
Contents

<i>List of contributors</i>	vii
-----------------------------	-----

PART I FOUNDATIONS

1	Introduction: the economics of labor and employment law <i>Cynthia L. Estlund and Michael L. Wachter</i>	3
2	Neoclassical labor economics: its implications for labor and employment law <i>Michael L. Wachter</i>	20
3	Economic analysis of labor markets and labor law: an institutional/industrial relations perspective <i>Bruce E. Kaufman</i>	52

PART II UNIONS AND COLLECTIVE BARGAINING

4	Unions, dynamism, and economic performance <i>Barry T. Hirsch</i>	107
5	Union organizing and the architecture of employee choice <i>Benjamin I. Sachs</i>	146
6	The deserved demise of EFCA (and why the NLRA should share its fate) <i>Richard A. Epstein</i>	177
7	Evaluating the effectiveness of National Labor Relations Act remedies: analysis and comparison with other workplace penalty policies <i>Morris M. Kleiner and David Weil</i>	209
8	The union as broker of employment rights <i>Stewart J. Schwab</i>	248

PART III EMPLOYEE RIGHTS AND EMPLOYER MANDATES

9	Bias and the law of the workplace <i>Christine Jolls</i>	275
10	From just cause to just notice in reforming employment termination law <i>Rachel Arnow-Richman</i>	296
11	The law and economics of employment protection legislation <i>Simon Deakin</i>	330

- 12 Intellectual property justifications for restricting employee mobility:
a critical appraisal in light of the economic evidence 357
Alan Hyde
- 13 Antidiscrimination in employment: the simple, the complex, and the
paradoxical 385
Samuel Issacharoff and Erin Scharff
- 14 The forum for adjudication of employment disputes 409
Samuel Estreicher and Zev J. Eigen

PART IV CONCLUDING PERSPECTIVES

- 15 The striking success of the National Labor Relations Act 427
Michael L. Wachter
- 16 Why workers still need a collective voice in the era of norms and mandates 463
Cynthia L. Estlund
- Index* 495