

**JUDICIAL REVIEW OF THE EMPLOYMENT
RELATIONSHIP: AN OVERVIEW OF IMPORTANT
NINTH CIRCUIT EMPLOYMENT LAW DECISIONS OF
2004**

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I. INTRODUCTION

In 2004, the Ninth Circuit issued numerous opinions in the employment law context. This Article addresses six of the most important of those decisions, involving the following topics: religious discrimination in the workplace,¹ a racially hostile work environment,² disparate treatment sexual discrimination,³ enforcement of a contractual non-compete clause,⁴ and the liability of a municipality for the retaliatory acts of its employees.⁵ The Article examines the facts of each case and then discusses their significance in the area of employment law.

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1. *Peterson v. Hewlett-Packard Co.*, 358 F.3d 599 (9th Cir. 2004); *Bodett v. CoxCom, Inc.*, 366 F.3d 736 (9th Cir. 2004).

2. *McGinest v. GTE Serv. Corp.*, 360 F.3d 1103 (9th Cir. 2004).

3. *Jespersen v. Harrah's Operating Co., Inc.*, 392 F.3d 1076 (9th Cir. 2004).

4. *Nike, Inc. v. McCarthy*, 379 F.3d 576 (9th Cir. 2004).

5. *Lytle v. Carl*, 382 F.3d 978 (9th Cir. 2004).