

The Foggy Notion

News of the Hastings Law Library

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September's here and that means Happy Labor Day! New York City began celebrating Labor Day in 1882 and in 1884 it was standardized to be the first Monday of September. The first state to actually make it a law was Oregon in 1887. Other states soon followed and by 1894, the U.S. Congress took their turn and passed an act making it a legal holiday.

What is most special about this holiday is that Labor Day is for everyone: it's not tied to any particular religion nor any particular nationality; there was no war that brought about the holiday.

Before reading the rest of this labor law edition, please read about the new CALI CD. Taking a moment to look this over may cause you less "labor" in the future.

CALI CD Not Good for Win98

The 2004-2005 version should not be installed on Windows 98 or earlier systems. The installation causes a particular DLL (MSVCRT.DLL 1997) to get overwritten with a newer one (for XP SP1). Following an attempted installation the computer will no longer start up Windows, and the user will see this message: MSVCRT.DLL linked to missing export NTDLL.DLL:RtlGetVersionNumbers.

If an installation is attempted, the resulting problems can be fixed by booting

in Safe Mode and copying the older MSVCRT.DLL file over the newer one in C:\Windows\System. This DLL will be available on the CALI website (www.cali.org) soon. The lessons on the CD can be run on computers with Windows 98 if the user runs them in browser mode and **does not install** them onto the hard drive.

Labor & Employment Law

When researching labor law, you could find yourself looking at state cases and statutes, or federal cases and statutes, or even looking at the dreaded state and federal *regulations* regarding labor. You might even need to do international research on human rights treaties in order to resolve your labor law questions.

Does this sound daunting? Never fear, the Hastings Law Librarians are here! We can help you find titles in our collection, do a legislative history on a regulation, or find the mother lode of human rights treaties. Stop by the reference desk and ask someone today.

Finding Books on L. & Emp.

When searching our online catalog, it's easy to throw in a few keywords and get a list of perhaps 500 titles, but 500 is too many to wade through.

Instead, try using specific Subject Headings to narrow your search. Here are some ideas:

- ✓ Labor Laws and Legislation
- ✓ Employee Rights
- ✓ Labor Unions
- ✓ Employers Liability
- ✓ Employment

A Few Labor Journal Titles

Check our online catalog for locations of these and other labor-related periodicals in our collection:

- ▶ *Berkeley Journal of Employment and Labor Law*
- ▶ *Comparative Labor Law & Policy Journal*
- ▶ *Labor & Employment Law (ABA)*
- ▶ *University of Pennsylvania Journal of Labor and Employment Law*
- ▶ *Employee Rights and Employment Policy Journal*
- ▶ *International Labour Review (ILO)*

Website 'Wareness

The U.S. Department of Labor (<http://www.dol.gov>) This is the starting place for many areas of labor research such as: OSHA, statistics, international labor affairs, veteran's employment and training, and ADA.

International Labour Organization (<http://www.ilo.org>). A division of the United Nations, this agency was founded in 1919 and formulates minimum standards for basic labor rights: freedom of association, the right to organize, collective bargaining, abolition of forced

labor, and equality of opportunity and treatment.

Institute of Industrial Relations (IIR) (<http://www.iir.berkeley.edu>). Created by an act of the California Legislature in 1945, this organized research unit on UC Berkeley's campus promotes labor and workplace research, education, and community service relating to labor, industrial relations, and the workplace.

Articles of Interest

Craig A. Newell, Jr. Note. *God, Jesus, Allah and Yahweh Should Be Government Employees: How Zelman V. Simmons-Harris Can Establish a Constitutional Framework for Government Funding of Faith-based Services.* (Zelman v. Simmons-Harris, 536 U.S. 639, 2002.) 49 VILL. L. REV. 661-691 (2004).

Lan Liang, Frank A. Sloan and Emily M. Stout. *Precaution, Compensation, and Threats of Sanction: the Case of Alcohol Servers.* 24 INT'L REV. L. & ECON. 49-70 (2004).

Louis J. Papa and Stuart L. Bass. *How Employers Can Protect Themselves from Liability for Employees' Misuse of Computer, Internet, and E-mail Systems in the Workplace.* 10 B.U. J. SCI. & TECH. L. 110-124 (2004).

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