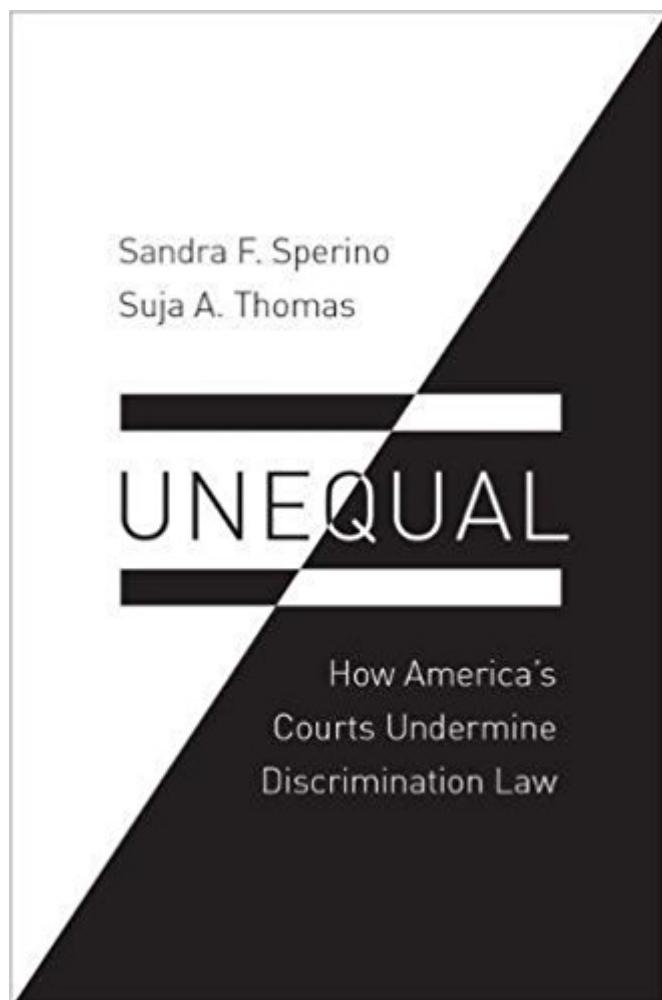


The book was found

Unequal: How America's Courts Undermine Discrimination Law (Law And Current Events Masters)



Synopsis

It is no secret that since the 1980s, American workers have lost power vis-Ã -vis employers through the well-chronicled steep decline in private sector unionization. American workers have also lost power in other ways. Those alleging employment discrimination have fared increasingly poorly in the courts. In recent years, judges have dismissed scores of cases in which workers presented evidence that supervisors referred to them using racial or gender slurs. In one federal district court, judges dismissed more than 80 percent of the race discrimination cases filed over a year. And when juries return verdicts in favor of employees, judges often second guess those verdicts, finding ways to nullify the jury's verdict and rule in favor of the employer. Most Americans assume that that an employee alleging workplace discrimination faces the same legal system as other litigants. After all, we do not usually think that legal rules vary depending upon the type of claim brought. The employment law scholars Sandra A. Sperino and Suja A. Thomas show in *Unequal* that our assumptions are wrong. Over the course of the last half century, employment discrimination claims have come to operate in a fundamentally different legal system than other claims. It is in many respects a parallel universe, one in which the legal system systematically favors employers over employees. A host of procedural, evidentiary, and substantive mechanisms serve as barriers for employees, making it extremely difficult for them to access the courts. Moreover, these mechanisms make it fairly easy for judges to dismiss a case prior to trial. Americans are unaware of how the system operates partly because they think that race and gender discrimination are in the process of fading away. But such discrimination still happens in the workplace, and workers now have little recourse to fight it legally. By tracing the modern history of employment discrimination, Sperino and Thomas provide an authoritative account of how our legal system evolved into an institution that is inherently biased against workers making rights claims.

Book Information

Series: Law and Current Events Masters

Hardcover: 232 pages

Publisher: Oxford University Press; 1 edition (June 1, 2017)

Language: English

ISBN-10: 0190278382

ISBN-13: 978-0190278380

Product Dimensions: 9.4 x 0.9 x 6.3 inches

Shipping Weight: 1.1 pounds ([View shipping rates and policies](#))

Average Customer Review: 5.0 out of 5 stars 1 customer review

Best Sellers Rank: #544,154 in Books (See Top 100 in Books) #67 in Books > Law > Constitutional Law > Discrimination #161 in Books > Law > Specialties > Labor Law #178 in Books > Law > Business > Labor & Employment

Customer Reviews

"This is must-read for all who care about workplace fairness and realizing the promise of our nation's civil rights laws." - David Lopez, Former General Counsel of the Equal Employment Opportunity Commission, Partner, Outten and Golden "In this important book, Professors Sperino and Thomas painstakingly and poignantly disclose how courts have broken the promise of America's workplace civil rights laws." - Seth Harris, Former Acting and Deputy Secretary of Labor, Visiting Lecturer, Cornell Institute for Public Affairs "Our civil rights laws make grand promises of equality and opportunity, but those promises are betrayed every day in courthouses throughout the Nation. By telling the stories of the real people who have been denied the rights Congress guaranteed them, Sperino and Thomas clearly illustrate the gap between promise and reality. This book is essential reading for scholars, lawyers, and any citizen who cares about our fundamental national commitment to equal rights." - Sam Bagenstos, Frank G. Millard Professor of Law, University of Michigan Law School "Professors Sperino's and Thomas's book goes well beyond the academic articles that recite the virtual repeal of the civil rights laws (mine among them). They give content to the discussion-meaningful, detailed content-about the specific cases, their fact patterns, and the dismissive manner in which the courts too often deal with them. It is an eye opening account of how doctrine-procedural and substantive-has gone far afield from the language of the civil rights laws and the goals it was intended to accomplish. It is an important work, required reading for practitioners, scholars and judges." - Nancy Gertner, Former federal judge, Senior Lecturer on Law, Harvard University

Sandra F. Sperino is Professor of Law at the University of Cincinnati. Suja A. Thomas is Professor of Law at the University of Illinois.

In this excellent book, Sperino and Thomas provide a wealth of detail about the ways that lower courts deploy technical rules to dismiss claims of discrimination. In a well-organized slim volume they persuasively argue that each of a host of technical doctrines developed to guide anti-discrimination law analysis today often serve as an obstacle to the fair evaluation of plaintiffs'

claims. This book should be required reading for those who care about the future of anti-discrimination law, including policy-makers, judges and attorneys. Even those who come from different ideological perspectives will learn much from this book, which lays out concisely many of the guiding doctrines of anti-discrimination law today.

[Download to continue reading...](#)

Unequal: How America's Courts Undermine Discrimination Law (Law and Current Events Masters)
Icarus in the Boardroom: The Fundamental Flaws in Corporate America and Where They Came From (Law and Current Events Masters) Legislating for Equality: A Multinational Collection of Non-Discrimination Norms. Volume II: Americas (Legislating for Equality - A Multinational Collection of Non-Discrimination Norms (4 Vols.)) In Search of Jefferson's Moose: Notes on the State of Cyberspace (Law and Current Events Masters) Nursing against the Odds: How Health Care Cost Cutting, Media Stereotypes, and Medical Hubris Undermine Nurses and Patient Care (The Culture and Politics of Health Care Work) Uncharitable: How Restraints on Nonprofits Undermine Their Potential (Civil Society: Historical and Contemporary Perspectives) The Submerged State: How Invisible Government Policies Undermine American Democracy (Chicago Studies in American Politics) The Upside of Inequality: How Good Intentions Undermine the Middle Class Great Powers and Outlaw States: Unequal Sovereigns in the International Legal Order (Cambridge Studies in International and Comparative Law) Event Planning: The Ultimate Guide To Successful Meetings, Corporate Events, Fundraising Galas, Conferences, Conventions, Incentives and Other Special Events Civil War: American Civil War in 50 Events: From the Very Beginning to the Fall of the Confederate States (War Books, Civil War History, Civil War Books) (History in 50 Events Series Book 13) World War 1: World War I in 50 Events: From the Very Beginning to the Fall of the Central Powers (War Books, World War 1 Books, War History) (History in 50 Events Series) History: World History in 50 Events: From the Beginning of Time to the Present (World History, History Books, Earth History) (History in 50 Events Series Book 3) History: Human History in 50 Events: From Ancient Civilizations to Modern Times (World History, History Books, People History) (History in 50 Events Series Book 1) Masters of Sex: The Life and Times of William Masters and Virginia Johnson, the Couple Who Taught America How to Love Food Systems in an Unequal World: Pesticides, Vegetables, and Agrarian Capitalism in Costa Rica (Society, Environment, and Place) Unequal Opportunity: Health Disparities Affecting Gay and Bisexual Men in the United States The Great Divide: Unequal Societies and What We Can Do About Them Unequal Childhoods: Class, Race, and Family Life, 2nd Edition with an Update a Decade Later Unequal Childhoods: Class, Race, and Family Life

[Contact Us](#)

[DMCA](#)

[Privacy](#)

[FAQ & Help](#)