

ALI-ABA Course of Study
Employment Law Update: Fall 2009

October 20, 2009

Employment Law Update: Fall 2009
(Presentation Slides)

By

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American Law Institute – American Bar Association
October 20, 2009

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Table of Contents

I.	U.S. Supreme Court Review: 2008-2009 Term	5
II.	U.S. Supreme Court Preview: 2009-2010 Term	26
III.	2009 Enacted Legislation	44
IV.	111th Congress, 2009-2010: Proposed Legislation	56
V.	Regulatory Developments	80
VI.	Americans with Disabilities Act	93
VII.	Family & Medical Leave Act	99
VIII.	Computer Fraud & Abuse Act	103
IX.	Whistleblower Developments	107
X.	Wage & Hour Litigation	113
XI.	ERISA	118
XII.	Discrimination	122
XIII.	Harassment Litigation	141
XIV.	Retaliation	145

Table of Contents

XV.	Furlough Plans	149
XVI.	Affirmative Action	151
XVII.	Common Law Claims	153
XVIII.	Arbitration	161
XIX.	Discovery	166
XX.	Attorney-Client Privilege	173
XXI.	Workplace Privacy	176
XXII.	Non-Compete	179
XXIII.	Damages	183
XXIV.	Attorneys' Fees	190
XXV.	Social Networking	194
XXVI.	Summary Judgment	200
XXVII.	Alien Tort Statute	202

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I. U.S. Supreme Court Review: 2008-2009 Term



For summarized highlights of the 2008-2009 term, see:

http://topics.law.cornell.edu/supct/supreme_court_2008-2009_term_highlights

**Crawford v. Metropolitan Gov't of
Nashville & Davidson County**

129 S. Ct. 846, 2009 U.S. LEXIS 870

January 26, 2009

- **Summary of Holding:**
 - An employee “opposes” an employer’s alleged unlawful discrimination, and thus is entitled to protection under Title VII’s anti-retaliation provisions, where the employee speaks out about discrimination not on her own initiative, but in answering questions during an employer’s internal investigation.
- **Votes & Opinions:**
 - Unanimous decision.
 - Majority opinion written by Justice Souter.
 - 1 concurring opinion, written by Justice Alito.
- **Briefs:**
 - For a copy of all of the briefs and other documents in this case, see: [http://www.scotuswiki.com/index.php?title=Crawford v. Metropolitan Government of Nashville](http://www.scotuswiki.com/index.php?title=Crawford_v._Metropolitan_Government_of_Nashville)

6

**Crawford v. Metropolitan Gov't of
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(continued)

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- **For a Sampling of Secondary Sources Discussing this Opinion, see:**
 - Michael J. Zimmer, [A Pro-Employee Supreme Court?: The Retaliation Decisions](#), 60 S.C.L.Rev. 917 (2009).
 - David L. Franklin, [What Kind of Business-Friendly Court? Explaining the Chamber of Commerce’s Success at the Roberts Court](#), 49 Santa Clara L. Rev. 1019 (2009).
 - Robin S. Conrad, [The Roberts Court and the Myth of a Pro-Business Bias](#), 49 Santa Clara L. Rev. 997 (2009).
 - ELL, Inc., [Crawford v. Metropolitan: Supreme Court Rules on Retaliation](#), Feb 4, 2009, <http://www.prlog.org/10177462-crawford-metropolitan-supreme-court-rules-on-retaliation.html>.
 - Weil Gotshal Blog, [Crawford v. Metropolitan Government of Nashville and Davidson County, Tennessee](#), Jan 27, 2009, <http://www.weil.com/news/pubdetail.aspx?pub=9322>.

7