

Contents

	<i>Advisory Panel for Feminist Judgments: Rewritten Employment Discrimination Opinions</i>	<i>page</i> xii
	<i>Notes on Contributors</i>	xiv
	<i>Preface</i>	xxiii
	<i>Acknowledgments</i>	xxv
1	Introduction	1
	<i>Ann C. McGinley and Nicole Buonocore Porter</i>	
2	Supreme Court and Gender Narratives	30
	<i>Desert Palace, Inc. v. Costa</i> , 539 U.S. 90 (2003)	43
	Commentary: <i>Naomi M. Mann</i>	
	Judgment: <i>Anne E. Mullins</i>	
3	Pregnancy Discrimination	58
	<i>International Union, UAW v. Johnson Controls, Inc.</i> , 499 U.S. 187 (1991)	68
	Commentary: <i>Wynter P. Allen</i>	
	Judgment: <i>Marcia L. McCormick</i>	
	<i>Young v. United Parcel Services, Inc.</i> , 135 S.Ct. 1338 (2015)	87
	Commentary: <i>Bradley A. Areheart</i>	
	Judgment: <i>Deborah A. Widiss</i>	
4	Intersectional Approaches to Appearances	119
	<i>Jespersen v. Harrah's Operating Co.</i> , 444 F.3d 1104 (9th Cir. 2006) (en banc)	128

	Commentary: <i>Roxana S. Bell</i>	
	Judgment: <i>Angela Onwuachi-Willig and JoAnne Sweeny</i>	
	<i>Equal Employment Opportunity Commission v. Catastrophe Management Solutions</i>, 852 F.3d 1018 (11th Cir. 2016)	146
	Commentary: <i>Jasbir (Jesse) Kaur Bawa</i>	
	Judgment: <i>D. Wendy Greene</i>	
	<i>Webb v. City of Philadelphia</i>, 562 F.3d 256 (3d Cir. 2009)	180
	Commentary: <i>Sahar F. Aziz</i>	
	Judgment: <i>Valorie K. Vojdik</i>	
5	Harassment Because of Sex	215
	<i>Meritor Savings Bank, FSB v. Vinson</i>, 477 U.S. 57 (1986) (opinion reproduced from <i>Feminist Judgments</i>)	227
	Commentary: <i>Trina Jones</i>	
	Judgment: <i>Angela Onwuachi-Willig</i>	
	<i>Oncale v. Sundowner Offshore Services, Inc.</i>, 523 U.S. 75 (1998) (opinion reproduced from <i>Feminist Judgments</i>)	245
	Commentary: <i>Nancy E. Dowd</i>	
	Judgment: <i>Ann C. McGinley</i>	
6	Sexual Orientation and Gender Identity Discrimination as Sex Discrimination	266
	<i>Etsitty v. Utah Transit Authority</i>, 502 F.3d 1215 (10th Cir. 2007)	278
	Commentary: <i>Pamela A. Wilkins</i>	
	Judgment: <i>Catherine Jean Archibald</i>	
	<i>Hively v. Ivy Tech Community College</i>, 853 F.3d 339 (7th Cir. 2017) (en banc)	301
	Commentary: <i>Danielle D. Weatherby</i>	
	Judgment: <i>Ryan H. Nelson</i>	
7	Systemic Claims and Gender: Proving Disparate Treatment and Impact	334
	<i>American Federation of State, County, and Municipal Employees, AFL-CIO (AFSCME) v. State of Washington</i>, 770 F.2d 1401 (9th Cir. 1985)	344

<i>Contents</i>		xi
Commentary: <i>Stephanie Bornstein</i> Judgment: <i>Teresa Godwin Phelps</i>		
	<i>Equal Employment Opportunity Commission v. Sears, Roebuck & Co.</i>, 839 F.2d 302 (7th Cir. 1988)	361
Commentary: <i>Maria L. Ontiveros</i> Judgment: <i>Leticia M. Saucedo</i>		
	<i>Ricci v. DeStefano</i>, 557 U.S. 557 (2009)	383
Commentary: <i>Rebecca K. Lee</i> Judgment: <i>Marley S. Weiss</i>		
	<i>Wal-Mart Stores, Inc. v. Dukes et al.</i>, 564 U.S. 338 (2011)	430
Commentary: <i>Charles A. Sullivan</i> Judgment: <i>Tristin K. Green</i>		
8	Retaliation	462
	<i>Clark County School District v. Breeden</i>, 532 U.S. 268 (2001)	462
Commentary: <i>Rebecca Hanner White</i> Judgment: <i>Michael Z. Green</i>		
	<i>Index</i>	486