

## 2020 National Conference Goes Virtual

### *Succeeds All Expectations*

As the COVID-19 pandemic progressed earlier this year, it quickly became apparent that we would have to reconstruct all of our programs to accommodate the new reality. As our Peggy Browning Fellows and mentors began preparing for the challenges of working remotely, we also started planning to shift from in-person events to virtual ones for our Fellows' Wrap-Up Workshop and our 22nd annual National Law Students Workers' Rights Conference.

While we have conducted numerous teleconferences and webinars for years, these two combined events, which are always our most complicated ones each year, presented special challenges. At first, we expected to scale back dramatically from our usual multiple concurrent sessions, ambitious slate of substantive topics, and significant networking opportunities throughout the conference.

**Thanks to extensive help from our Conference Planning Committee (which planned the overall conference themes and workshops),** Board member Gwynne Wilcox (who almost single-handedly organized the networking meet-ups), Alex Roe of the AFL-CIO (who organized the two plenary sessions), and Southern University Law Center (which provided technical support that greatly expanded our capacity), we were able to exceed all expectations.

We separated the Fellows' Wrap-Up Workshop from the Conference, scheduling it for early October, with half attending one day and half the next. This helped accommodate students' schedules during a very hectic time while also serving as a dry run for the conference. In several small breakout groups each day, Board members and alumni led interactive conversations aimed at giving students the chance to get to know each other while at the same time discussing their respective fellowships. Based on positive feedback from participants, we plan to use the same model to add a welcoming session for next year's new fellows – something we haven't been able to do before.

Next came the conference. To accommodate student schedules and time zone limitations, sessions were spread over the course of three days, October 16 to 18, and attracted



*Conference Panelists & Organizers for Friday's Black Lives Matter & Labor Movement Plenary Session*

178 registered students, one of our largest groups ever. Some highlights:

**Black Lives Matter & the Labor Movement** was the opening plenary session. An impressive panel presented thoughtful and frank answers to sometimes difficult questions about how the labor movement can be a force for racial justice, the difficulties it faces in that effort, and the potential consequences if it fails to do so. The panel, moderated by Jason Veny from Murphy Anderson PLLC, included Amanda Green Hawkins (United Steelworkers), Linda Hinton (CWA District 4), and DeRay McKesson (civil rights advocate). They represented different perspectives – from inside the union as an attorney, inside the union as a non-attorney leader, and outside the union as an activist.

*(continued on pg 3)*



# Margaret A. (Peggy) Browning

## *A Beacon for Workers' Rights*

Our namesake was, by all accounts, an exceptional person whose life and qualities left their mark upon the legal community and on the national scene. Born in Tennessee and educated at Swarthmore and the University of Pennsylvania Law School, Peggy was a creative and dynamic attorney.

While her name could have graced the masthead of any mega law firm, she chose to devote her energies to workers' rights. In her defense of workers' interests, she never lost a case in the Third Circuit Court of Appeals. Peggy was tirelessly focused on issues such as union representation, fair and equal pay and decent working conditions.

Her achievements strongly justified President Clinton's nomination of her as the first union-side lawyer in history to be appointed to the National Labor Relations Board.

The Peggy Browning Award is presented annually to social justice champions who have distinguished themselves with passion and dedication to the rights and needs of workers and their families.

### MISSION STATEMENT:

The Peggy Browning Fund educates and inspires the next generation of advocates for workplace justice. Through fellowships, workers' rights conferences, networking and other programs, the PBF provides unique opportunities for law students to work for economic and social justice.

# It's Your Legacy Too!



Twenty-four years ago, when the Peggy Browning Fund was created, we called it Peggy's Legacy, her gift to the cause of workplace justice and the labor movement. Now, as we approach our 25th Anniversary year, Peggy's legacy has become a progressive's legacy. Your support and generosity for our programs further that legacy. Your gift makes us sustainable.

But, what are we, other than another good cause that deserves your support?

If you look deeper, you will find we are a national nonprofit organization chartered by the Commonwealth of Pennsylvania to engage in a salutary endeavor: recruiting and educating law students for the cause of workplace justice and the labor movement. While we are governed by a Board of Directors, we are owned by no one. Our mission is clear and we exist to ensure that the labor movement

has a fluid queue of qualified lawyers working for workers and their families.

We acknowledge this to be 'a year like no other.' The impact of the pandemic caused an extreme challenge to our programs and fundraising capacity. We were successful in our transition to virtual platforms on the program side. The financial side is another story.

Our financial predictions in our 2020 budget have not transitioned as well, leaving a large hole in our budget. We were able to continue to fulfill our commitments to law students, unions, law firms and worker centers, but we need your end-of-year gift now.

You can help by making a gift at [www.peggybrowningfund.org/make-a-donation](http://www.peggybrowningfund.org/make-a-donation). Help us to keep Peggy's Legacy, your legacy, alive for the future of labor in this nation.



Joseph Lurie  
President and Founder

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# 2020 National Conference Goes Virtual *(cont'd)*

## *Succeeds All Expectations*



*Panelists for the IUE-CWA Peter Mitchell Labor Law Keynote Session on COVID-19 & Essential Workers*

Saturday began with the **IUE-CWA/ Peter Mitchell Labor Law Keynote Session**. This year's topic was **COVID-19 and Essential Workers**. Moderated by Sarai King, Assistant General Counsel of UFCW, the panel included Wala Blegay (DC Nurses Association), Margo Feinberg (Schwartz, Steinsapir, Dohrmann & Sommers), Bruce Harland (Weinberg Roger & Rosenfeld), Amanda Morejon (Massachusetts Attorney General's Office), and David Seligman (Towards Justice). Panelists explored the underlying reasons for the racial disparities in essential jobs, the ways in which employer and government responses to COVID-19 unnecessarily exacerbated risks,

and steps workers, unions, and communities have taken to fight back. Substantive workshops addressed a variety of issues affecting workers' rights. Topics included Introduction to Basic Labor Law; Immigrants' Rights Are Workers' Rights: Protecting and Organizing Immigrant Workers; The Rewards of Labor Law Practice; Employee Benefits Law: What Do I Need to Know and Why Do I Need to Know It?; Public Sector Labor Law; Trade and Labor in the Intertwined Crises of COVID-19, Racial Inequality, and Economic Injustice; Sports and Labor Law; and Fellowships and Career Paths.

Perhaps the most exciting part of this year's conference was the series of **networking meet-up sessions**. One of the hallmarks of our conference every year is the networking opportunities provided to students. Knowing this would be difficult to accomplish in a virtual conference, but still wanting students to meet and interact with as many others as possible, we scheduled more than 30 meet-ups throughout the weekend.

Hosted by a diverse group of accomplished labor lawyers from throughout the country, the meet-ups were organized by region, affinity group, social justice groups, labor and employment groups, and personal improvement groups. They were



*Breakout Group Participants*

interactive, relaxed, often lighthearted, and gave useful information at the same time. Students and facilitators alike gave us very positive feedback. An added benefit of the meet-ups is that many new partners were recruited to help out. **The meet-ups added a level of excitement that made this one of our best conferences ever.**

We're continuing to receive feedback. Many students have told us it solidified their interest in our fellowship program, in pursuing careers in labor and employment law, and in advocating for workers. These have always been the goals of our conferences, and we're pleased to see that we're still able to achieve them even when forced to adapt to changing times. To see the full conference schedule, along with more info about the very impressive list of presenters, go to [www.peggybrowningfund.org/workers-rights-conference](http://www.peggybrowningfund.org/workers-rights-conference).



*Breakout Group Participants*



*Participants in Workshops*



# 2020 Fellow



*Ida Abhari*  
**Partnership  
for Working  
Families**  
**Oakland, CA**

This summer, I drafted a legal memorandum on the impact of a California ballot proposition (Prop 22) reclassifying Uber, Lyft, Doordash, and all other app-based drivers as independent contractors and how that would severely limit sexual harassment protections afforded to employees under California law. I also assisted two clients - both of whom were misclassified rideshare drivers - with their unemployment insurance claims by drafting appeals and calculating wage information.

Although their unemployment insurance claims were not resolved within the timeframe of my fellowship, I successfully assisted one of them in having their unemployment insurance claim backdated. I hope the groundwork I laid will assist them in having their claims successfully approved.

I enjoyed being able to work on a variety of issues and particularly the mix of client interaction and legal research. Due to the nature of the remote working, I felt unsure of myself at times. **My supervisor was always more than willing to help, and by the end of the internship I did feel more confident.** I left the fellowship feeling intrigued by the amount of possibilities open to me in the labor and employment sector.



*Joseph Adamiak*  
**Arriba Las Vegas  
Worker Center**  
**Las Vegas, NV**

My goals and objectives quickly took a drastic turn this summer due to COVID-19. Initially, they included addressing issues of wage theft with day laborers and domestic workers throughout Las Vegas. We had planned to identify and follow individual cases of wage theft through administrative and judicial channels.

However, with an outcry for support and a failing state unemployment insurance system, my mentor organization acted quickly to establish an unemployment insurance assistance clinic where I was assigned. **We helped over 300 Nevadans address and fix issues keeping them from obtaining unemployment insurance benefits.** This experience demonstrated that state-run agencies must be able to expedite critical services in times of crisis.

I also helped my mentor organization draft a workers' rights handbook and an employee manual to be used internally. I learned about and briefly engaged my organization's "community mediation" process used to engage workers and employers in resolving issues of wage theft.

What I liked most about this summer was that I was given the opportunity to give back to the community and directly with those impacted by COVID-19.



*Simon Cao*  
**AFSCME**  
**Washington, DC**

Some of the many meaningful work projects included a constitutional challenge under the First Amendment from an anti-labor group, an internal representation issue, and an unfair labor practice complaint. I also worked on judicial candidate research for the federal bench. **Each of these projects presented me with diverse experiences that I will treasure the remainder of my career.**

I was able to learn substantively about the First Amendment and how to file an unfair labor practice complaint in a state that recently permitted public employees in the executive branch to collectively bargain. I enjoyed these projects because I learned immensely from the supervising attorneys and I found the issues presented in both cases to be interesting.

Each project presented challenges that were both helpful and difficult. I did not learn about the First Amendment in any doctrinal class in law school as a 1L and had to educate myself on the law's nuances. The challenge was learning about it while in quarantine. Nevertheless, AFSCME was very generous in their deadlines and gave me the space I needed to learn how the amendment applied to the case I was assigned.

I was also able to substantially improve my writing and reasoning under the supervision of my mentor attorneys who provided me with real-world advice and direction. My resolve to work in the labor movement is stronger and I'm eternally grateful to PBF and AFSCME for this opportunity to learn and grow.

*"To be able to make someone's life even the smallest bit better during this pandemic and to actually get to witness the effects of my work was so rewarding."*

— Joseph Adamiak, PBF 2020 Summer Fellow

# Highlights



*Ayesha Nizhoni*  
National  
Employment Law  
Project (NELP)  
Washington, DC

This summer, my work focused on the implementation of the CARES Act, independent contractor misclassification in the janitorial industry, and independent contractor misclassification involving ride-hail companies. Developing a personal familiarity of the CARES Act was both heartbreaking and empowering, as every day I learned something new that related directly to issues concerning people I know and the public-at-large.

I felt that I was making a genuine contribution to research at NELP. Implementing the CARES Act was my focus throughout almost the entire summer working to keep their information current as it was continually changing. I also researched the issue of janitorial misclassification and worked with another attorney on follow-up research concerning federal and state partnerships on identifying employee misclassification.

**Since I had shared that I hoped to prepare a writing sample this summer, I was excited to work with another attorney on an appellate brief.** We were assigned certain sections of the brief to write and research. There was very little turnaround and definitely a sense of urgency to this project.

Several panels/Brown Bag sessions were held throughout the summer, and I think I learned almost as much from them as I did from the work. I feel that I benefited from everything I took part in, providing a greater understanding of the issues.

*I was enlightened about career paths that I hadn't considered, and I didn't expect it, but this was pretty life-changing.*

– Ayesha, Nizhoni, PBF 2020 Summer Fellow



*Shanelle Staten*  
Equal Justice  
Center  
Dallas, TX

The opportunities, development and learning experiences that I have enjoyed this summer have not only informed me further about the Fair Labor Standards Act, but other bodies of law that govern employer/employee relations and procedure through assigned cases. A great deal of specific practices and tenets of employment and labor law were presented by catalyst in the practice area, while a participant in the Transnational Worker Rights Clinic at University of Texas.

The privilege of being assigned to the Black Eagles team, with two rising 3Ls, was an incomparable experience as a rising 2L. **I learned a great deal from my supervising attorneys and have sharpened my writing skills, expanded my legal research and further analyzed legal matters that may arise from the opposing side.**

One of the cases that I worked on provided the opportunity to review production for accuracy and to research the crossover between behavioral health services in an academic residential living environment. It provides a broader view of the possibilities within this environment and how the residents should be treated and cared for.

This experience has taught me that it is always better to ask for clarification and guidance on a task, action item or assignment than to continue without it. I began to seek assistance later in the fellowship and felt supported when met with enthusiastic aid and appreciation. I feel privileged to have had this opportunity.



*Sarper Unal*  
Mehri & Skalet  
PLLC  
Washington, DC

During my Summer Fellowship, I was fortunate enough to work on a variety of different practices and case types, including employment, class action, civil rights, and insurance. **I was also a co-author on an article that will soon be published in an online law journal.**

The biggest assignment involved an employment discrimination matter where the facts of the case required an innovative argument. My supervising attorney was expecting a motion to dismiss by the defendant because the case had a novel issue and our litigation success depended on our creative approach. With my supervisor's assistance, I prepared a draft opposition brief in anticipation of defendant's motion, which was in fact filed shortly after.

As a final project, I was asked to co-author an article, with another 2020 Peggy Browning Fellow, focusing on the disparity between 23(f) motions filed by plaintiffs and defendants to overturn district courts' class certification decisions. This project was interesting because it required heavy statistical analysis of the comprehensive data we had collected from across the nation. My colleague and I, in total, put more than eighty hours into data collection.

Overall, my fellowship was an amazing experience. It was the welcoming support of everybody at the firm that pushed me to excel and volunteer for additional assignments. I look forward to visiting their office as soon as it is safe to travel again and spend time with my virtual coworkers.

# Pandemic Impacts Both NY & DC Awards Programs

## Awardees Step Up to Ensure Success



*Michael Apuzzo,  
Business Manager,  
UA Plumbers Local 1*



*Brent Garren,  
Deputy General Counsel,  
SEIU 32BJ*



*Rosemary Townley,  
Arbitrator & Mediator,  
Townley ADR, PC*

The pandemic impacted both our DC and New York Awards Receptions, with one of our awardees in DC needing to cancel to focus on the needs of the union's members. Our campaign for DC then became an electronic campaign and we thank all of our donors for their continued support of our programs.

We had already sent out the invitations and held our Awardee/Host Committee meeting in New York in February when the decision was made to reschedule for later in the year. **When it became clear that an in-person event would not take place, PBF was able to transition to a 30-minute Virtual Awards Program on September 30.**

Our New York Awardees very generously agreed to participate in our first virtual event. Recognized for their passion and dedication to the rights and needs of workers, our Awardees included **Michael Apuzzo**, Business Manager,



*2020 Summer Fellow  
Sadaf Hasan shared her  
experiences during the pandemic.*

UA Plumbers Local 1; **Brent Garren**, Deputy General Counsel, SEIU 32BJ and **Rosemary Townley**, Arbitrator and Mediator, Townley ADR, PC. Their focus and determination, and that of the Host Committee, to make this event a success, helped to ensure that our programs would continue.

PBF 2020 Alumna Sadaf Hasan, a 2L at CUNY School of Law, spoke about her Summer Fellowship at TakeRoot Justice in NYC and the challenges of navigating the pandemic. **"In these times, it's more important than ever to invest in the next generation of leaders. We really need a new lens to think about how lawyers can play a part in the movement for social justice."**

In his remarks, Brent Garren shared, "There's nothing more important than to foster the next generation of labor lawyers. Nothing we have fought for is secure!" Rosemary Townley agreed and added, "PBF is one of the few successful endeavors to train young, intelligent practitioners. They are just the cream of the crop!"

To view the New York Virtual Awards Program click here <https://www.peggybrowningfund.org/new-york-virtual-award-program-2020>

## 2020 New York Reception Sponsors

### Steward

SEIU 32BJ

UA Plumbers Local 1

### Guardian

1199 SEIU

Ironworkers Local 580

New York State United Teachers

Pitta LLP

*"We need to keep supporting good lawyers because we need their guidance almost daily and we need to keep supporting this fund."*

– Michael Apuzzo, Business Manager, UA Plumbers Local 1

## 2020 DC Reception Sponsors

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### Guardian

Sheet Metal Workers' Local 100

*"This summer really was a transformational experience for me in terms of what I want to do moving forward."*

– Sadaf Hasan, 2020 PBF Summer Fellow



# Advocating for Workplace Justice – Virtually!

During the pandemic, PBF transitioned our Regional Workshop Programs to a virtual platform which provided us with an opportunity to offer these programs to a wider variety of panelists and student attendees than normal when the program is in-person. **We worked closely with our law school contacts, student labor groups, and panelists to bring our program to law students via Zoom Meeting**, where they could participate from the comfort of their living room or home office.

In normal times, panelists often include multiple PBF Alumni, attorneys for unions, union-side law firms and worker centers, labor law professors and attorneys from the U.S. Department of Labor and the NLRB. This did not change when we went virtual. If anything, we had a larger pool of panelists and students willing to participate.

Our panels often give our PBF Alumni and other labor law practitioners a way

to connect to current law students and share their experience on how to break into the labor movement. They also offer their advice on how to land a PBF Summer Fellowship or their first job after law school.

We've scheduled 14 workshops in 2020-2021:

## September

Southern University Law Center and University of Nevada, Las Vegas

## October

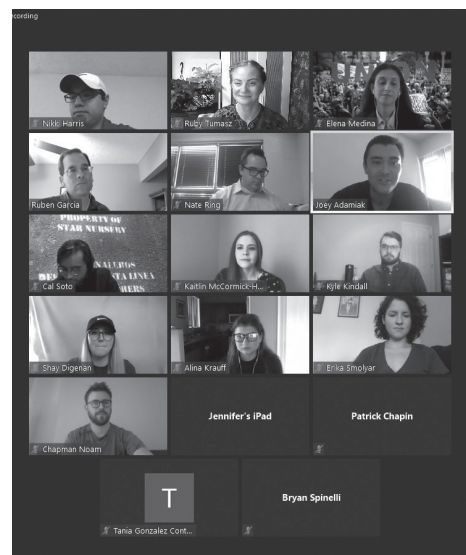
Tulane University and the Universities of Pittsburgh, Minnesota, Georgetown, New York and Rutgers – coordinating with both Newark & Camden campuses and their students

## November

Washington University in St. Louis, Harvard and Chicago-Kent Universities

## January, 2021

University of Chicago, West Virginia University and the University of Washington



*Law Students at the University of Las Vegas at one of our 2020 Regional Workshops*

To attend a workshop, schedule one at your school, and for more information about this program go to [www.peggybrowningfund.org/workshops](http://www.peggybrowningfund.org/workshops) or contact Ruby Tumas at 267-273-7995.

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## 2021 Virtual Awards Programs and Conference

February – Los Angeles, CA

March – Philadelphia, PA

April – New York, NY

June – Washington, DC

## October – 2021 National Law Students Virtual Workers' Rights Conference

If you have questions or would like more information, contact Rhonda Gelman Kelley, CFRE at [rkelly@peggybrowningfund.org](mailto:rkelly@peggybrowningfund.org) or call 267-273-7994



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Rhonda Gelman Kelley, CFRE  
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2019 PBF Summer Fellows Jacqueline Uranga, Consuelo Amezcua and Rosie Brown at Lobby Day in Oakland, CA.



Peggy Browning Fund

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