

Index

ADMINISTRATORS

Wages and other compensation,
5:117 to 5:119

AFFIRMATIVE ACTION

Discrimination, 4:182 to 4:194

AFFIRMATIVE DEFENSES

Generally, 1:250 et seq.
Claims or issues preclusion, 1:252
Preemption, 1:251
Res judicata, 1:28
Statute of frauds, 1:253
Statutes of limitation, 1:254

AGE DISCRIMINATION IN EMPLOYMENT ACT

Generally, 4:80 to 4:106
After-acquired evidence, 4:103
Burden of proof, 4:89 to 4:106
Class actions, 4:82
Covered parties, 4:81
Discovery, 4:88
Evidence, 4:102, 4:103
Jury issues, 4:104
Liquidated damages, 4:106
Older Workers Benefit Protection
Act, 4:85
Procedure, 4:87
Prohibited acts, 4:83
Remedies, 4:105
Retaliation, 4:84
Settlement agreement and release,
4:86

ALABAMA

Contract law remedies, 1:15
Discovery, 1:277
Tort law remedies, 1:71
Wages and other compensation, 5:58
Whistleblowing, 1:128

ALASKA

Contract law remedies, 1:16

ALASKA—Cont'd

Discovery, 1:278
Tort law remedies, 1:72
Wages and other compensation, 5:59
Whistleblowing, 1:129

ALTERNATIVE DISPUTE RESOLUTION

Discrimination, 4:179

AMERICANS WITH DISABILITIES ACT

Generally, 4:132 to 4:177
Benefits application, representation
in, 4:142
Burden of proof, 4:147 to 4:163
Class actions, 4:134
Covered parties, 4:133
Discovery, 4:146
Essential functions of job, 4:136
Major life activities, 4:139
Procedure, 4:145
Prohibited acts, 4:143
Reasonable accommodation, 4:164 to
4:177
Record of impairment, 4:138
Retaliation, 4:144
Substantial limits, 4:135
Undue hardship, 4:140

ANSWER

Form, 1:333
Motion to amend answer, 1:333
Wages and other compensation, class
action complaints, 5:158

ARBITRATION

Absenteeism, 3:36
Agreements, 3:4
Alcohol testing, 3:47
Awards
answer and counterclaim to
confirm award, 3:75
application vacate award, 3:74

ARBITRATION—Cont'd

Awards—Cont'd
 confirmation, **3:66**
 enforcement
 defenses, **3:12**
 steelworkers' trilogy, **3:6**
 suits to enforce, **2:23, 3:66**
 grounds for impeachment or
 enforcement, **3:67**
 memorandum to confirm award,
 3:78
 memorandum to vacate award,
 3:79
 opinions, **3:65**
 particular cases, **3:6**
 rejection, **3:6**
 remedies, **3:68**
 vacating, **2:24**
 Bankrupt employers, **3:18**
 Breach of collective bargaining
 agreement
 Taft-Hartley, Section 301, **3:71**
 Clauses, **3:4**
 Compelling, **3:6**
 Compensation, **3:33**
 Complaint
 compel arbitration and enjoin
 strike, **3:72**
 Section 301 hybrid suit against
 employer and union, **3:73**
 Contracting out work, **3:30**
 Discharge cases
 conduct outside employment, **3:51**
 Discharges, **3:42**
 Discrimination, **3:49, 4:181**
 Disputed types, rights, **3:6**
 Drug testing, **3:47**
 Employment Termination Act, draft,
 App 1A
 Enforcement of agreement to
 arbitrate, **2:21**
 Forms
 answer and counterclaim to
 confirm arbitration award,
 3:75
 application to vacate arbitration
 award, **3:74**

ARBITRATION—Cont'd

Forms—Cont'd
 complaint - Section 301 hybrid suit
 against employer and union,
 3:73
 complaint to compel arbitration
 and enjoin strike, **3:72**
 memorandum to confirm arbitra-
 tion award, **3:78**
 memorandum to vacate arbitration
 award, **3:79**
 post hearing memorandum, **3:76,**
 3:77
 Functions of courts, **3:9**
 public policy, **3:9**
 Grievances
 frivolous, **3:22**
 prior to collective bargaining
 agreements, **3:15**
 subsequent to termination of col-
 lective bargaining agree-
 ments, **3:16**
 Harassment claims, **3:48**
 Hours, **3:32**
 Law and remedies, **3:3 et seq.**
 Layoffs, **3:41**
 Litigation practice
 arbitrators, selection, **3:56**
 aspects, **3:53**
 awards, **3:66**
 clauses, **3:54**
 discharge cases, **3:62**
 discipline cases, **3:62**
 evaluation of case, **3:55**
 evidence
 documentary, **3:61**
 rules, **3:63**
 fair representation, breach of duty,
 3:68
 investigations, **3:55**
 posthearing memorandum, **3:64**
 preparation of case, **3:57**
 presentation of case, **3:58**
 testimony, order, **3:59**
 witnesses
 cross-examination, **3:60**
 examination, **3:60**
 order, **3:59**

INDEX

ARBITRATION—Cont'd

- Poor employee performance, **3:39**
- Privacy rights, **3:46, 3:47**
- Procedures, **3:11, 3:20**
- Recalls, **3:41**
- Reorganization of employers, **3:18**
- Retirement of employees, **3:52**
- Sex harassment, **3:50**
- Sick leave, **3:34**
- Steelworkers' trilogy, **3:6**
- Successor employers, **3:17**
- Transfers, **3:29**
- Wages, **3:33**
- Work assignments
 - disputes, **3:27**
 - failure to follow, **3:27**

ARIZONA

- Contract law remedies, **1:17**
- Discovery, **1:279**
- Tort law remedies, **1:73**
- Wages and other compensation, **5:60**
- Whistleblowing, **1:130**

ARKANSAS

- Contract law remedies, **1:18**
- Discovery, **1:280**
- Tort law remedies, **1:74**
- Wages and other compensation, **5:61**
- Whistleblowing, **1:131**

ATTORNEYS' FEES

- Individual employment rights, **1:327**
- Wages and hour law, **5:56, 5:175, 5:176**

AT-WILL DOCTRINE

- Generally, **1:3 to 1:5**
- Common law view, **1:4**
- Erosion, **1:5**

AUTHORIZATION CARDS

- Collective bargaining, **2:11, 2:12**

BACKWAGE RELIEF

- Wages and other compensation, **5:53**

BENEFITS

- Discrimination, **4:217**

BLUE COLLAR WORKERS

- Wages and other compensation, **5:110**

BOYCOTTS

- Strikes, Boycotts and Picketing**
(this index)

CALIFORNIA

- Contract law remedies, **1:19**
- Discovery, **1:281**
- Tort law remedies, **1:75**
- Wages and other compensation, **5:62**
- Whistleblowing, **1:132**

CHILD LABOR

- Wages and other compensation, **5:30**

CIVIL RIGHTS ACT OF 1964 (TITLE VII)

- After-acquired evidence, **4:51**
- Burden of proof, **4:37 to 4:49**
- Covered parties, **4:31**
- Discovery, **4:36**
- Evidence, **4:50, 4:51**
- Jury issues, **4:52**
- Procedure, **4:35**
- Prohibited acts, **4:33**
- Punitive damages, **4:54**
- Remedies, **4:53**
- Retaliation, **4:34**

CIVIL RIGHTS ACT OF 1991

- Generally, **4:55**

CIVIL RIGHTS ACTS OF 1866-1871

- Generally, **4:7 to 4:29**
- Burden of proof, **4:14 et seq.**
- Class actions, **4:9**
- Covered parties, **4:8**
- Defenses, **4:14 et seq.**
- Discovery, **4:13**
- Evidence, **4:27**
- Jury issues, **4:28**
- Procedure, **4:12**
- Prohibited acts, **4:10**
- Remedies, **4:29**
- Retaliation, **4:11**

CLASS ACTIONS

- Age Discrimination in Employment Act, **4:82**
- Americans with Disabilities Act, **4:134**
- Civil Rights Acts of 1866-1871, **4:9**
- Equal Pay Act of 1963, **4:58**
- Rehabilitation Act of 1973, **4:110**
- Wages and Other Compensation**
(this index)

COLLECTIVE BARGAINING

- Agreements
 - arbitration clauses, **3:54**
 - contracting out work, **3:30**
 - discharge of employees, just cause, **3:43**
 - evidence, **3:59**
 - hours, **3:32**
 - layoffs, **3:41**
 - no-strike clauses, breach, **3:14**
 - promotion provisions, **3:31**
 - retirement provisions, **3:52**
 - seniority rights, **3:37**
 - sick leave, **3:34**
 - violations, layoffs, **3:41**
 - wages and compensation, **3:33**
- Arbitration, **3:1 et seq.**
- Arbitrators, **3:7**
- Authorization cards, **2:11, 2:12**
- Conduct in restraint of trade, **2:3**
- Criminal conspiracy doctrine, **2:2**
- Demotions, **3:31**
- Duty to bargain, **2:14**
- Elections, **2:9**
- Enforcement
 - agreement to arbitrate, **2:21**
 - arbitrability, **2:19**
 - injunctions, **3:10**
 - setting aside collective bargaining agreements, **2:25**
 - suits to enforce arbitration awards, **2:23**
 - suits to enforce collective bargaining agreements, **2:26**
 - vacating arbitration awards, **2:24**
 - Weingarten rights, **2:20**
- Exclusivity, **2:14**

COLLECTIVE BARGAINING

—Cont'd

- Forms
 - appeal procedures, **2:92**
 - charge against employer, **2:86, 2:87**
 - commerce questionnaire, **2:78**
 - complaint, **2:95**
 - consent election form, **2:80, 2:81**
 - election notice, **2:82**
 - employer notice of petition for investigation, **2:85**
 - hearing notice, **2:88**
 - interrogatories, **2:96, 2:97**
 - memorandum in support of appeal, **2:94**
 - NLRB directory, **2:77**
 - notice of appeal, **2:93**
 - notice of appearance, **2:91**
 - notice of designation of agent, **2:90**
 - representation case procedures, **2:76**
 - request to proceed, **2:84**
 - Section 9 petition, **2:79**
 - summary of formal hearing procedures, **2:89**
 - union withdrawal request, **2:83**
- Functions, **3:3**
- Good faith, **2:14**
- Grievances, **3:1 et seq.**
- History, **2:1**
- Illegal or nonnegotiable subjects, **2:17**
- Joint employers, **2:47**
- Legislation regulating, **2:4**
- Litigation Practice
 - labor relations boards and proceedings, **2:44**
- Mandatory subjects, **2:15**
- National Labor Relations Act
 - generally, **2:5**
 - administration, **2:45**
 - injunctions, **2:45**
 - transition from NIRA to, **2:5**
- Negotiations
 - compensation, **3:33**
 - wages, **3:33**

INDEX

COLLECTIVE BARGAINING

—Cont'd

- Permissive subjects, **2:16**
- Piercing the corporate veil, **2:49**
- Privacy rights, **3:46**
- Procedural rules, **3:11**
- Representation proceedings, **2:9**
- Sick leave, **3:34**
- Slowdown clauses, **3:24**
- Strike clauses, **3:24**
- Subjects of, **2:15, 2:16**
- Successor employers, **2:48, 3:17**
- Supervisors, **2:10**
- Union organizers as employees, **2:8**
- Wages and other compensation, **5:112**
- Wildcat strike clauses, **3:24**

COLORADO

- Contract law remedies, **1:20**
- Discovery, **1:282**
- Tort law remedies, **1:76**
- Wages and other compensation, **5:63**
- Whistleblowing, **1:133**

COMMON SITUS PICKETING

- Strikes, boycotts and picketing, **2:36**

COMPENSATION

- Discrimination, **4:217**

COMPLAINT

- Arbitration
 - compel arbitration and enjoin strike, **3:72**
 - Section 301 hybrid suit against employer and union, **3:73**
- Breach of covenant of good faith and fair dealing, **1:329, 1:331**
- Breach of employee handbook, **1:331**
- Breach of employment contract, **1:330**
- Civil right, violation of, **1:331**
- Defamation, **1:330, 1:331**
- Discrimination
 - Complaint with jury claim, **4:318 to 4:4:320**
 - disability discrimination, **4:321**
- Intentional infliction of emotional distress, **1:329, 1:331**

COMPLAINT—Cont'd

- Interference with advantageous contractual relations, **1:330, 1:331**
- Interference with contract, **1:329**
- Loss of consortium, **1:329**
- Negligent infliction of emotional distress, **1:329**
- Privacy, invasion of, **1:330**
- Public policy violation, **1:330, 1:331**
- Quantum meruit, **1:330**
- Wages and other compensation, **5:150**

CONCERTED ACTION

- Grievances, **3:25**
- Unfair labor practice cases, **2:66**

CONNECTICUT

- Contract law remedies, **1:21**
- Discovery, **1:283**
- Tort law remedies, **1:77**
- Wages and other compensation, **5:64**
- Whistleblowing, **1:134**

CONSTITUTIONAL RIGHTS

- Violation of state or federal constitutional rights, **1:66, 1:67**

CONSTRUCTIVE DISCHARGE

- Discrimination, **4:282**

CONTRACT LAW REMEDIES

- Alabama, **1:15**
- Alaska, **1:16**
- Arizona, **1:17**
- Arkansas, **1:18**
- California, **1:19**
- Colorado, **1:20**
- Connecticut, **1:21**
- Covenants not to compete, **1:13**
- Delaware, **1:22**
- Discrimination, **1:8**
- District of Columbia, **1:23**
- Florida, **1:24**
- Georgia, **1:25**
- Handbooks, **1:11**
- Hawaii, **1:26**
- Idaho, **1:27**
- Illinois, **1:28**

CONTRACT LAW REMEDIES

—Cont'd

Implied covenants of good faith and fair dealing, **1:9**

Implied promise of long-term employment, **1:10**

Indiana, **1:29**

Iowa, **1:30**

Just cause provisions, **1:12**

Kansas, **1:31**

Kentucky, **1:32**

Louisiana, **1:33**

Maine, **1:34**

Manuals, **1:11**

Maryland, **1:35**

Massachusetts, **1:36**

Michigan, **1:37**

Minnesota, **1:38**

Mississippi, **1:39**

Missouri, **1:40**

Montana, **1:41**

Nebraska, **1:42**

Nevada, **1:43**

New Hampshire, **1:44**

New Jersey, **1:45**

New Mexico, **1:46**

New York, **1:47**

North Carolina, **1:48**

North Dakota, **1:49**

Ohio, **1:50**

Oklahoma, **1:51**

Oregon, **1:52**

Pennsylvania, **1:53**

Public policy, **1:7**

Rhode Island, **1:54**

South Carolina, **1:55**

South Dakota, **1:56**

Tennessee, **1:57**

Texas, **1:58**

Utah, **1:59**

Vermont, **1:60**

Virginia, **1:61**

Washington, **1:62**

West Virginia, **1:63**

Wisconsin, **1:64**

Wyoming, **1:65**

COSTS AND ATTORNEYS' FEES

Wages and hour law, **5:56**

COVENANTS NOT TO COMPETE

Contract law remedies, **1:13**

CRIMINAL OFFENSES AND PROSECUTIONS

Wages and other compensation, **5:146**

DECERTIFICATION PROCEEDINGS

Strikes, boycotts and picketing, **2:41**

DEFAMATION

Generally, **1:183**

Complaint, **1:330, 1:331**

DEFENDANTS

Attorneys' fees awarded to defendants, **4:308**

Discrimination, **4:197**

Wages and other compensation, class action complaints, **5:165**

DEFENSES

Civil Rights Acts of 1866-1871, **4:14 et seq.**

Equal Pay Act of 1963, **4:63 to 4:76**

Immigration Reform and Control Act of 1986, **4:129**

Rehabilitation Act of 1973, **4:115**

Wages and other compensation, **5:35 to 5:48**

DELAWARE

Contract law remedies, **1:22**

Discovery, **1:284**

Tort law remedies, **1:78**

Wages and other compensation, **5:65**

Whistleblowing, **1:135**

DEMOTIONS

Discrimination, **4:218**

DEPARTMENT OF LABOR

Wages and other compensation, **5:125**

DISABILITIES

Americans with Disabilities Act
(this index)

INDEX

DISABILITIES—Cont'd

Discrimination, job applicants with disabilities, **4:214**

DISCIPLINE

Generally, **1:262**

Progressive discipline, **1:262**

DISCOVERY

Age Discrimination in Employment Act, **4:88**

Alabama, **1:277**

Alaska, **1:278**

Americans with Disabilities Act, **4:146**

Arizona, **1:279**

Arkansas, **1:280**

California, **1:281**

Civil Rights Act of 1964 (Title VII), **4:36**

Civil Rights Acts of 1866-1871, **4:13**

Colorado, **1:282**

Connecticut, **1:283**

Defendant's, **1:272**

Delaware, **1:284**

District of Columbia, **1:285**

Equal Pay Act of 1963, **4:62**

Florida, **1:286**

Georgia, **1:287**

Hawaii, **1:288**

Idaho, **1:289**

Illinois, **1:290**

Immigration Reform and Control Act of 1986, **4:128**

Indiana, **1:291**

Iowa, **1:292**

Kentucky, **1:293**

Louisiana, **1:294**

Maryland, **1:295**

Massachusetts, **1:296**

Michigan, **1:297**

Minnesota, **1:298**

Mississippi, **1:299**

Missouri, **1:300**

Montana, **1:301**

Nebraska, **1:302**

Nevada, **1:303**

New Hampshire, **1:304**

New Jersey, **1:305**

DISCOVERY—Cont'd

New Mexico, **1:306**

New York, **1:307**

North Carolina, **1:308**

North Dakota, **1:309**

Ohio, **1:310**

Oklahoma, **1:311**

Oregon, **1:312**

Pennsylvania, **1:313**

Plaintiff's, **1:270**

Rehabilitation Act of 1973, **4:114**

Rhode Island, **1:314**

South Carolina, **1:315**

South Dakota, **1:316**

Tennessee, **1:317**

Texas, **1:318**

Utah, **1:319**

Vermont, **1:320**

Virginia, **1:321**

Wages and other compensation, **5:34**

West Virginia, **1:322**

Wisconsin, **1:323**

Wyoming, **1:324**

DISCRIMINATION

Affidavit in support of motion, **4:359**

Affirmative action, **4:182 to 4:194**

Age Discrimination in Employment Act (this index)

Alternative dispute resolution, **4:179**

Americans with Disabilities Act (this index)

Answer, **4:322**

Application forms, **4:213**

Arbitration, **3:49, 4:181**

Attorneys' fees, **4:303 to 4:309, 4:358**

Benefits, **4:217**

Checklist, **4:216, 4:310**

Choice of statute, forum and remedy, **4:285**

Civil Rights Act of 1964 (Title VII) (this index)

Civil Rights Act of 1991 (this index)

Civil Rights Acts of 1866-1871 (this index)

Client interview checklist, **4:291**

Communications in class actions, **4:299**

DISCRIMINATION—Cont'd

Compensation, **4:217**
 Complaint
 Complaint with jury claim, **4:318 to 4:320**
 disability discrimination, **4:321**
 Constructive discharge, **4:282**
 Contract law remedies, **1:8**
 Counterclaims, **4:316**
 Defendants, **4:197**
 Demotions, **4:218**
 Depositions, **4:295, 4:312**
 Disabilities, job applicants with, **4:214**
 Disciplinary action, **4:220**
 Discovery, **4:292 to 4:294**
 Educational requirements, ability tests, **4:199 to 4:212**
 Electronic discovery, **4:294**
 Employment agencies and newspapers, **4:198**
Equal Pay Act of 1963 (this index)
Executive Order No. 11246 (this index)
 Ex parte communication with former employees, **4:298**
 Expert labor counsel, **4:287**
 Forms
 answer, **4:322**
 attorney's fees, **4:358**
 complaint
 disability discrimination, **4:321**
 interrogatories
 age discrimination, **4:335, 4:336**
 disability discrimination, **4:337, 4:338**
 race discrimination, **4:335, 4:336**
 sex discrimination, **4:339, 4:340**
 jury instructions
 defendant, **4:346**
 defendant's, **4:343**
 disability discrimination, **4:347 to 4:352**
 plaintiff's, **4:341, 4:344, 4:345**
 sex discrimination, **4:353 to 4:357**
 special verdict, **4:342**

DISCRIMINATION—Cont'd

Forms—Cont'd
 motions
 dismissal, **4:323 to 4:325**
 summary judgment, **4:326 to 4:328**
 requests for production of documents
 age discrimination, **4:329, 4:330**
 disability discrimination, **4:331, 4:332**
 race discrimination, **4:329, 4:330**
 sex discrimination, **4:333, 4:334**
 Grievance procedure, **3:49, 4:180**
 Hiring, **4:196**
 Hostile environment, nonsexual harassment claim, **4:239**
 Initial client interview, **4:288 to 4:290, 4:311**
 Interrogatories, **4:295, 4:312**
 age discrimination, **4:335, 4:336**
 disability discrimination, **4:337, 4:338**
 race discrimination, **4:335, 4:336**
 sex discrimination, **4:339, 4:340**
 Interview questions, **4:213**
 Investigating complaint, **4:195**
 Jury instructions
 age discrimination, defendant, **4:346**
 defendant's, **4:343**
 disability discrimination, **4:347 to 4:352**
 plaintiff's, **4:341, 4:344, 4:345**
 sex discrimination, **4:353 to 4:357**
 special verdict, **4:342**
 Leaves of absence, **4:221**
 Litigation
 attorneys' fees, **4:303 to 4:309**
 checklist, **4:310**
 choice of statute, forum and remedy, **4:285**
 Communications in class actions, **4:299**
 counterclaims, **4:316**
 depositions, **4:295, 4:312**
 discovery, **4:292 to 4:294**

INDEX

DISCRIMINATION—Cont'd

Litigation—Cont'd

- electronic discovery, **4:294**
- ex parte communication with former employees, **4:298**
- expert labor counsel, **4:287**
- initial client interview, **4:288 to 4:290**
- interrogatories, **4:295, 4:312**
- multiple remedies, **4:286**
- Rule 11 sanctions, **4:315**
- settlement, **4:301**
- statistical evidence, **4:296**
- statistics, **4:313**
- summary judgment, **4:300, 4:314**
- trial notebook, **4:302, 4:317**
- witnesses, **4:297**

Motions

- dismissal, **4:323 to 4:325**
- summary judgment, **4:326 to 4:328**

Multiple remedies, 4:286

On-the-job discrimination checklist, 4:280

Promotions, 4:218

Religious discrimination, 4:267 to 4:279

Requests for production of documents

- age discrimination, **4:329, 4:330**
- disability discrimination, **4:331, 4:332**
- race discrimination, **4:329, 4:330**
- sex discrimination, **4:333, 4:334**

Retaliatory discharge, 4:283

Reverse discrimination, 4:182 to 4:194

Rule 11 sanctions, 4:315

Seniority system, 4:219

Settlement, 4:301

Sexual Harassment (this index)

Sexual orientation discrimination, 4:252

Statistical evidence, 4:296

Statistics, 4:313

Summary judgment, 4:300, 4:314

Termination, 4:281 to 4:284

Transfers, 4:218

DISCRIMINATION—Cont'd

Trial notebook, 4:302, 4:317

Witnesses, 4:297

DISTRICT OF COLUMBIA

Contract law remedies, 1:23

Discovery, 1:285

Tort law remedies, 1:79

Wages and other compensation, 5:66

Whistleblowing, 1:136

DODD-FRANK WALL STREET REFORM AND CONSUMER PROTECTION ACT

Whistleblowing, 1:126

DRUG TESTING

Generally, 1:187

DUES

Unions, 2:30, 2:31

ELECTIONS

Collective bargaining, 2:9

EMPLOYEE POLYGRAPH PROTECTION ACT OF 1988

Generally, 1:246

EMPLOYEE RETIREMENT INCOME SECURITY ACT OF 1974 (ERISA)

Generally, 1:243

Actions to enforce statutory or fiduciary duties, 1:244

Actions to recover benefits, 1:245

EMPLOYMENT AGENCIES

Discrimination, 4:198

EMPLOYMENT AT WILL

At-Will Doctrine (this index)

EMPLOYMENT DISCRIMINATION

Generally, 4:1 to 4:359

Administrative agencies and proceedings, 4:2

Law and Remedies

Forbidden grounds for discrimination, 4:6

Overlap of remedies and prohibitions, 4:5

EMPLOYMENT

DISCRIMINATION—Cont'd

Remedies

procedure, **4:4**

Scope, **4:1**

State fair employment laws, **4:3**

Title VII of the Civil Rights Act of 1964

generally, **4:30 to 4:54**

EQUAL PAY ACT OF 1963

Generally, **4:56 to 4:79**

Burden of proof, **4:63 to 4:76**

Class actions, **4:58**

Covered parties, **4:57**

Defenses, **4:63 to 4:76**

Discovery, **4:62**

Evidence, **4:77**

Jury issues, **4:78**

Procedure, **4:61**

Prohibited acts, **4:59**

Remedies, **4:79**

Retaliation, **4:60**

EVIDENCE

Wages and other compensation, **5:49**

EVIDENCE AND BURDEN OF PROOF

Age Discrimination in Employment Act, **4:89 to 4:106, 4:102, 4:103**

Americans with Disabilities Act, **4:147 to 4:163**

Civil Rights Act of 1964 (Title VII), **4:37 to 4:49**

Civil Rights Acts of 1866-1871, **4:14 et seq., 4:27**

Equal Pay Act of 1963, **4:63 to 4:76, 4:77**

Immigration Reform and Control Act of 1986, **4:129, 4:130**

Rehabilitation Act of 1973, **4:115, 4:116**

EXECUTIVE ORDER NO. 11246

Generally, **4:107**

EXECUTIVES

Wages and other compensation, **5:114 to 5:116**

FAIR LABOR STANDARDS ACT

Wages and other compensation, **5:3**

FAIRNESS HEARING

Wages and other compensation, **5:144**

FAMILY AND MEDICAL LEAVE ACT (FMLA)

Generally, **1:248**

FIREFIGHTERS

Wages and other compensation, **5:111**

FLORIDA

Contract law remedies, **1:24**

Discovery, **1:286**

Tort law remedies, **1:80**

Wages and other compensation, **5:67**

Whistleblowing, **1:137**

FORUM

Choice of, **1:267**

GEORGIA

Contract law remedies, **1:25**

Discovery, **1:287**

Tort law remedies, **1:81**

Wages and other compensation, **5:68**

Whistleblowing, **1:138**

GRIEVANCE PROCEDURE

Generally, **1:264, 3:1 et seq.**

HANDBILLING

Strikes, boycotts and picketing, **2:38**

HANDBOOKS

Generally, **1:260**

Contract law remedies, **1:11**

HAWAII

Contract law remedies, **1:26**

Discovery, **1:288**

Tort law remedies, **1:82**

Wages and other compensation, **5:69**

Whistleblowing, **1:139**

HEARING

Generally, **1:275**

Wages and other compensation, fairness hearing, **5:144**

INDEX

HIRING

Discrimination, **4:196**

HOSTILE ENVIRONMENT CLAIMS

Nonsexual harassment claim, **4:239**
Generally, **4:239 to 4:251**
District of Columbia Circuit, **4:251**
Eighth Circuit, **4:247**
Eleventh Circuit, **4:250**
Fifth Circuit, **4:244**
First Circuit, **4:240**
Fourth Circuit, **4:243**
Ninth Circuit, **4:248**
Second Circuit, **4:241**
Seventh Circuit, **4:246**
Sixth Circuit, **4:245**
Tenth Circuit, **4:249**
Third Circuit, **4:242**
Sexual harassment, **4:224, 4:238**

HOT CARGO

Unfair labor practice cases, **2:68**

IDAHO

Contract law remedies, **1:27**
Discovery, **1:289**
Tort law remedies, **1:83**
Wages and other compensation, **5:70**
Whistleblowing, **1:140**

ILLEGAL OR NONNEGOTIABLE SUBJECTS

Collective bargaining, **2:17**

ILLINOIS

Contract law remedies, **1:28**
Discovery, **1:290**
Tort law remedies, **1:84**
Wages and other compensation, **5:71**
Whistleblowing, **1:141**

IMMIGRATION REFORM AND CONTROL ACT OF 1986

Generally, **4:123 to 4:131**
Burden of proof, **4:129**
Covered parties, **4:124**
Defenses, **4:129**
Discovery, **4:128**
Evidence, **4:130**
Procedure, **4:127**

IMMIGRATION REFORM AND CONTROL ACT OF 1986

—Cont'd

Prohibited acts, **4:125**
Remedies, **4:131**
Retaliation, **4:126**

INDIANA

Contract law remedies, **1:29**
Discovery, **1:291**
Tort law remedies, **1:85**
Wages and other compensation, **5:72**
Whistleblowing, **1:142**

INDIVIDUAL LIABILITY

Wages and other compensation, **5:7**
et seq.

INDUSTRIAL DUE PROCESS

Generally, **1:261**

INJUNCTIVE RELIEF

Wages and other compensation, **5:52**

INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS

Generally, **1:181**
Complaint, **1:329, 1:331**

INTENTIONAL INTERFERENCE WITH CONTRACTUAL RELATIONS

Generally, **1:185**

INTERFERENCE WITH ADVANTAGEOUS CONTRACTUAL RELATIONS

Complaint, **1:330, 1:331**

INTERFERENCE WITH CONTRACT

Complaint, **1:329**

IOWA

Contract law remedies, **1:30**
Discovery, **1:292**
Tort law remedies, **1:86**
Wages and other compensation, **5:73**
Whistleblowing, **1:143**

JOINT EMPLOYER LIABILITY

Wages and other compensation,
5:149

JOINT EMPLOYERS

Collective bargaining, **2:47**

JURISDICTION

Pendant jurisdiction, **1:269**

JURY ISSUES

Age Discrimination in Employment Act, **4:104**

Civil Rights Act of 1964 (Title VII), **4:52**

Civil Rights Acts of 1866-1871, **4:28**

Equal Pay Act of 1963, **4:78**

Individual employment rights, **1:325**

Rehabilitation Act of 1973, **4:117**

Wage and Hour Law, **5:50**

KANSAS

Contract law remedies, **1:31**

Tort law remedies, **1:87**

Wages and other compensation, **5:74**

Whistleblowing, **1:144**

KENTUCKY

Contract law remedies, **1:32**

Discovery, **1:293**

Tort law remedies, **1:88**

Wages and other compensation, **5:75**

Whistleblowing, **1:145**

LAW AND REMEDIES

Employment discrimination

Forbidden grounds for discrimination, **4:6**

Overlap of remedies and prohibitions, **4:5**

LEAVES OF ABSENCE

Discrimination, **4:221**

LIQUIDATED DAMAGES

Age Discrimination in Employment Act, **4:106**

Wages and other compensation, **5:55**

LOCKOUTS

Strikes, boycotts and picketing, **2:43**

LOSS OF CONSORTIUM

Complaint, **1:329**

LOUISIANA

Contract law remedies, **1:33**

LOUISIANA—Cont'd

Discovery, **1:294**

Tort law remedies, **1:89**

Wages and other compensation, **5:76**

Whistleblowing, **1:146**

MAINE

Contract law remedies, **1:34**

Tort law remedies, **1:90**

Wages and other compensation, **5:77**

Whistleblowing, **1:147**

MANUALS

Generally, **1:11, 1:260**

MARYLAND

Contract law remedies, **1:35**

Discovery, **1:295**

Tort law remedies, **1:91**

Wages and other compensation, **5:78**

Whistleblowing, **1:148**

MASSACHUSETTS

Contract law remedies, **1:36**

Discovery, **1:296**

Tort law remedies, **1:92**

Wages and other compensation, **5:79**

Whistleblowing, **1:149**

MICHIGAN

Contract law remedies, **1:37**

Discovery, **1:297**

Tort law remedies, **1:93**

Wages and other compensation, **5:80**

Whistleblowing, **1:150**

MINNESOTA

Contract law remedies, **1:38**

Discovery, **1:298**

Tort law remedies, **1:94**

Wages and other compensation, **5:81**

Whistleblowing, **1:151**

MISREPRESENTATION

Generally, **1:182**

MISSISSIPPI

Contract law remedies, **1:39**

Discovery, **1:299**

Tort law remedies, **1:95**

Wages and other compensation, **5:82**

Whistleblowing, **1:152**

INDEX

MISSOURI

- Contract law remedies, **1:40**
- Discovery, **1:300**
- Tort law remedies, **1:96**
- Wages and other compensation, **5:83**
- Whistleblowing, **1:152**

MONTANA

- Contract law remedies, **1:41**
- Discovery, **1:301**
- Tort law remedies, **1:97**
- Wages and other compensation, **5:84**
- Whistleblowing, **1:154**

MOTIONS

- Amend answer, motion to, **1:334, 5:159**
- Defendant's motion practice, **1:274**
- Discrimination
 - dismissal, **4:323 to 4:325**
 - summary judgment, **4:326 to 4:328**
- Dismissal, **1:335 et seq., 4:323 to 4:325**
- Plaintiff's motion practice, **1:273**
- Summary judgment, **1:338 et seq.**
- Wages and other compensation
 - amend answer, motion to, **5:159**
 - dismissal, motion for, **5:160**
 - summary judgment motion, **5:161**

MOTOR CARRIER ACT

- Wages and other compensation, **5:123**

NEBRASKA

- Contract law remedies, **1:42**
- Discovery, **1:302**
- Tort law remedies, **1:98**
- Wages and other compensation, **5:85**
- Whistleblowing, **1:155**

NEGLIGENT INFLICTION OF EMOTIONAL DISTRESS

- Complaint, **1:329**

NEVADA

- Contract law remedies, **1:43**
- Discovery, **1:303**
- Tort law remedies, **1:99**
- Wages and other compensation, **5:86**

NEVADA—Cont'd

- Whistleblowing, **1:156**

NEW HAMPSHIRE

- Contract law remedies, **1:44**
- Discovery, **1:304**
- Tort law remedies, **1:100**
- Wages and other compensation, **5:87**
- Whistleblowing, **1:157**

NEW JERSEY

- Contract law remedies, **1:45**
- Discovery, **1:305**
- Tort law remedies, **1:101**
- Wages and other compensation, **5:88**
- Whistleblowing, **1:158**

NEW MEXICO

- Contract law remedies, **1:46**
- Discovery, **1:306**
- Tort law remedies, **1:102**
- Wages and other compensation, **5:89**
- Whistleblowing, **1:159**

NEWSPAPERS

- Discrimination, **4:198**

NEW YORK

- Contract law remedies, **1:47**
- Discovery, **1:307**
- Tort law remedies, **1:103**
- Wages and other compensation, **5:90**
- Whistleblowing, **1:160**

NONSEXUAL HARASSMENT CLAIM

- Generally, **4:239 to 4:251**
- District of Columbia Circuit, **4:251**
- Eighth Circuit, **4:247**
- Eleventh Circuit, **4:250**
- Fifth Circuit, **4:244**
- First Circuit, **4:240**
- Fourth Circuit, **4:243**
- Ninth Circuit, **4:248**
- Second Circuit, **4:241**
- Seventh Circuit, **4:246**
- Sixth Circuit, **4:245**
- Tenth Circuit, **4:249**
- Third Circuit, **4:242**

NORTH CAROLINA

Contract law remedies, **1:48**
Discovery, **1:308**
Tort law remedies, **1:104**
Wages and other compensation, **5:91**
Whistleblowing, **1:161**

NORTH DAKOTA

Contract law remedies, **1:49**
Discovery, **1:309**
Tort law remedies, **1:105**
Wages and other compensation, **5:92**
Whistleblowing, **1:162**

OHIO

Contract law remedies, **1:50**
Discovery, **1:310**
Tort law remedies, **1:106**
Wages and other compensation, **5:93**
Whistleblowing, **1:163**

OKLAHOMA

Contract law remedies, **1:51**
Discovery, **1:311**
Tort law remedies, **1:107**
Wages and other compensation, **5:94**
Whistleblowing, **1:164**

**OLDER WORKERS BENEFIT
PROTECTION ACT**

Age Discrimination in Employment
Act, **4:85**

OREGON

Contract law remedies, **1:52**
Discovery, **1:312**
Tort law remedies, **1:108**
Wages and other compensation, **5:95**
Whistleblowing, **1:165**

PARAMEDICS

Wages and other compensation, **5:111**

PENDANT JURISDICTION

Generally, **1:269**

PENNSYLVANIA

Contract law remedies, **1:53**
Discovery, **1:313**
Tort law remedies, **1:109**
Wages and other compensation, **5:96**
Whistleblowing, **1:166**

PICKETING

Strikes, Boycotts and Picketing
(this index)

**PIERCING THE CORPORATE
VEIL**

Collective bargaining, **2:49**

PLAINTIFFS

Discovery, **1:271**
Discrimination, **4:345**
Motions, **1:273**

POLICE

Wages and other compensation, **5:111**

POLICY STATEMENTS

Generally, **1:11, 1:256**

POLLING

Unfair labor practice cases, **2:67**

PREEMPLOYMENT ISSUES

Generally, **1:256**

PREEMPTION

Affirmative defenses, **1:251**
Unfair labor practice cases, **2:69**

**PRELIMINARY OR
POSTLIMINARY ACTIVITIES**

Wages and other compensation, **5:24**

PRIVACY, INVASION OF

Generally, **1:184**
Complaint, **1:330**

PROFESSIONALS

Wages and other compensation,
5:120

PROGRESSIVE DISCIPLINE

Generally, **1:262**

PROMOTIONS

Discrimination, **4:218**

PUBLICLY TRADED COMPANIES

Whistleblowing, **1:124**

PUBLIC POLICY

Contract law remedies, **1:7**

PUBLIC POLICY VIOLATION

Complaint, **1:330, 1:331**

INDEX

PUNITIVE DAMAGES

Civil Rights Act of 1964, **4:54**

Discrimination, **4:56**

QUANTUM MERUIT

Complaint, **1:330**

QUI TAM ACTIONS

Whistleblowing, **1:123**

REASONABLE

ACCOMMODATION

Americans with Disabilities Act,
4:164 to 4:177

RECOGNITIONAL PICKETING

Strikes, boycotts and picketing, **2:37**

RECORDS AND

RECORDKEEPING

Americans with Disabilities Act,
4:138

Wages and other compensation, **5:31**

REFERENCES

Job references, **1:258**

REHABILITATION ACT OF 1973

Generally, **4:108 to 4:118**

Burden of proof, **4:115**

Class actions, **4:110**

Covered parties, **4:109**

Defenses, **4:115**

Discovery, **4:114**

Evidence, **4:116**

Jury issues, **4:117**

Procedure, **4:113**

Prohibited acts, **4:111**

Remedies, **4:118**

Retaliation, **4:112**

REINSTATEMENT

Strikes, boycotts and picketing, **2:42**

Wages and other compensation, **5:54**

RELIGIOUS DISCRIMINATION

Discrimination, **4:267 to 4:279**

REMEDIES

Age Discrimination in Employment
Act, **4:105**

Choice of, **1:267**

Civil Rights Acts of 1866-1871, **4:29**

REMEDIES—Cont'd

Employment discrimination
procedure, **4:4**

Equal Pay Act of 1963, **4:79**

Immigration Reform and Control Act
of 1986, **4:131**

Individual employment rights, **1:325,**
1:327

Rehabilitation Act of 1973, **4:118**

Vietnam Era Veterans' Readjustment
Act of 1977, **4:122**

Wages and other compensation, **5:51**
et seq.

RES JUDICATA

Affirmative defenses, **1:252**

RETAIL SERVICES

Wages and other compensation,
5:122

RETALIATION

Age Discrimination in Employment
Act, **4:84**

Americans with Disabilities Act,
4:144

Civil Rights Act of 1964 (Title VII),
4:34

Civil Rights Acts of 1866-1871, **4:11**

Equal Pay Act of 1963, **4:60**

Immigration Reform and Control Act
of 1986, **4:126**

Rehabilitation Act of 1973, **4:112**

Wages and other compensation, **5:33**

RETALIATORY DISCHARGE

Discrimination, **4:283**

Federal laws, **1:54, 1:55**

REVERSE DISCRIMINATION

Discrimination, **4:182 to 4:194**

RHODE ISLAND

Contract law remedies, **1:54**

Discovery, **1:314**

Tort law remedies, **1:110**

Wages and other compensation, **5:97**

Whistleblowing, **1:167**

SALESPERSONS

Wages and other compensation,
5:121

SENIORITY SYSTEM

Discrimination, **4:219**

**SETTLEMENT AGREEMENT AND
RELEASE**

Age Discrimination in Employment
Act, **4:86**

Order approving, **5:178**

Second amended settlement agree-
ment, **5:177**

SEXUAL HARASSMENT

Generally, **4:222 to 4:251**

Affirmative defenses, **4:225**

Defenses, **4:225**

Hostile environment claims, **4:224,**
4:238

Written sexual harassment policy,
4:223

**SEXUAL ORIENTATION
DISCRIMINATION**

Discrimination, **4:252**

District of Columbia Circuit, **4:264**

Eighth Circuit, **4:260**

Eleventh Circuit, **4:263**

Federal Circuit, **4:265**

Fifth Circuit, **4:257**

First Circuit, **4:253**

Fourth Circuit, **4:256**

Ninth Circuit, **4:261**

Second Circuit, **4:254**

Seventh Circuit, **4:259**

Sixth Circuit, **4:258**

State cases, **4:266**

Tenth Circuit, **4:262**

Third Circuit, **4:255**

SHUTDOWNS

Strikes, boycotts and picketing, **2:43**

SOUTH CAROLINA

Contract law remedies, **1:55**

Discovery, **1:315**

Tort law remedies, **1:111**

Wages and other compensation, **5:98**

Whistleblowing, **1:168**

SOUTH DAKOTA

Contract law remedies, **1:56**

Discovery, **1:316**

SOUTH DAKOTA—Cont'd

Tort law remedies, **1:112**

Wages and other compensation, **5:99**

Whistleblowing, **1:168**

STATUTE OF FRAUDS

Affirmative defenses, **1:253**

STATUTES OF LIMITATIONS

Affirmative defenses, **1:254**

Wages and other compensation,
5:147

STATUTORY REMEDIES

Generally, **1:188 et seq.**

Employment Termination Act, draft,
App 1A

Whistleblowing

federal, **1:122**

state, **1:125 to 1:176**

**STRIKES, BOYCOTTS AND
PICKETING**

Collective bargaining
clauses, **3:24**

Common situs picketing, **2:36**

Complaint to compel arbitration and
enjoin strike, **3:72**

Decertification proceedings, **2:41**

Handbilling, **2:38**

Recognitional picketing, **2:37**

Reinstatement, **2:42**

Secondary boycott, **2:39**

Shutdowns and lockouts, **2:43**

Termination, **3:24**

Withdrawal of recognition, **2:40**

**SUCCESSOR EMPLOYER
LIABILITY**

Wages and other compensation,
5:149.50

SUCCESSOR EMPLOYERS

Collective bargaining, **2:48, 3:17**

SUPERSENIORITY

Unions, **2:34**

SUPERVISORS

Collective bargaining, **2:10**

TENNESSEE

Contract law remedies, **1:57**

INDEX

TENNESSEE—Cont'd

- Discovery, **1:317**
- Tort law remedies, **1:113**
- Wages and other compensation, **5:100**
- Whistleblowing, **1:170**

TERMINATION

- Collective bargaining agreements, grievances subsequent, **3:16**
- Conduct outside employment, **3:51**
- Employees
 - arbitration, **3:62**
 - insubordination, **3:27**
 - overtime, failure to work, **3:27**
 - safety rule violations, **3:26**
 - slowdowns, **3:24**
 - strikes, **3:24**
- Employment Termination Act, draft, **App 1A**
- Insubordination, **3:27**
- Strikes, **3:24**

TEXAS

- Contract law remedies, **1:58**
- Discovery, **1:318**
- Tort law remedies, **1:114**
- Wages and other compensation, **5:101**
- Whistleblowing, **1:171**

TORT LAW REMEDIES

- Alabama, **1:71**
- Alaska, **1:72**
- Arizona, **1:73**
- Arkansas, **1:74**
- California, **1:75**
- Colorado, **1:76**
- Connecticut, **1:77**
- Delaware, **1:78**
- District of Columbia, **1:79**
- Florida, **1:80**
- Georgia, **1:81**
- Hawaii, **1:82**
- Idaho, **1:83**
- Illinois, **1:84**
- Indiana, **1:85**
- Iowa, **1:86**
- Kansas, **1:87**

TORT LAW REMEDIES—Cont'd

- Kentucky, **1:88**
- Louisiana, **1:89**
- Maine, **1:90**
- Maryland, **1:91**
- Massachusetts, **1:92**
- Michigan, **1:93**
- Minnesota, **1:94**
- Mississippi, **1:95**
- Missouri, **1:96**
- Montana, **1:97**
- Nebraska, **1:98**
- Nevada, **1:99**
- New Hampshire, **1:100**
- New Jersey, **1:101**
- New Mexico, **1:102**
- New York, **1:103**
- North Carolina, **1:104**
- North Dakota, **1:105**
- Ohio, **1:106**
- Oklahoma, **1:107**
- Oregon, **1:108**
- Pennsylvania, **1:109**
- Public policy, **1:69, 1:70**
- Rhode Island, **1:110**
- South Carolina, **1:111**
- South Dakota, **1:112**
- Tennessee, **1:113**
- Texas, **1:114**
- Utah, **1:115**
- Vermont, **1:116**
- Virginia, **1:117**
- Washington, **1:118**
- West Virginia, **1:119**
- Wisconsin, **1:120**
- Wyoming, **1:121**

TORTS

- See also Fraud and Misrepresentation
- Whistleblowing
 - state laws, **1:125 to 1:176**

TRANSFERS

- Discrimination, **4:218**

TRIAL

- Generally, **1:275**

UNDUE HARDSHIP

Americans with Disabilities Act,
4:140

**UNFAIR LABOR PRACTICE
CASES**

Concerted action, **2:66**
Hot cargo, **2:68**
Permitted conduct by employers,
2:74
Permitted conduct by unions, **2:75**
Polling, **2:67**
Preemption, **2:69**
Procedures in, **2:51 to 2:75**
Prohibited conduct by employers,
2:72
Prohibited conduct by unions, **2:73**

**UNIFORMED SERVICES
EMPLOYMENT AND
REEMPLOYMENT RIGHTS
ACT (USERRA)**

Generally, **1:249**

UNIONS

Dues, **2:30, 2:31**
Duty of fair representation, **2:29**
Frivolous grievances, **3:22**
Internal union affairs, **2:33**
Organizers as employees, **2:8**
Rights, duties, and obligations of
member, **2:28 et seq.**
Security, **2:32 to 2:34**
Structure and operation of, **2:27**
Superseniority, **2:34**

UTAH

Contract law remedies, **1:59**
Discovery, **1:319**
Tort law remedies, **1:115**
Wages and other compensation,
5:102
Whistleblowing, **1:172**

VERMONT

Contract law remedies, **1:60**
Discovery, **1:320**
Tort law remedies, **1:116**
Wages and other compensation,
5:103
Whistleblowing, **1:173**

**VIETNAM ERA VETERANS'
READJUSTMENT ACT OF
1977**

Generally, **4:119 to 4:122**
Covered parties, **4:120**
Procedure, **4:121**
Remedies, **4:122**

VIRGINIA

Contract law remedies, **1:61**
Discovery, **1:321**
Tort law remedies, **1:117**
Wages and other compensation,
5:104
Whistleblowing, **1:174**

**WAGES AND OTHER
COMPENSATION**

See also Equal Pay Act of 1963
Administrators, **5:117 to 5:119**
Alabama, **5:58**
Alaska, **5:59**
Answer, **5:158, 5:159**
Arizona, **5:60**
Arkansas, **5:61**
Attorneys' fees, **5:56, 5:172 to 5:176**
Backwage relief, **5:53**
Blue collar workers, **5:110**
Burden of proof, defenses, **5:35 to 5:48**
California, **5:62**
Child labor, **5:30**
Class or collective actions
generally, **5:129 et seq.**
answer, **5:158**
Class Action Fairness Act, **5:130 et seq.**
complaint, generally, **5:151 et seq.**
defendant's opposition to
plaintiff's motions, **5:174**
defendant's request for production
of documents, **5:165**
plaintiff's request for production of
documents, **5:163, 5:163 et seq.**
settlement, fairness hearing, **5:144**
Collective bargaining agreements,
5:112

INDEX

WAGES AND OTHER

COMPENSATION—Cont'd

Collective bargaining negotiations, **3:33**
Colorado, **5:63**
Compensatory time, **5:27**
Complaint, **5:150 to 5:157**
Connecticut, **5:64**
Costs and attorneys' fees, **5:56**
Covered employees, **5:21**
Criminal sanctions, **5:146**
Defendant's request for production of documents, **5:165**
Defenses, **5:35 to 5:48**
Definitions
 coverage, **5:4**
 employer, **5:6 et seq., 5:20**
 enterprise, **5:5**
 individual liability, **5:7 et seq.**
 public sector employers, **5:20**
 work week, **5:23**
Delaware, **5:65**
Department of Labor, **5:125 to 5:127**
Discovery, **5:34**
Discretion and independent judgment, exercise of, **5:118**
Dismissal, motion for, **5:160**
District of Columbia, **5:66**
Enforcement, **5:125 to 5:127**
Evidence, **5:49**
Executives, **5:114 to 5:116**
Exemptions
 generally, **5:109 et seq.**
 administrators, **5:117 to 5:119**
 blue collar workers, **5:110**
 collective bargaining agreements, **5:112**
 executives, **5:114 to 5:116**
 exercise of discretion and independent judgment, **5:118**
 firefighters, **5:111**
 Motor Carrier Act, **5:123**
 paramedics, **5:111**
 police, **5:111**
 professionals, **5:120**
 retail, **5:122**
 salary basis policy, **5:113**
 salespersons, **5:121**

WAGES AND OTHER

COMPENSATION—Cont'd

Exemptions—Cont'd
 service establishments, **5:122**
Fair Labor Standards Act, generally, **5:3**
Fairness hearing, **5:144**
Firefighters, **5:111**
Florida, **5:67**
Forms
 answer, **5:158, 5:159**
 class action complaints, **5:163**
 complaint, **5:150 to 5:157**
 dismissal, motion for, **5:160**
 interrogatories, **5:166 to 5:168**
 jury instructions, **5:169 to 5:171**
 motion to amend answer, **5:159**
 request for production of documents, **5:163**
 summary judgment motion, **5:161**
Georgia, **5:68**
Hawaii, **5:69**
Idaho, **5:70**
Illinois, **5:71**
Indiana, **5:72**
Individual liability, **5:7 et seq.**
Injunctive relief, **5:52**
Interrogatories, **5:166 to 5:168**
Investigative procedures, **5:126**
Iowa, **5:73**
Joint employer liability, **5:149**
Jury instructions, **5:169 to 5:171**
Jury issues, **5:50**
Kansas, **5:74**
Kentucky, **5:75**
Liquidated damages, **5:55**
Louisiana, **5:76**
Maine, **5:77**
Maryland, **5:78**
Massachusetts, **5:79**
Michigan, **5:80**
Minnesota, **5:81**
Mississippi, **5:82**
Missouri, **5:83**
Montana, **5:84**
Motions
 amend answer, **5:159**
 dismissal, motion for, **5:160**

**WAGES AND OTHER
COMPENSATION—Cont'd**

Motions—Cont'd
summary judgment motion, **5:161**
Motor Carrier Act, **5:123**
Nebraska, **5:85**
Nevada, **5:86**
New Hampshire, **5:87**
New Jersey, **5:88**
New Mexico, **5:89**
New York, **5:90**
North Carolina, **5:91**
North Dakota, **5:92**
Ohio, **5:93**
Oklahoma, **5:94**
Oregon, **5:95**
Paramedics, **5:111**
Pennsylvania, **5:96**
Plaintiff's request for production of documents, **5:163 et seq.**
Police, **5:111**
Preliminary or postliminary activities, **5:24**
Professionals, **5:120**
Recordkeeping, **5:31**
Regular and overtime pay, **5:25, 5:26**
Reinstatement, **5:54**
Remedies, **5:51 et seq.**
Request for production of documents, **5:163, 5:163 et seq.**
Retail, **5:122**
Retail services, **5:122**
Retaliation, **5:33**
Rhode Island, **5:97**
Salary basis regulation, **5:28**
Salespersons, **5:121**
Service establishments, **5:122**
Settlement, fairness hearing, **5:144**
South Carolina, **5:98**
South Dakota, **5:99**
Statutes of limitations, **5:147**
Successor employer liability, **5:149.50**
Summary judgment motion, **5:161**
Tennessee, **5:100**
Texas, **5:101**
Utah, **5:102**
Vermont, **5:103**

**WAGES AND OTHER
COMPENSATION—Cont'd**

Virginia, **5:104**
Washington, **5:105**
West Virginia, **5:106**
Wisconsin, **5:107**
Working time, **5:22**
Wyoming, **5:108**

WASHINGTON

Contract law remedies, **1:62**
Tort law remedies, **1:118**
Wages and other compensation, **5:105**
Whistleblowing, **1:175**

WEST VIRGINIA

Contract law remedies, **1:63**
Discovery, **1:322**
Tort law remedies, **1:119**
Wages and other compensation, **5:106**
Whistleblowing, **1:176**

WHISTLEBLOWING

Alabama, **1:128**
Alaska, **1:129**
Arizona, **1:130**
Arkansas, **1:131**
California, **1:132**
Colorado, **1:133**
Connecticut, **1:134**
Delaware, **1:135**
District of Columbia, **1:136**
Dodd-Frank Wall Street Reform and Consumer Protection Act, **1:126**
Florida, **1:137**
Georgia, **1:138**
Hawaii, **1:139**
Idaho, **1:140**
Illinois, **1:141**
Indiana, **1:142**
Iowa, **1:143**
Kansas, **1:144**
Kentucky, **1:145**
Louisiana, **1:146**
Maine, **1:147**
Maryland, **1:148**
Massachusetts, **1:149**

INDEX

WHISTLEBLOWING—Cont'd

Michigan, **1:150**
Minnesota, **1:151**
Mississippi, **1:152**
Missouri, **1:152**
Montana, **1:154**
Nebraska, **1:155**
Nevada, **1:156**
New Hampshire, **1:157**
New Jersey, **1:158**
New Mexico, **1:159**
New York, **1:160**
North Carolina, **1:161**
North Dakota, **1:162**
Ohio, **1:163**
Oklahoma, **1:164**
Oregon, **1:165**
Pennsylvania, **1:166**
Publicly traded companies, **1:124**
Qui tam actions, **1:123**
Rhode Island, **1:167**
South Carolina, **1:168**
South Dakota, **1:169**
Tennessee, **1:170**
Texas, **1:171**
Utah, **1:172**
Vermont, **1:173**
Virginia, **1:174**

WHISTLEBLOWING—Cont'd

Washington, **1:175**
West Virginia, **1:176**
Wisconsin, **1:177**
Wyoming, **1:178**

WISCONSIN

Contract law remedies, **1:64**
Discovery, **1:323**
Tort law remedies, **1:120**
Wages and other compensation,
5:107
Whistleblowing, **1:177**

WORKER ADJUSTMENT AND RETRAINING NOTIFICATION ACT (WARN)

Generally, **1:247**

WORKING TIME

Wages and other compensation, **5:22**

WYOMING

Contract law remedies, **1:65**
Discovery, **1:324**
Tort law remedies, **1:121**
Wages and other compensation,
5:108
Whistleblowing, **1:178**