

The Peggy Browning Fund

Educating Law Students on the Rights and Needs of Workers

Joseph Lurie, President

Mary Anne Moffa, Executive Director

Seeing Her Father Exploited Spurred Her to Advocacy

My Heritage, My Strength, My Mission

Why I Applied for a Peggy Browning Fellowship

(Editor's Note: Nhu-Y Phan, who just completed her second year at Boston College Law School, will work as a Peggy Browning Fellow this summer in SEIU's Legal Department. This article is excerpted from her fellowship application.)

After kindergarten class, it took me twenty minutes to walk with my father to his workplace, where he made ten cents for every tag sewn onto the back of shirts, pants and dresses. Yet, before he entered that world of sewing machines madly guzzling rainbow threads, continuously refilled bags of untagged clothes, confetti of scraps and buttons, he would tell me stories.

Enchanted Stories Quieted Her Fears

My fears of not understanding English in kindergarten were quieted by his tales of our heritage. "You are child of a swan fairy princess and an undersea dragon prince," he said in Vietnamese, his wrinkles crinkled, commanding confidence. "You are magical. You can conquer the alphabet."

After I told him that a school bully had made fun of how I said "fifty," his weathered hands drew a lotus flower on my hand, imbuing me with the strength of our warrior fishermen who outsmarted submarine monsters with their tattooed disguises.

In those twenty minutes of happiness, his booming voice could make his diluted, fairy-dragon daughter believe in a world of ferocious creatures who guarded her every enchanted step.

Employer Exploits Indigent Workers

Yet as if his worn sneakers sensed the reality of that ugly, gray building, they slowed to a plodding pace when we neared his work.

His English-speaking employer stood by my father's sewing station one day. "You messed up last week. Only five cents per tag this week."

My father held up ten fingers. "Ten," he added.

"Five," the employer said again. "Five cents or nothing." I looked at the ten bags of clothing my father had placed next to his machine, perfectly tagged, neatly folded, and tightly sealed. I waited for my warrior father to stand his ground, but he nodded quietly. My father's employer walked away.

Although my father has had slightly better employment since then, his old age and long hours of menial jobs to support a family of eleven never gave him a fair chance to learn English fluently. Living in an American world that stifled his lyrical voice, my father withered after every interaction with an exploiting employer.

Using Her Heritage to Fight Back

Because of my father, I am personally aware of the exploitation of indigent workers who lack English skills. I hope to dedicate my legal career in addressing the systematic barriers

"I hope to use my Peggy Browning Fellowship to learn about the creative legal strategies that SEIU uses to bring 2 million workers the protections of collective bargaining, a strong voice in the political process, and a chance to reach the middle class."

— Nhu-Y Phan

preventing millions of low-wage and immigrant workers from accessing legal protections and remedies. I intend to use my language skills and cultural knowledge to help low-wage immigrant workers expand their rights through union organizing, collective bargaining, litigation and the political process.

This past summer and fall, I interned at Greater Boston Legal Services in order to gain some experience in assisting low-wage workers in labor cases involving unemployment insurance and

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"Every union in our federation is looking for bright young lawyers who can help advance us and advance the interests of working Americans."

— Richard Trumka, President, AFL-CIO

Keynote Speaker at 2009 Peggy Browning Fund Conference



Photo by: MAM

Rich Trumka (center) with 2009 Peggy Browning Fellows Dan Flaherty, Jim Conigliaro, Jr., David Edeli, and Claudia Ahwiring.

Excerpts from Ron Powell's Speech

Workers Need More Than Solidarity

Today's Workers Also Need Strong Legal Advocates

It is quite an honor to receive this lifetime achievement award from the Peggy Browning Fund. I am truly humbled. It is with great pride that I am here tonight alongside my good friend, Terry Hancock.

When I started in the Labor Movement, workers achieved many successes by banding together and taking a stand against injustices in their workplaces. Solidarity among co-workers was the key to worker power.

Workers used solidarity to form unions to gain a voice on the job; fight to improve workers' rights; and strengthen workplace protections, wages, and benefits at the bargaining table.

While worker solidarity is still absolutely necessary today in any organizing campaign, collective bargaining discussion, or legislative fight, **it is not enough.** As working families have increasingly come under attack by Big Business and anti-worker policies in recent years, workers need a lot more than solidarity on their side.

"Today the battles that arise in the workplace often end up in the court system. The only way that working families can prevail is to ensure that there are lawyers, educators, and legal professionals fighting on their behalf."

- Ron Powell

Advocates for workers and economic justice need compassionate experts on our side who believe in protecting and enhancing the rights of workers and

their families. The Peggy Browning Fund is helping to train law students on the rights and needs of workers through their fellowship program.

The Fund has an outstanding track record in placing some of the top law students throughout the country to work with labor unions, workers' rights agencies and social welfare groups. And their work is **making a real difference.**

Anyone who makes it their life's work to advocate on behalf of working families doesn't do it because it is glamorous. Peggy Browning understood this, and she dedicated her career to workers' rights, justice, and fair labor practices. Not always a popular perspective, her life's work benefited countless workers and will continue to have an impact for generations.

As a member of the National Labor Relations Board, she blazed a trail for others to follow in her footsteps in the fight to protect workers' rights.

I believe that we each have a **moral obligation** to watch out for

one another. Terry and I, like Peggy Browning, have a deep passion and commitment to lifting up workers and their families; to do whatever possible to make the lives of others better.

The Labor Movement isn't about any one of us as an individual. It is about working together toward a greater good that will strengthen workers' rights and bring about equality for all. As simple as that sounds, there are too many in this world whose only motivation is how much wealth and power they can amass, at any cost to others.

I hope that you will all continue to support the Peggy Browning Fund in the future to continue Peggy's legacy and enhance the legacy of working families.

I believe that **the tides are changing for workers** and the future will bring brighter days. But it can't happen through solidarity alone. We must keep working together to create new, innovative, and revolutionary ways put the needs of working families first and restore the balance of power to the people.

Photo by: MAM



Ron Powell, President of UFCW Local 881, and Terry Hancock, President of Teamsters Local 731, after receiving Peggy Browning Fund awards in Chicago in November, 2009.

YOU can make it possible for more law students to learn about workers' rights.

It's easy: Use the enclosed response envelope to mail in your gift, or donate via our website:

www.peggybrowningfund.org/donations.html

Students Win Awards and Coveted Jobs

2008 Peggy Browning Fellow **Jonathan Harris** has been named as a 2010 recipient of the prestigious, highly competitive Burton Award for Distinguished Legal Writing. Harris won for his law review article *Worker Unity and the Law: A Comparative Analysis of the National Labor Relations Act and the Fair Labor Standards Act, and the Hope for the NLRA's Future*. Adding to his accomplishments, Jonathan was also selected to be a 2010 Skadden Fellow. Starting in September, his fellowship project will involve starting an integrated employment and consumer law project at Manhattan Legal Services.



A paper written by **Jason Jendrewski**, 2009 Peggy Browning Fellow, won first place in the New York State Bar Association, Labor & Employment Law Section's 2010 Dr. Emanuel Stein Memorial Law Student Writing Competition. *The Wholesale Seizure of Major League Baseball's Confidential Drug Testing Records and the Consequences for the War Against Substance Abuse in America's Workplaces* will be published in NYSBA's Labor & Employment Newsletter. Jason also received an award of \$3,000.

Maria Roeper took the bar exam in February and just accepted a job in the General Counsel's office of the International Association of Machinists. Maria was a Peggy Browning Fellow in 2009.



After graduation this spring, 2009 Peggy Browning Fellow **Moshe Marvit** will be working with the Pittsburgh union-side labor/employment firm Stember, Feinstein, Doyle & Payne. Congratulations to these dedicated advocates for workers' rights!

READ MORE about our programs and our students at www.peggybrowningfund.org

Conference Inspires Law Students & Mentors Alike

Finding New Advocates for Workers

Based on anonymous evaluation forms returned by participants, it's clear that our 11th annual National Law Students Workers' Rights Conference last fall was another great success. Students told us how much they were inspired, yet the conference organizers, workshop facilitators and speakers uniformly agreed that it's the law students themselves who inspire us and give us hope for the future of the labor movement.

In his keynote address, AFL-CIO President Richard Trumka described the special challenges facing the labor movement and the need for unions to find new ways to organize, and to bring in young talent with fresh ideas for reaching workers across all industries. Impressed with their diversity, their enthusiasm, and their insightful questions, Mr. Trumka told the 160 law students from across the country, "We need your energy, we need your expertise, we need your dedication to the cause of economic justice."

Here's a sample of the students' feedback:

The workshops were very informative & enlightening. I have never been to a conference that was so refreshing, **empowering**, and enjoyable.

- I enjoyed **connecting** with other students focusing on the same work. Makes me excited to think they will be my colleagues in this movement for the next 30+ years. **It's a good community of people to belong to!**
- I come from an area that doesn't have a strong union organizing tradition, so it was **eye-opening** to learn of all the possibilities in this interesting sector of the law.
- I now know my calling. **Thank you!**

- (The workshops) **really made me think** about labor law from all sorts of diverse perspectives.
- The workshops were very **motivating**.
- Thanks for a **stimulating, encouraging, forward-looking** conference!



Photos Here & Above by: MAM

AFL-CIO President Rich Trumka, exhorting students at PBF's 2009 National Law Students Workers' Rights Conference.

Photo by: MAM



Jim Conigliaro, Directing Business Representative of IAM's District Lodge 15, about to receive the Peggy Browning Fund award, New York, January 2010.

Photo by: Jenine Lurie



Dennis Walsh, PBF Secretary, presenting PBF award to Basil Paterson, Esq., New York, January 2010.

My Heritage, My Strength, My Mission

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nonpayment of wages. I assisted many clients who were taken advantage of by their employers because of their immigrant status and lack of English fluency. For example, some clients were claimed as independent contractors or paid under the table by their employers, which allowed employers to pay less taxes but made it difficult for the employees to collect unemployment insurance benefits when they were let go.

“A Peggy Browning Fellowship would allow me to achieve my goals by providing me with invaluable knowledge about labor law, experience advocating for working people, and contacts with industry leaders.”

I will be interning this spring semester at the Employee Benefits Security Administration of the Department of Labor in order to learn about employer fiduciary duties for defined contribution plans under ERISA. I am also taking employment and labor law courses that cover topics such as individual employment relationship, as regulated by FLSA and OSHA, and union organization as regulated by NLRA.

Penna. Governor Ed Rendell with PBF Founder & President Joe Lurie at the PBF Annual Dinner in Philadelphia, March 2010.



Joe Lurie receiving \$7,000 sponsorship gift from PBF Advisory Board Member Marlon Kimpson, Esq., representing the Motley Rice Law Firm, at the PBF Annual Dinner in Philadelphia, March 2010.



Karen Detamore, former Executive Director of Friends of Farmworkers, with PBF Award, Philadelphia, March 2010.



John Dougherty, Business Manager, IBEW Local 98, receiving PBF award from Dennis Walsh, Philadelphia, March 2010.

All Photos by: Harvey Finkle

In mid-January, we moved to new quarters, helped largely by our long-time benefactor Galfand Berger LLP, which donated most of our office furniture. We're very grateful for the long-term support provided by Galfand Berger's partners and staff in helping us come this far!

Upcoming Events – Mark Your Calendars

Watch our website for details.

June 9, 2010 – PBF will honor **Leo W. Gerard**, International President, United Steelworkers, and **Hugh J. Beins, Esq.**, founding partner of Beins, Axelrod, P.C., at the AFL-CIO in Washington, DC.

October 15 & 16, 2010 – PBF's 12th annual **National Law Students Workers' Rights Conference**, at the National Labor College in Silver Spring, MD. The Keynote Speaker will be NLRB Chairman **Wilma B. Liebman**.

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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