

The Peggy Browning Fund

Educating Law Students on the Rights and Needs of Workers

Joseph Lurie, President

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Mine Safety Advocacy – As Needed Today As In Decades Past

Coal mining is an otherworldly thing, whether on the surface or underground. The mines are strangely barren in parts and busy in others; at times eerily quiet and then earth-shakingly loud. It can take an hour to travel from end to end of an underground coal mine the size of a major city, or the mine can involve 36-inch ceilings and no more than a skeleton crew.

However, one thing remains constant: **it continues to be one of the most dangerous jobs in the world.** My grandfather was an underground coal miner in Western Pennsylvania at a much worse time, but the string of recent major accidents is a sad reminder that there is much more to be done.

The path to my current job started in 2007, when I was a law student with an interest in employment law looking for a summer job. Through The Peggy Browning Fund, I was able to intern at the Philadelphia Regional Solicitor's Office of the U.S. Department of Labor, helping experienced lawyers on mine-safety cases, along with OSHA, ERISA, and Fair Labor Standards Act matters.

That fellowship led me to a clerkship after law school with a Department of Labor administrative law judge, working on coal mine and longshore workers' compensation cases, lawsuits on behalf of immigrants who were wrongfully denied



Matt in full miner gear preparing for a visit to the Bailey Mine in Green County, PA - the largest underground mine in the country.

their pay, and whistleblower lawsuits. This summer, when I was looking to move on from my clerkship and the Philadelphia Solicitor's Office was looking to hire more

staff, the prior connection through The Peggy Browning Fund made it an easy match for both sides.

Among my colleagues at work is another Peggy Browning Alumnus, David Jaklevic, PBF '08. Already we have settled cases that languished for a year or more for lack of staff to deal with them. In addition, my colleagues and I will try cases on our own, a rare opportunity for young lawyers. Better still, we have the opportunity to make a difference. Mining accidents are not inevitable; they can be prevented by proper planning and safe practices. Thanks to my experience as a Peggy Browning Fellow, I will be able to help.

Editor's Note: Other PBF Alumni are also involved in this cause. Steven Grubbs, Kwame Samuda, Rory Smith and Chris Williamson all work at The Federal Mine Safety and Health Review Commission. Jenny Hayhurst is from a coal mining family and was a Peggy Browning Fellow at the United Mine Workers this summer. Although she is still in school, she is looking forward to pursuing a career in mine safety labor law when she graduates.

Peggy Browning Alumni Pursue Justice for Workers

Alumni Making Strides

Since working as a Peggy Browning Fellow at the International Brotherhood of Teamsters in the summer of 2009, **Steven Grubbs** has graduated from West Virginia University College of Law and found employment as a law clerk to administrative judges in the Federal Mine Safety and Health Review

Commission. He is working in a newly created satellite office in Pittsburgh, PA. Steve told us, "I am from southern West Virginia where coal is king. **I actually went to high school only five miles away from the Upper Big Branch mine explosion last spring.** Because of this I am very happy

to be part of the process that ensures miners are protected and that a safe working environment is maintained."

Chris Williamson, PBF '09 at NLRB's Contempt, Litigation & Compliance Branch, is now working for the Federal Mine Safety and Health Review Commission, the independent adjudicatory body that hears cases prosecuted by MSHA and appealed

"I am sure that having Peggy Browning Fellow on my resume helped me to get this job and would like to thank you for providing me with that opportunity."

- Steven Grubbs

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Students Inspired to Pursue Social Justice

Another Successful Peggy Browning Conference

A beautiful fall weekend served as the backdrop for this year's National Law Students Workers' Rights Conference on October 15 & 16 at the National Labor College in Silver Spring, MD. Over 220 Peggy Browning Fellows, mentors and law students from across the country participated - **a significant increase over past years.**

For Peggy Browning Fellows, the conference began with the Wrap-Up Workshop where Fellows and their mentors reported on their summer experiences.

New this year, and well received, was an opportunity for students to attend a Friday afternoon Congressional Staff Briefing on Capitol Hill.

Following Saturday's keynote address, students attended a series of interactive workshops led by labor law practitioners, law professors and activists in the public interest and labor community. The students were brimming with enthusiasm about the conference and their feedback and suggestions will be incorporated into the planning for next year. *(To learn more about the conference workshops, facilitators and content visit our website, www.peggybrowningfund.org)*



*The Conference Friday Night Panel Discussion followed a viewing of the film **The Philosopher Kings**. Two of the four panelists included Cyrus Mehri, PBF Advisory Board member and moderator Angelia Wade, Associate General Counsel of the AFL-CIO.*

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Fellows Learn at Work

This year, fifty-three Peggy Browning Fellows were placed in positions with unions, government agencies, worker centers and union-side law firms. In their own words, a few of the Fellows share their experiences:

Liz Dedrick – Northeastern University School of Law

I spent this summer fully immersed in the work of one of the most dynamic, effective and member-centered labor union locals in the country during a very tumultuous, but exciting time – UNITE HERE! Local 2. Representing hotel and hospitality workers in San Francisco, Local 2 has been without a contract with the major hotels in the city since August of 2009. As a result, **I was able to witness and participate in an increasingly aggressive contract campaign** that involved everything from collective bargaining to workplace actions by members and strike actions. My work spanned the gamut from researching a wide variety of legal issues and helping to resolve member grievances to marching on the picket line.

Jason Usher – University of Maryland School of Law

I really had no idea what to expect as a Peggy Browning Fellow with the International Brotherhood of Teamsters in Washington, DC.

Among other assignments, the most enjoyable part of the summer was sitting in on negotiations with the bus driver division. **Being able to see first-hand the tactics and strategy used during the negotiations was remarkable** – recognizing the skill and patience required to draft a national contract that's agreeable to both sides. It was also amazing to see how finding a keyword within a case from many years ago led my boss to revive a case that he thought was in the trash. This summer has reemphasized my passion and commitment to the labor cause!

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“I had two goals in mind this summer. First, I wanted to explore labor law and see what kinds of opportunities it offered. Second, I wanted to gain general legal experience. My Peggy Browning Fellowship allowed me to achieve both goals.”

- Chris Rendall-Jackson

Harvard University Law School, United Steelworkers of America

Alumni Making Strides

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by mine operators. While still in law school, Chris was the original author of a Resolution that was adopted in the West Virginia House of Delegates and the West Virginia State Senate that created Labor History Week in West Virginia.

Justine Elliot, PBF '10 at Community Legal Services, **won the Philadelphia Bar Association's Justice Ruth Bader Ginsburg Pursuit of Justice Legal Writing Competition.** Justine's paper, "Working Above the Law: Why a Legislative Solution to the Hoffman Plastic Compounds Decision is Long Overdue," was published in the Fall 2010 issue of *The Philadelphia Lawyer*.

Maria Roeper, PBF '09 at NELA, who graduated from University of Maryland School of Law in December 2009, was hired this past spring by the General Counsel's office of the International Association of Machinists.

Maria spoke at our event honoring Leo Gerard & Hugh Beins in Washington, DC in June.



Maria Roeper speaking of her Summer Fellow experience at the 2010 Lifetime Achievement Award Reception in Washington, DC.

Kathy Szybist, who was among the first Peggy Browning Fellows in 1998 when she completed a fellowship at

HERE Local 2 in San Francisco, is now working as a Program Analyst for the U.S. Department of Housing and Urban Development in Chicago. Kathy is also the 2nd vice-president and union steward of AFGE Local 911.

Art Traynor, PBF '06 at the United Mine Workers of America, returned to UMWA as a Staff Attorney. **Among his other duties, Art now mentors new Peggy Browning Fellows there.** He credits us with helping him at every step in his career, and he is eager to share that same assistance with more Students.

READ MORE about our Summer Fellows at www.peggybrowningfund.org

Fellows Learn at Work

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Dennis Garcia – *University of the Pacific McGeorge School of Law*

My goal this summer was to come back with a sense of purpose and drive to focus my studies for the next two years of law school. The result was that I am committed to having a career in labor and employment law.

The Working Hands Legal Clinic in Chicago offered me the ability to work with different projects, assist on various cases and work directly and consistently with clients. The culmination of my fellowship was that I assisted in coordinating a press advisory and conference for Illinois Governor Quinn's public signing of Senate Bill 3568, an Anti-Wage Theft Bill amending the Illinois Wage Payment

and Collection Act. Being able to see months of hard work by the clinic and partner organizations come to fruition was extremely gratifying.

Emily O'Neill – *American University Washington College School of Law*

As a former union organizer with aspirations to continue on in labor after law school, Change to Win, a federation of progressive unions, was an ideal placement for me. Surrounded by some of the most talented people in the movement, I was exposed to the planning, strategizing and researching phases of corporate campaigning. I feel incredibly fortunate to have had such a solid legal work experience in an area to which I feel so committed. It gave me a great deal of confidence going forward.



Walakewon Blegay sharing her insights at the Conference Friday night discussion.

YOU can make it possible for more students to become workers' rights advocates!

Simply make a gift using the enclosed envelope or contact Rhonda Gelman Kelley, CFRE, Director of Development, at **267-273-7994**

The Peggy Browning Fund gratefully acknowledges the following annual Leadership Circle donors:

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\$100,000 Grant Establishes USW Fellowship

At The PBF Lifetime Achievement Award Reception in Washington, DC on June 9, the Steelworkers Charitable and Educational Organization announced the establishment of an annual PBF Fellowship in perpetuity with a grant of \$100,000. **The USW Fellowship is intended to encourage students to enter the labor movement.**

In 2011, the USW Fellow will be working with the CLEAN Car Wash Campaign. CLEAN stands for Community-Labor-Environmental Action Network, and is a diverse coalition of labor, immigrant rights, community, religious, and student

organizations that support the organizing efforts of carwash workers who are fighting for better wages, working conditions, and dignity and respect on the job.

The USW Fellow will help serve as the link between the campaign's attorneys, carwash workers, and union organizers and will communicate information about violations to their attorneys and enforcement agencies.



At the Washington, DC Lifetime Achievement Awards Event in June (l to r): Rich Breaan, General Counsel, USW; Honoree Leo W. Gerard, President USW; Dennis Walsh, PFB Board Secretary; Joseph Lurie, PBF President; Honoree Hugh J. Beins, Esq., Beins, Axelrod, PC; Patrick Szymanski, PBF Board member.

Keynote: Labor Law Still Matters



Conference Keynote Speaker, Wilma B. Liebman, Chairman of the National Labor Relations Board.

The Conference's Saturday Keynote speaker, Wilma B. Liebman, Chairman of the NLRB, explained some of the challenges she has faced during her tenure there, noting that the Employee Free Choice Act generated a huge controversy prompting a battle between business and labor. Landing as it did right in the middle of the economic crisis, it generated contrasting views of reality and history making it hard to imagine there could ever be a compromise.

However, **Ms. Liebman sees a light on the horizon**, "To me, labor law still matters because democracy in the workplace is still basic to a democratic society. It matters because collective bargaining is still basic to a fair economy. It matters because the issues that divide capital and labor will always be with us. Labor law and policy should be a part of this conversation."

Upcoming Events – Mark Your Calendars

Watch our website for details.

January 14 – Application Deadline for 2011 Peggy Browning Fund Fellowship Program.

January 26 – PBF New York Lifetime Achievement Awards Reception at the United Federation of Teachers
Honoring:

Gary LaBarbera, President, Building Construction & Trades Council of Greater New York;

Terry Meginniss, Partner at Gladstein, Reif & Meginniss, LLP and General Counsel at SEIU Local 32BJ;

George Nicolau, Esq., Arbitrator and Mediator

March 10 – PBF Philadelphia Lifetime Achievement Awards Reception at Penns Landing Caterers

The official registration and financial information of The Peggy Browning Fund may be obtained from the Pennsylvania Department of State by calling toll-free, within Pennsylvania, 1-800-732-0999. Registration does not imply endorsement.

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