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Age Discrimination in Employment (Book Review)

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BANKRUPTCY & CREDITORS' RIGHTS

Fundamentals of Bankruptcy Law. 6th ed. Richard B. Levin. 2006. American Law Institute–American Bar Association (ALI-ABA). Hardcover. 566p. ISBN: 978-0-8318-0869-1. \$137.50 (\$109 for online [pdf] edition). No supplementation between editions.

In *Fundamentals of Bankruptcy Law*, author Richard Levin provides a comprehensive overview of bankruptcy law that not only introduces the area of law to novice practitioners, but also serves as a useful reference for those who already know their Chapter 7s from their Chapter 11s.

This sixth edition is an update of a treatise widely used by attorneys. Its success is due to Levin's straightforward presentation of an often confusing

The Bankruptcy Code is a maze that can confuse even seasoned bankruptcy lawyers.

subject. In this edition, he incorporates the major changes made to bankruptcy law by the Bankruptcy Abuse Prevention and Consumer Protection Act of 2005.

Levin, author of the sixth edition, is a well-regarded practitioner in insolvency and restructuring law. Levin and Kenneth N. Klee, co-author of earlier editions, were principal draftsmen of the 1978 Bankruptcy Code. This text is used in the ALI-ABA program of the same name. Previews of chapters are available free via the ALI-ABA website.

The table of contents is helpful because it comprises short, simple headings to direct readers to the relevant sections. Levin uses the introduction to explain why bankruptcy laws were overhauled in 1978 and why subsequent amendments have been enacted. In subsequent chapters, he provides a logical explanation of bankruptcy law, discussing the commencement of a case, the powers of a bankruptcy court, and the ways in which the estates of individuals and the operations of business entities are treated under the law.

Perhaps the most useful feature of the book is the presentation of relevant sections of the Bankruptcy Code that appear on the even pages. It may look unusual to have blank pages occasionally appear on the reader's left; however, the strategy of reserving adjacent pages for code sections makes the book much more reader-friendly. There is no need for constantly flipping through a nearby copy of the code. When studying an area of law that is statute-driven, this is extremely convenient.

The Bankruptcy Code is a maze that can confuse even seasoned bankruptcy lawyers. Levin's *Fundamentals of Bankruptcy Law* provides a guide and a measure of comfort for those who step into the maze of bankruptcy law.

—Paula G. Doty, Acquisitions Librarian,
Wiener-Rogers Law Library,
University of Nevada Las Vegas

EMPLOYMENT LAW

Age Discrimination in Employment. Malcolm Sargeant. 2007. Ashgate Publishing Company. Hardcover. 242p. ISBN: 978-0-566-08774-5. \$144.95.

In *Age Discrimination in Employment*, Malcolm Sargeant presents a thorough discussion of age discrimination law in the European Union (EU). His focus is primarily on the United Kingdom, but he includes broad comparisons of the age discrimination laws in the EU and the United States. In addition, he highlights some of the key developments in age discrimination law and litigation in several non-EU countries, such as Australia, Canada, and Ireland.

Sargeant provides a great wealth of background information by tracing the development and implementation of the "Framework Directive on Equal Treatment and Employment" and the recently enacted Employment Equality (Age) Regulations 2006, which protect workers against age discrimination in the EU. One of the key distinctions he explores in this text is how *all* workers are protected from age discrimination under the EU's (Age) Regulations as opposed to just those workers over age 40, as is the case with the US Age Discrimination in Employment Act. As a result, Sargeant spends an entire chapter discussing the ways in which age

discrimination in the workplace may affect young, middle-aged, older, and senior workers in the EU. However, he does recognize that age discrimination will primarily affect older workers, and the text reflects that.

Sargeant devotes several chapters to insightful arguments in favor of greater protections against age discrimination in the workplace. For instance, in chapter 5, "Retirement," he discusses the prevalence of a contractual retirement age between workers and their employers in the UK and its impact on age discrimination. In addition, in chapter 7, which covers multiple discrimination, he explores the inter-

. . . Malcolm Sargeant presents a thorough discussion of age discrimination law in the European Union (EU).

section between age and other forms of workplace discrimination such as gender, ethnicity, sexual orientation, and disability.

Several features make this book especially useful for research purposes, including a detailed index and bibliography. Adding to the book's utility are a number of tables. These tables are particularly illustrative of the demographic changes taking place in the various workforces discussed, and they also provide compelling survey data of attitudes about aging and the abilities of older workers. A list of tables of tables is provided for ease of reference.

Malcolm Sargeant is a professor of employment law at the Middlesex University Business School in London. He is the author and co-author of several employment law texts including *Employment Law*, *The Law at Work: A Practical Guide to Key Issues in Employment Law*, *Essentials of Employment Law*, *Discrimination Law*, and *Employment Law Statutes*.

This book is recommended for academic law libraries with European Union, international law, or comprehensive labor and employment law collections. In addition, practitioners with multinational employment law practices will appreciate its coverage of the advances in age discrimination law in the EU and the UK, particularly under the Framework Directive on Equal Treatment and Employment and the Employment Equality (Age) Regulations 2006.

—Lisa A. Goodman, Reference Librarian,
Dee J. Kelly Law Library,
Texas Wesleyan University School of Law,
Fort Worth

IMMIGRATION & NATURALIZATION

Immigration Practice Under NAFTA and Other Free Trade Agreements. 3d ed. Janet H. Cheetham & William Z. Reich, eds. 2006. American Immigration Lawyers Association. Softcover. 248 p. ISBN: 978-1-57370-159-9. \$109 (\$69 for members).

The North American Free Trade Agreement (NAFTA) is usually described as a treaty governing the movement of goods and services among Canada, Mexico, and the United States. However, NAFTA also covers the movements of business professionals and workers who enter as a result of the trade among those countries. Consider, for example, a Mexican employee who travels to the United States to install or repair her company's machinery, or the US executive who moves to Canada to work for several months at a branch of his company. This book is a practical guide for those concerned with temporary entry for business employees under NAFTA Chapter 16. It also includes a chapter on the recent free trade agreements with Chile and Singapore and their impact on immigration.

According to the preface, this third edition (previous editions were in 1995 and 2001) was occasioned by the increased scrutiny of applications after

Immigration Practice Under NAFTA is appropriate for all law libraries serving immigration practitioners.

9/11, which has made the process more difficult than before. Contributors include practitioners working primarily with visitors to and from Canada and some who deal for the most part with Mexico. These contributors provide an overview of pertinent Canadian and Mexican laws.

The first chapter of the book is an overview of the categories of employees covered by NAFTA Chapter 16. Subsequent chapters address the different categories in more detail from the viewpoint of each of the three countries. The final chapter discusses what to do when a particular NAFTA status has been denied. Included are practical aids such as checklists, sample cover and support letters, and forms. There are a table of contents and index.

This book, with its focus on NAFTA, is unique. However, other broader immigration treatises also cover the movement of business employees under that treaty. Three in particular seem pertinent: Rodney A. Malpert and Amanda Petersen's *Business Immigration Law: Strategies for Employing Foreign Nationals* (Law Journal Press, 2000); a second by the same authors, *Business Immigration Law: Forms and Filings* (2005); and Robert C. Divine's *Business Immigration Practice*