

**Judith Vladeck's Acceptance Speech
Upon receiving The Peggy Browning Fund Award
Read by Anne Vladeck
January 26, 2006**

I met Peggy Browning on either April 28 or April 29, 1983. I think it is pretty remarkable that I can be so precise – but you must know the back story in order to understand why the day and date are so fixed in my memory. I think you all know how badly we suffered – as a group – and as individual labor law practitioners, from the Reagan 1981 firing of more than 10,000 PATCO strikers. Some of us more senior types may think we have never really fully recovered our confidence and sense of power since. President Reagan sent the message that from then on out big business would be calling the shots.

But there we were – and the smart labor lawyers overseeing the strategic and political decisions in Washington for the AFL-CIO knew we had reached a major crossroad and the dispute would cause a seismic shift. Indeed, there are those who credit the firings as signaling a takeover by corporate America from which we have not emerged. The issue quickly became – do we walk out en masse of the labor section of the ABA for its betrayal of our consensus rule in taking the side of those who endorsed the firings along with that of the ABA's governing body – or stay on within the organization, while at the same time creating our own bar, strong enough to make ourselves heard, despite the overwhelming odds against us.

Some of the most dramatic and exciting moments in our history followed. Meetings of union side lawyers were held around the country, and the LCC was formed. Never before, or since, have I felt better about our mission. There was excitement and camaraderie, and true (although short-lived) brotherhood. It was then decided that what was needed was a bicameral structure: the seasoned veterans of counseling international unions continuing as the Board of Directors – and the youth, energy and diversity of the new labor lawyers scattered around the country as an advisory board.

And so rules were adopted by the Board of Directors to fill twenty places on an Advisory Board. On April 28 and 29, 1983, the committee appointed by the Board began to implement the Board's Directive. It was my honor to chair the Selection Committee for the Advisory Board members. (If the truth be told, the honor was probably an acknowledgement that I was not political enough to be controversial!)

The criteria established by the Board for nomination were:

1. Lawyers in practice less than 10 years;
2. Lawyers who primarily represented local unions;
3. Minority lawyers;
4. Female lawyers; and
5. Lawyers from geographical areas having limited representation on the Board of Directors.

The nominators attempted to meet the guidelines – insuring representation of interests not directly represented by members of the Board of Directors.

The Plenary meeting in 1983 (I think it was in Milwaukee) attracted hundreds of our best and brightest – and the Selection Committee members offered “interviews” to any self-chosen candidates. We were four committee members – scattered geographically, diverse in other ways. More than two dozen interviews were conducted and 30 additional resumes submitted and considered.

I had the pleasure and privilege of interviewing Peggy, who volunteered to serve on the Advisory Committee. For those who knew her, I think we can be honest enough to say that although her resume was brilliant – Swarthmore, U of P Law Review, etc., etc., varied local union representation, top Philadelphia firm – it was her very presence that was totally compelling. What a beautiful, elegant woman she was. Her name was second nominee on the list submitted to the board; the list was composed of twenty candidates who had been vetted. I’m not sure now why she was number “2” – whether alphabetical, geographical, or what – but I know there was no dispute as to her qualifications.

I cannot match words with the likes of Bill Gould or Fred Feinstein in describing her service as a member of the NLRB, to which she was appointed by President Clinton. So I have chosen only a few words from the tribute to her offered at her own Bar Association in Philadelphia. The speaker, Richard Freemont, called her a beacon of workers’ rights, and said, in part

While her name could have graced the masthead of any mega-firm, Browning chose to devote her energies to workers’ rights.... She was tirelessly focused on issues such as union representation and fair and equal pay and decent working conditions – the foundations of a worker’s daily life. Her achievements strongly justified President Clinton’s nomination of her as the first union-side lawyer in history to be appointed to the NLRB, hitherto dominated by academics and management. At the NLRB the screen saver on her computer bore the words from the preamble to the National Labor Relations Act “...by encouraging the practice and procedure of collective bargaining.” She thrived as an idealist in a high government post.

In my limited religious experience, I’ve learned a phrase to describe an unusual and outstanding person, almost always referring to a male: He has all the virtues. I don’t know whether Peggy did or didn’t, but she was overwhelming in her sheer charisma and physical beauty. When she proved to be nice and smart and all good things, I was reminded again and again how lucky we were to have her with us, even for such a cruelly short time.