part 5 Bibliography of secondary sources Includes books articles surveys and legislative history The annotated bibliography broken down by type of source and type of information not only points researchers in the right direction but also steers them away from sources that seem valuable from their title but are in fact not worthwhile The insightful written analysis of the hostile environment claim alone provides researchers unfamiliar with the subject with a clearly written history and definition of the claim its key elements employer liability statute of limitations remedies considerations of discovery and evidence and related claims Women and Sexual Harassment is an invaluable guide for all types of researchers including victims of sexual harassment considering filing a hostile environment claim scholars interested in women s issues attorneys unfamiliar with this area employers interested in limiting their liability by taking steps to prevent sexual harassment in their workplaces and law students in any level of courses related to sex discrimination or sexual harassment

**Handbook on Women Workers** United States. Women's Bureau, 1983

**Constituting Workers, Protecting Women** Julie Lavonne Novkov, 2023-06-20 Constitutional considerations of protective laws for women were the analytical battlefield on which the legal community reworked the balance between private liberty and the state s authority to regulate Julie Novkov focuses on the importance of gender as an analytical category for the legal system During the Progressive Era and New Deal courts often invalidated generalized protective legislation but frequently upheld measures that limited women s terms and conditions of labor The book explores the reasoning in such cases that were decided between 1873 and 1937 By analyzing all reported opinion on the state and federal level as well as materials from the women s movement and briefs filed in the U S Supreme Court the study demonstrates that considerations of cases involving women s measures ultimately came to drive the development of doctrine The study combines historical institutionalism and feminism to address constitutional interpretation showing that an analysis of conflict over the meaning of legal categories provides a deeper understanding of constitutional development In doing so it rejects purely political interpretations of the so called Lochner era in which the courts invalidated many legislative efforts to

ameliorate the worst effects of capitalism By addressing the dynamic interactions among interested laypersons attorneys and judges it demonstrates that no individuals or institutions have complete control over the generation of constitutional meaning

Julie Novkov is Assistant Professor of Political Science University of Oregon **A Class by Herself** Nancy

Woloch,2017-02-28 **A Class by Herself** explores the historical role and influence of protective legislation for American women workers both as a step toward modern labor standards and as a barrier to equal rights Spanning the twentieth century the book tracks the rise and fall of women only state protective laws such as maximum hour laws minimum wage laws and night work laws from their roots in progressive reform through the passage of New Deal labor law to the feminist attack on single sex protective laws in the 1960s and 1970s Nancy Woloch considers the network of institutions that promoted women only protective laws such as the National Consumers League and the federal Women s Bureau the global context in which the laws arose the challenges that proponents faced the rationales they espoused the opposition that evolved the impact of protective laws in ever changing circumstances and their dismantling in the wake of Title VII of the Civil Rights Act of 1964 Above all Woloch examines the constitutional conversation that the laws provoked the debates that arose in the courts and in the women s movement Protective laws set precedents that led to the Fair Labor Standards Act of 1938 and to current labor law they also sustained a tradition of gendered law that abridged citizenship and impeded equality for much of the century Drawing on decades of scholarship institutional and legal records and personal accounts **A Class by Herself** sets forth a new narrative about the tensions inherent in women only protective labor laws and their consequences **Encyclopedia of U.S.**

**Labor and Working-class History** Eric Arnesen,2007 Publisher Description *The Oxford Handbook of U.S. Women's Social Movement Activism* Holly J. McCammon,Verta Taylor,Jo Reger,Rachel L. Einwohner,2017-05-05 Over the course of thirty seven chapters including an editorial introduction this handbook provides a comprehensive examination of scholarly research and knowledge on a variety of aspects of women s collective activism in the United States tracing both continuities and critical changes over time Women have played pivotal and far reaching roles in bringing about significant societal change and women activists come from an array of different demographics backgrounds and perspectives including those that are radical liberal and conservative The chapters in the handbook consider women s activism in the interest of women themselves as well as actions done on behalf of other social groups The volume is organized into five sections The first looks at U S Women s Social Activism over time from the women s suffrage movement to the ERA radical feminism third wave feminism intersectional feminism and global feminism Part two looks at issues that mobilize women including workplace discrimination reproductive rights health gender identity and sexuality violence against women welfare and employment globalization immigration and anti feminist and pro life causes Part three looks at strategies including movement emergence and resource mobilization consciousness raising and traditional and social media Part four explores targets and tactics including legislative forums electoral politics legal activism the marketplace the military and religious and educational

institutions Finally part five looks at women s participation within other movements including the civil rights movement the environmental movement labor unions LGBTQ movement Latino activism conservative groups and the white supremacist movement

**Medieval women and urban justice** Teresa Phipps,2020-04-23 This book provides a detailed analysis of women s involvement in litigation and other legal actions within their local communities in late medieval England It draws upon the rich records of three English towns Nottingham Chester and Winchester and their courts to bring to life the experiences of hundreds of women within the systems of local justice Through comparison of the records of three towns and of women s roles in different types of legal action the book reveals the complex ways in which individual women s legal status could vary according to their marital status different types of plea and the town that they lived in At this lowest level of medieval law women s status was malleable making each woman s experience of justice unique

**The European Court of Justice** Gráinne De Búrca,Joseph Weiler,2001 This collection of essays aims to look afresh at an institution which although already the subject of numerous academic analyses and extensive legal research remains of central importance to all who are interested in the development of European Union law and policy Various contributions seek to develop particular avenues of analysis which despite the significant increase in the range and volume of literature on the Court of Justice have not yet been very fully explored They include a legal philosophical account of the ECJ s reasoning a sociological analysis of patterns of litigation before the Court and an investigation of the impact and presence of gender in the Court s work and on its institutional position Other contributions look anew at the more topical and sometimes controversial subject of the relationship between national courts and the Court of Justice both under the preliminary reference procedure and in other contexts and a final essay considers the likely effect on the Court of Justice and the Court of First Instance of the reforms to the judicial structure proposed during the Nice Intergovernmental Conference

**Proceedings ... Biennial Convention of the National Women's Trade Union League of America** National Women's Trade Union League of America,1919

*Women's Rights* Crista DeLuzio,2009-11-12 A lively accessible collection of essays exploring the history of the struggle for women s rights in the United States from the colonial period to the present The fight for women s rights was one of the first topics explored by women s historians when the field emerged in the 1970s Current and authoritative *Women s Rights People and Perspectives* shows just how complex and multifaceted our understanding of that fight has become *Women s Rights* spans the breadth of American history from Native American women prior to colonization to women during the Revolution Antebellum period the Civil War and the Gilded Age Coverage of the 20th century moves from the Progressive Era to the Great Depression and World War II from the emergence of modern feminism to the present Throughout it offers fascinating details of ordinary and extraordinary lives while charting the evolving roles of women in American society

**Applications of Feminist Legal Theory to Women's Lives** D. Kelly Weisberg,Ronnie J Steinberg,2009 This book the second of two volumes examines the pressing issues that affect women pornography prostitution battery rape pay equity

sexual harassment motherhood abortion adoption new reproductive technologies and considers them through the lens of feminist legal theory It features more than sixty articles by well known legal scholars and feminists The contributions are arranged thematically and include an introduction and comprehensive literature review by the editor Applications of Feminist Legal Theory to Women's Lives will be a valuable text for students a resource for scholars and policy makers and a useful introduction for general readers

**Holding Up Half the Sky** United States. Congressional-Executive Commission on China, 2003 **Dishing It Out** Dorothy Cobble, 1992-09 Back when SOS or Adam and Eve on a raft were things to order if you were hungry but a little short on time and money nearly one fourth of all waitresses belonged to unions By the time their movement peaked in the 1940s and 1950s the women had developed a distinctive form of working class feminism simultaneously pushing for equal rights and pay and affirming their need for special protections Dorothy Sue Cobble shows how sexual and racial segregation persisted in wait work but she rejects the idea that this was caused by employers actions or the exclusionary policies of male trade unionists Dishing It Out contends that the success of waitress unionism was due to several factors waitresses for the most part had nontraditional family backgrounds and most were primary wage earners Their close knit occupational community and sex separate union encouraged female assertiveness and a decidedly unromantic view of men and marriage Cobble skillfully combines oral interviews and extensive archival records to show how waitresses adopted the basic tenets of male dominated craft unions but rejected other aspects of male union culture The result is a book that will expand our understanding of feminism and unionism by including the gender conscious perspectives of working women

**Losing Face** Susan J. Pharr, 1992-10-01 How does a homogeneous society like Japan treat the problem of social inequality Losing Face looks beyond conventional structural categories race class ethnicity to focus on conflicts based on differences in social status Three rich and revealing case studies explore crucial asymmetries of age sex and former caste How does a homogeneous society like Japan treat the problem of social inequality Losing Face looks beyond conventional structural categories race class ethnicity to focus on conflicts based on differences in social status Three rich and revealing case studies explore crucial asymmetries of age sex and former caste **Femininity in Flight** Kathleen Barry, 2007-02-28 Considers flight attendants as cultural icons looking at the history of the occupation and how attendants redeployed the glamorization used to sell air travel to campaign for professional respect higher wages and women's rights

**How Does Law Matter?** Bryant G. Garth, Austin Sarat, 1998 The question of how law matters has long been fundamental to the law and society field Social science scholarship has repeatedly demonstrated that law matters less or differently than those who study only legal doctrine would have us believe Yet research in this field depends on a belief in the relevance of law no matter how often gaps are identified The essays in this collection show how law is relevant in both an instrumental and a constitutive sense as a tool to accomplish particular purposes and as an important force in shaping the everyday worlds in which we live Essays examine these issues by focusing on legal consciousness the body discrimination and colonialism as

well as on more traditional legal concerns such as juries and criminal justice



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