

# VERMONT LAW REVIEW

VOLUME 16 NUMBER 1

SUMMER 1991

## SYMPOSIUM ON LABOR AND EMPLOYMENT LAW INTRODUCTION

Toward Justice in the  
Workplace ..... *Senator Edward M. Kennedy* 1

### LABOR LAW ARTICLES

National Labor Relations Board  
Control of Union Discipline and  
the Myth of Nonintervention ..... *Roger C. Hartley* 11

Rediscovering Progressive Labor Politics:  
The Labor Law Implications of *Federal  
Trade Commission v. Superior Court  
Trial Lawyers Association* ..... *Gary Minda* 71

### EMPLOYMENT LAW ARTICLES

Workplace Discrimination: Truthfulness  
and the Moral Imagination ..... *Emily Calhoun* 137

Employment Discrimination Law  
and the Need for Reform ..... *Christine Godsil Cooper* 183

The Implications of Inadequate  
Maternity Leave Policies  
Under Title VII ..... *Maureen E. Lally-Green* 223

The Americans with Disabilities Act  
of 1990: Title I and Its Impact on  
Employment Decisions ..... *Floyd D. Weatherspoon* 263

### NOTE

Sexual Harassment Between Peers  
Under Title VII and Title IX:  
Why Girls Just Can't Wait to be  
Working Women ..... 303

### DEVELOPMENTS IN VERMONT LAW

#### ARTICLES

Workplace Defamation: Public Policy,  
Compelled Self-Publication, and the  
Vermont Constitution ..... *David J. Blythe* 341

"One for the Road"—The Reliability  
of Retrograde Extrapolation and the  
Implications for Vermont Statutes . . . . . *Ellen J. Abbott* 395

**ENVIRONMENTAL LAW REVIEW**

**NOTE**

Lessening the Mens Rea Requirement  
for Hazardous Waste Violations . . . . . 419

---

The *Vermont Law Review* is published semi-annually.

Subscription rate: \$18.00 (plus \$3.00 for foreign mailing) payable in advance; \$9.00 per issue. Subscriptions are renewed automatically upon expiration unless the subscriber sends timely notice of termination. All notifications of change of address should include the account number, and the old and new address, including zip code. Please notify us one month in advance to ensure prompt delivery. For an inclusive index of all prior volumes of the *Vermont Law Review*, send a request to Vermont Law Review, Vermont Law School, South Royalton, Vermont 05068.

Second-class postage paid at Atlanta, Georgia, and at additional mailing offices. For back issues, inquire of Fred B. Rothman & Company, 10368 West Centennial Road, Littleton, Colorado 80123. Address all other communications to Vermont Law Review, Vermont Law School, South Royalton, Vermont 05068.

The *Review* invites the submission of unsolicited manuscripts. We regret that manuscripts can be returned only if accompanied by return postage.

Printed by Darby Printing Co., 715 W. Whitehall St., S.W., Atlanta, Georgia 30310.