

LABOR RELATIONS LAW: CASES AND MATERIALS

Thirteenth Edition

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CAROLINA ACADEMIC PRESS

Durham, North Carolina

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ISBN: 978-1-6328-4957-1

Library of Congress Cataloging-in-Publication Data

Names: St. Antoine, Theodore J., 1929- author. | Craver, Charles B., author. | Crain, Marion G., author.
Title: Labor relations law : cases and materials / Theodore J. St. Antoine, Charles B. Craver, Marion G. Crain.
Description: Thirteenth edition. | Durham, NC: Carolina Academic Press, 2016.
Identifiers: LCCN 2015045415 (print) | LCCN 2015045681 (ebook) | ISBN 9781632849571 (hardbound) | ISBN 9781632849595 (epub)
Subjects: LCSH: Labor laws and legislation—United States—Cases. | Industrial relations—United States.
Classification: LCC KF3368 .L35 2016 (print) | LCC KF3368 (ebook) | DDC 344.7301—dc23
LC record available at <http://lcn.loc.gov/2015045415>

Carolina Academic Press, LLC
700 Kent Street
Durham, NC 27701
Telephone (919) 489-7486
Fax (919) 493-5668
www.caplaws.com

Printed in the United States of America

Preface to the Thirteenth Edition

The last several decades have seen an explosive growth in the law governing the workplace. Even the name of the subject has changed at some schools from Labor Relations Law to Labor and Employment Law or Work Law to reflect the expanding governmental regulation of employer-employee relations, as distinct from traditional union-management relations. Although some professors still try to include both labor relations law and employment law within the same course, most law schools have created separate courses covering Employment Discrimination Law, Individual Employment Rights, and Fringe Benefit Law. We agree with this trend, because we believe there is a substantial risk of superficiality and a lack of focus if someone tries to include all of these areas in a single three- or four-hour offering. We also think that those two almost unique American institutions — the representative labor union and the collective bargaining process as they have evolved in this country — deserve study in a setting in which they occupy the center stage.

Like its predecessors, the thirteenth edition of this casebook is designed for an intensive examination of the union-management relationship throughout its major phases. Kind words from many readers, both faculty members and students, have indicated that the structure of recent editions has been conducive to that purpose. We begin with a focus on the right of employees to join together for organizational purposes, regulation of the union organizing process, development of bargaining relationships, the negotiation of collective agreements, including resort to economic weapons, and the enforcement of those agreements. A brief section addressing the law governing internal union affairs follows. We conclude with a section exploring what unions might do to remain relevant in our post-industrial economy, critiquing the existing law, and suggesting possible reforms.

As in the past, we have tried to respond generously to the most significant current developments in the field, while simultaneously providing a set of materials that will be truly manageable in the usual three- or four-hour courses. For this revision, we will continue our practice of publishing a biennial softbound supplement to keep the book up-to-date.

We must finally express our appreciation to Kat Pearlstein and Corey Biller whose capable and conscientious research assistance contributed substantially to this revision, and to Rachel Mance for her expert technical assistance.

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