

# Freedom of Speech and Employment Law

Practice in the British Courts

DAVID RENTON



## **Freedom Of Speech And Employment**

Anthony R. DiMaggio

#### **Freedom Of Speech And Employment:**

Freedom of Speech in the Public Workplace Marcy S. Edwards, 1998 Freedom of Speech and Employment Lucy Vickers, 2002 Government and The NHS **Speechless** Bruce Barry, 2009-01-22 Pressed to come up with a list of critical issues facing the contemporary American workplace one thinks guickly of job insecurity stagnant wages health care costs downsizing off shoring workplace safety and retirement worries Freedom of expression for employees might seem less urgent than these issues but it is precisely the freedom to Speechless [electronic resource] Bruce Barry, 2007 A factory worker is fired because her boss disagrees with her political bumper sticker A stockbroker feels pressure to resign from an employer who disapproves of his off hours political advocacy A flight attendant is grounded because her airline doesn t like what she s writing in her personal blog Is it legal to fire people for speech that makes employers uncomfortable even if the content has little or nothing to do with their job or workplace For most American workers the alarming answer is yes Speechless takes on the state of free expression in the American workplace exploring its history explaining how and why Americans have come to take freedom of speech for granted and demonstrating how employers can legally punish employees for speaking their minds Bruce Barry shows how constitutional law erects formidable barriers to free speech in workplaces while employment law gives employers wide latitude to suppress speech with impunity even speech that is unrelated to the job or the company Employers with rights of property ownership over not just what they manage but how they manage can decide just how much employee speech they will tolerate Workers have little choice but to accept conditions of employment or go elsewhere Barry argues that a toxic combination of law conventional economic wisdom and accepted managerial practice has created an American workplace in which freedom of speech that most crucial of civil liberties in a healthy democracy is something you do after work on your own time and even then for many only if your employer approves Barry proposes changes both to the law and to management practice that would expand employees expressive rights without jeopardizing the legitimate interests of employers In defense of freer speech in and around the workplace Barry argues that a healthy democracy depends in part on the experience of liberty at work Workplaces are key venues for shared experience and public discourse so workplace speech rights matter deeply for advancing citizenship community and democracy in a free society A Legal Guide to Public Employee Free Speech in North Carolina Stephen Allred, 1989 Determining whether an employee's First Amendment free speech interests should prevail over legitimate employer concerns for an efficient workplace is a difficult question that this book attempts to answer To give public employers and public employees an understanding of the legal framework in which free speech issues are decided is the purpose of this book. The first section traces the development of the public employee free speech right in the decisions of the United States Supreme Court setting forth the basic analytical framework within which these cases are decided The second section focuses more closely on the variables within the Supreme Court's analytical framework by examining a number of lower court decisions paying particular attention to the

decisions of the North Carolina Court of Appeals the North Carolina federal district courts and the Fourth Circuit Court of Decent Work in the Digital Age Tamás Gyulavári, Emanuele Menegatti, 2022-10-20 This book explores the legal Appeals SI and practical implications of the digital age for employment and industrial relations To that end the book analyses the problems arising from the digitalisation of work and the negative effects on working conditions in fields such as platform work robotisation discrimination data protection and freedom of speech It also looks at how to ensure decent working conditions for workers affected by digitalisation by investigating the minimum standards that should be ensured to mitigate negative effects and how these could be best guaranteed by legislation and collective bargaining. The book presents a theoretical framework on the impact of automatisation robotics and digitalisation on the very basic principles of individual and collective labour law The chapters provide an in depth analysis of new patterns of work prompted by digitalisation including classification of platform workers recognition of employment and social security rights competition law aspects of platform work remote tele work arrangements algorithmic decision making and remote surveillance data protection and privacy and social media in working environments The book is an important reference for academics and researchers social partners and policy makers with an interest in labour law and industrial relations The Law of Higher Education William A. Kaplin, Barbara A. Lee, 2011-03-08 Based on the fourth edition of The Law of Higher Education the indispensable guide to law that bears on the provision of higher education this Student Edition provides an up to date reference and guide for coursework in higher education law It also provides a guide for programs that help prepare higher education administrators for leadership roles This important reference is organized into five main parts Perspectives and Foundations The College and Its Governing Board and Staff The College and Its Faculty The College and Its Students and The College and the Outside World Each part includes the sections of the full fourth edition that most relate to student interests and are most suitable for classroom instruction for example The evolution and reach of higher education law The governance of higher education Legal planning and dispute resolution The interrelationships between law and policy The college and its employees Faculty employment and tenure Academic freedom Campus issues student safety racial and sexual harassment affirmative action computer networks services for international students Student misconduct Freedom of speech hate speech Student rights responsibilities and activities fees Athletics and Title IX Copyright **Employment Law Update, 2020 Edition** HENRY H. PERRITT (JR.), Perritt Jr Henry H,2020-03-14 Employment Law Update 2020 Edition analyzes recent developments of interest to employment law practitioners representing plaintiffs defendants and labor unions It comprehensively covers recent developments and case law in the rapidly changing employment and labor law field Comprised of 7 chapters each written by an expert in employment law this updated edition provides timely incisive analysis of critical issues Employment Law Update 2020 Edition provides where appropriate checklists forms and guidance on strategic considerations for litigation and other forms of dispute resolution Highlights of coverage in this 2020 Edition include Analysis of the proliferating state

and municipal ordinances and statutes requiring employers to adopt predictable schedules Case law under the Americans With Disabilities Act involving employees or applicants for employment who claim that their inability to relate well to others constitutes a statutory mental disability that must be accommodated How the acquiring firm in an acquisition and the surviving firm in a merger can improve the chances of retaining preferred employees including the likely impact of various equity and option arrangements The rapidly changing legal landscape for covenants not to compete including a review of basic common law concepts and the reach of new statutes that limit the enforceability of covenants in several states The possibility that employer rules may constitute unfair labor practices under the National Labor Relations Act under the doctrine of The Boeing Company case which allows employers to avoid liability by offering justification for rules such as those prohibiting employee use of camera in the workplace The controversy over political speech by professional athletes and the legal framework defining the rights of players teams and leagues considering that the First Amendment does not apply to the non state actors Guidance to multinational employers on how to conduct an internal investigation without running afoul of widely differing national laws on privacy and other employee rights Note Online subscriptions are for three month periods Previous Edition Employment Law Update 2019 Edition ISBN 9781543808452 The Library's Legal Answer Book Mary Minow, Tomas A. Lipinski, 2003-01-23 With coverage of all the issues of the day filters fair use copyright Web publishing and Internet use software sharing ADA compliance free speech privacy access and employment and liability issues you will have a librarian s J D in short order Religious Freedom, Religious Discrimination and the Workplace Lucy Vickers, 2016-11-03 This book considers the extent to which religious interests are protected at work with particular reference to the protection against religious discrimination provided by the Equality Act 2010 It establishes a principled basis for determining the proper scope of religious freedom at work and considers the interaction of freedom of religion with the right not to be discriminated against on grounds of religion and belief The book locates the debates surrounding religion and belief equality within a philosophical and theoretical framework in which the importance of freedom of religion and its role within the workplace are fully debated This second edition is fully revised and updated in the light of recent case law from the UK and the European Court of Human Rights which deals with religious discrimination and freedom of religion

Honest Work Joanne B. Ciulla, 2018 Combining readings and case studies this text asserts that business ethics is primarily about the ethics of individuals and challenges students to reconcile their personal value systems with standard business practice With a unique focus on the personal dimension of ethics this is a practical overview of the ethical issues students are most likely to face in the workforce Religion, Equality and Employment in Europe Katayoun Alidadi, 2017-06-15 The management of religious and ideological diversity remains a key challenge of our time deeply entangled with debates about the nature of liberal democracy equality social cohesion minorities and nationalism security and foreign policy This book explores this challenge at the level of the workplace in Europe People do not surrender their

religion of belief at the gates of their workplace nor should they be required to do so But what are the limits of accommodating religious belief in the workplace particularly when it clashes with other fundamental rights and freedoms Using a comparative and socio legal approach that emphasises the practical role of human rights anti discrimination law and employment protection this book argues for an enforceable right to reasonable accommodation on the grounds of religion and belief in the workplace in Europe In so doing it draws on the case law of Europe s two supranational courts three country studies Belgium the Netherlands and the UK as well as developments in the US and Canada By offering the first book length treatment of the issue it will be of significance to academics students policy makers business leaders and anyone interested in a deeper understanding of the potentials and limits of European and Western inclusion freedom and equality in a multicultural context Awarded an honourable mention from the International Academy of Comparative Law for the 2018 Canada Prize The SAGE Encyclopedia of Business Ethics and Society Robert W. Kolb, 2018-03-27 Spans the relationships among business ethics and society by including numerous entries that feature broad coverage of corporate social responsibility the obligation of companies to various stakeholder groups the contribution of business to society and culture and the relationship between organizations and the quality of the environment Intellectual Freedom Manual Office for Intellectual Freedom, 2010-07-02 This indispensible volume includes the most up to date intellectual freedom guidelines policies and interpretations of the Library Bill of Rights **Encyclopedia of American Civil Liberties** Paul Finkelman, 2021-02-25 Originally published in 2006 the Encyclopedia of American Civil Liberties is a comprehensive 3 volume set covering a broad range of topics in the subject of American Civil Liberties The book covers the topic from numerous different areas including freedom of speech press religion assembly and petition The Encyclopedia also addresses areas such as the Constitution the Bill of Rights slavery censorship crime and war The book s multidisciplinary approach will make it an ideal library reference resource for lawyers scholars and students The Oxford Handbook of the Law of Work, 2024-07-31 At the core of all societies and economies are human beings deploying their energies and talents in productive activities that is at work The law governing human productive activity is a large part of what determines outcomes in terms of social justice material wellbeing and the sustainability of both It is hardly surprising therefore that work is heavily regulated This Handbook examines the law of work a term that includes legislation setting employment standards collective labour law workplace discrimination law the law regulating the contract of employment and international labour law It covers the regulation of relations between employer and employee as well as labour unions but also discussions on the contested boundaries and efforts to expand the scope of some laws regulating work beyond the traditional boundaries Written by a team of experts in the field of labour law the Handbook offers a comprehensive review and analysis both theoretical and critical It includes 60 chapters divided into four parts Part A establishes the fundamentals including the historical development of the law of work why it is needed the conceptual building blocks and the unsettled boundaries Part

B considers the core concerns of the law of work including the contract of employment doctrines main protections in employment legislation the regulation of collective relations discrimination and human rights Part C looks at the international and transnational dimension of the law of work The final Part examines overarching themes including discussion of recent developments such as gig work online work artificial intelligence at work sustainable development Political Power in America Anthony R. DiMaggio, 2019-12-01 Analyzing major political institutions such as Congress the courts the presidency and the media this book chronicles how the interests of affluent Americans particularly business professional and corporate interests dominate over those of average citizens Anthony R DiMaggio examines American political behavior as it relates to lobbying citizen activism media consumption and voting to demonstrate how the public is often misinformed and manipulated regarding major political and economic matters However record public distrust of the government and the increasing popularity of mass protests suggest that most Americans are deeply unhappy with the political status quo and many are willing to fight for change Political Power in America details this interplay between a political system dominated by the affluent few and the rise of mass political distrust and protest It offers information and tools needed to better understand the democratic deficit in American politics while providing opportunities for discussing what we might do to address the mounting crisis of declining democracy Monthly Labor Review United States. Bureau of Labor Statistics, 2000 Publishes in depth articles on labor subjects current labor statistics information about current labor contracts and book reviews Sexual Harassment in the Workplace: Law & Practice, 5th Edition Conte, 2019-11-13 Sexual Public Administration and Law Julia Beckett, Heidi O. Koenig, 2015-02-12 Harassment in the Workplace Law and Practice Public Administration and Law has been edited for use as a supplement for an undergraduate or MPA level course on administrative law The selections all from the pages of Public Administration Review have been chosen to enlighten and enliven the contents of any standard administrative law textbook Each of the book s main sections begins with introductory text and discussion questions by the volume editors Julia Beckett and Heidi Koenig followed by relevant readings from PAR The book s contents follow the standard pattern established by the field s major textbooks to facilitate the instructor s ability to assign readings that illuminate lectures and text material The book concludes with two invaluable resources a bibliography of 65 years of PAR articles concerning public law plus a bibliography of law related articles appearing in other journals published by ASPA

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