

ARTHUR N. READ



ADDRESS

Friends of Farmworkers, Inc.
42 S. 15th St, Suite 605
Philadelphia PA 19102-2205

TELEPHONE

Office: (215) 733-0878 x150
Fax: (215) 733-0876
Email: aread@friendsfw.org

BAR ADMISSIONS

Admitted to practice before the courts of the States of Pennsylvania, New Jersey and New York. Admitted to practice 1976-1990 Supreme Court of Arizona. Admitted to practice before the Supreme Court of the United States, United States Court of Appeals for the Third Circuit, United States District Courts for the Eastern and Middle Districts of Pennsylvania, District of New Jersey and the Eastern and Southern Districts of New York.

PROFESSIONAL BACKGROUND

LEGAL EDUCATION

New York University School of Law
J.D. Degree May 1976

PRE-LEGAL EDUCATION

University of Pennsylvania, Philadelphia, Pa.
B.A. History June 1972

LEGAL EMPLOYMENT AND EXPERIENCE

- Employment and labor law representation of farm workers, low wage immigrant workers, unions, and rank and file workers within unionized and non-unionized work places. Establish protected organizing rights for farmworkers and mushroom workers under state labor laws in New Jersey and Pennsylvania.
- Since 1979 specialized in representation of migrant and seasonal farm workers, mushroom workers, and since 2000 H-2B temporary guest workers including landscaping workers.
- Handled class action lawsuits in state and federal court.

FRIENDS OF FARMWORKERS, INC.

General Counsel. October 1982 to present. 42 S. 15th St, Suite 605, Philadelphia, PA 19102-2205

CAMDEN REGIONAL LEGAL SERVICES

- Pennsylvania Farmworkers Project Director, Philadelphia, Pa. 19134. December 1981 to October 1982.
- Farmworker Division, Vineland, NJ 08360, May 1979 to December 1981. Staff Attorney.

EISNER, LEVY, STEEL AND BELLMAN, P.C.

New York, N.Y. Associate: September 1976 to May 1979 Law Clerk: January 1975 to May 1976

AWARDS AND RECOGNITION

- *Morris Dees Justice Award 2007* from University of Alabama and Skadden, Arps, Slate, Meagher & Flom LLP.
- Pennsylvania Bar Association
 - June 2008 PBA President's Award
 - Award 2007 for PBA Unauthorized Practice of Law Committee formal opinion regarding unauthorized practice of immigration law.
- Pennsylvania Legal Services, *Striving Toward Excellence Award*, 1993.
- Awards from client and community organizations including: Comite de Apoyo a los Trabajadores Agricolas (CATA); Kaolin Workers Union (KWU); Union de Trabajadores Agricolas y del Hongos (UTAH); Mujeres en Accion Haciendo Historia (1997); and Rural Opportunities, Inc. Farmworker Advocate Hall of Fame (October 2000)
- "Reaping Workplace Justice" *Philadelphia Inquirer Magazine*, April 21, 2002, page 18.

PROFESSIONAL ACTIVITIES

- Pennsylvania Bar Association:
 - Member of House of Delegates, 2007-2013
 - 2007-2008 Co-chair Civil & Equal Rights Committee and continuing active member
 - Member of Agricultural Law, Immigration Law, Unauthorized Practice of Law, and Legal Services to the Public Committees
- Philadelphia Bar Association
 - Active member of Language Access committees
 - Special Committee to Coordinate the Bar's Response to the Supreme Court Racial and Gender Bias Report and Recommendations (2003-2006).
- National Lawyers Guild member since 1973. Member Labor and Employment Committee.
- Pennsylvania Immigration and Citizenship Coalition: Board of Directors 2003-2011.
- Pennsylvania Supreme Court Committee on Racial and Gender Bias in the Judicial System: member Litigants Work Group 1999-2003.

Accomplishments As Friends Of Farmworkers, Inc. General Counsel.

For the last 30 years I have been General Counsel of a statewide legal services organization which has principally specialized in labor and employment law issues for migrant and seasonal farmworkers in Pennsylvania. Over the last several years the scope of the organization's work has gradually expanded to include a role in the provision of legal representation to low wage immigrant workers in the eastern half of the state more generally and in advocacy on behalf of limited English proficient populations. Key accomplishments include:

- Advocacy on behalf of H-2B non-agricultural guestworkers who are barred from representation by federal Legal Services Corporation programs.
- Winning protections for rights to organize and bargain for thousands of workers in Pennsylvania's mushroom industry under the Pennsylvania Labor Relations Act. *See, Vlasic Farms, Inc. v. Pennsylvania Labor Relations Board*, 777 A.2d 80 (PA 2001). I was the lead negotiator for the Kaolin Workers Union in both its first (2002) and second collective bargaining agreements (2004). These contracts were negotiated after a nine (9) year legal fight following a 1993 six week strike. They are the only contracts covering mushroom workers in Pennsylvania.
- Pursuit of a class action lawsuit in Commonwealth Court of Pennsylvania declaring that the Commonwealth of Pennsylvania had failed in its responsibilities to inspect and permit farm labor camp housing for mushroom workers in Pennsylvania. *El Concilio v. DER*, 86 Pa. Cmwlth 219; 484 A.2d 817 (1984). During the remaining years that the litigation was pending, labor camp housing in the mushroom industry was largely brought into compliance with state and federal law as a result of this action.
- Litigation of class action lawsuits in federal court under the Migrant and Seasonal Agricultural Worker Relations Act in the Eastern and Middle Districts of Pennsylvania. Successful pursuit of extensive injunctive relief that has served as a model for compliance with federal and state farm worker protective laws that fundamentally changed terms and conditions of employment in the apple and tomato industries in Pennsylvania.
- Establishment in the 1980's of one of the first alternative dispute resolution systems with northeastern Pennsylvania vegetable producers.
- Successful pursuit of group employee creditor claims in national bankruptcy proceedings.
- Successful pursuit of federal Fair Housing Act violations against governmental entities and landlords.

PUBLICATIONS**Articles and Chapters**

- “Learning From the Past: Designing Effective Worker Protections for Comprehensive Immigration Reform” 16 *Temp. Pol. & Civ. Rts. L. Rev.* 423 (Spring 2007).
- “Unauthorized Practice of Immigration Law by Non-Attorneys and Unauthorized Practice of Law Generally by Notaries Public” *Pennsylvania Bar Association Unauthorized Practice of Law (UPL) Committee Formal Opinion 2006-01* (November 2006). (Author for UPL Committee)
- "Guest Worker Programs: Impact on the American Workforce and U.S. Immigration Policy" by Arthur N. Read to the House Committee On Education and the Workforce (Aug. 9, 2006).
- “Protecting Worker Rights in the Context of Immigration Reform” 9 *Journal of Law and Social Change* 65 (2006).
- “Let the Flowers Bloom and Protect the Workers Too –A Strategic Approach Toward Addressing the Marginalization of Agricultural Workers” 6 *U. Pa. J. Lab. & Emp. L.* 525 (Spring 2004).
- “Chapter 1: Litigants with Limited English Proficiency,” Pennsylvania Supreme Court Committee on Racial and Gender Bias in the Judicial System, *Final Report of the Pennsylvania Supreme Court Committee On Racial and Gender Bias in the Justice System* (April, 2003). (One of the principal authors of this chapter for Litigants Work Group).
- "Unemployment Insurance and Migrant Farmworkers", Migrant Legal Action Program, *Farmworker Law*, 2nd Edition (Washington D.C., 1983).

Selected Additional Professional Publications

- "Theories of Action Against State Agencies for Failure to Enforce State Legislation and Regulations with Regard to Labor Camp Health and Safety Standards" Migrant Legal Action Project, National Farmworker Law Training Conference, Housing Workshop, 1991.
- "Techniques for Expedited Determination of Issues" Migrant Legal Action Project, National Farmworker Law Training Conference, Housing Workshop, 1991.
- "Discovery Techniques for Usage of Defendant Records to Prove Your Case" Migrant Legal Action Project, National Farmworker Law Training Conference, FLSA Proof of Damages Workshop, 1991.
- "Pre-Season Responsibilities of Agricultural Employers," Agricultural Labor Management Workshop Dickinson College of Law April 1985.
- "What is Duty of Fair Representation," *Labor Newsletter* No. 22, February 1978 (setting forth a general framework for understanding a union's duties to its members)

Additional Miscellaneous Publications

- "Analysis of Effect of S.B. 1238 on the Pennsylvania Seasonal Farm Labor Act," Friends of Farmworkers, Inc., 1991.
- "Farmworkers' Rights," *Legal Advocate Manual*, Philadelphia Bar Association, Homeless Advocacy Project, 1990.
- "Estimation of Migrant and Seasonal Farmworker Populations in Pennsylvania," Friends of Farmworkers, Inc., November 1988.
- "Harvest of Pain: Pennsylvania's Migrant and Seasonal Farmworkers," *PLS Review* (Summer 1988).
- "Handbook of Farmworkers' Rights," Friends of Farmworkers, Inc. August 1986.
- "Los Derechos de los Trabajadores de la Industria de los Hongos," Friends of Farmworkers, April 1983.

TEACHING EXPERIENCE

Over the past 32 years I have had extensive experience as a lecturer in academic and continuing legal education contexts. This has included guest lecturing at the University of Pennsylvania; Temple University Beasley School of Law; Villanova University School of Law; Dickinson School of Law; St. Joseph's University; Swarthmore College; King's College; Albright College; Pennsylvania Bar Institute; National Legal Aid and Defender Association; Legal Services Corporation Farmworker Law Conferences; Migrant Legal Action Program Farmworker Law Training Conferences; Pennsylvania Legal Services; Agricultural Law Committee, Pennsylvania Bar Association.

I have also made substantive law presentations to a variety of organizations including: Pennsylvania Human Relations Commission; Consulate of Mexico, Philadelphia; Keystone Chapter Employee Assistance Professionals Association; Commonwealth of Pennsylvania, Migrant Education Program; Peggy Browning Fund National Law Students Workers Rights Conference; National Lawyers Guild; Pennsylvania Immigration and Citizenship Coalition; Rural Opportunities, Inc.; National Low Income Immigrant Worker Rights Conference.; Philadelphia Chapter, National Employment Lawyers Association; Comité de Apoyo a los Trabajadores Agrícolas (CATA); Pennsylvania Statewide Latino Coalition (PSLC); Manos de Ayuda (NJ); and Coalition for Latin American Immigrants and Migrants.

Pennsylvania Bar Institute**Representing Limited English Proficient Clients**

- **July 2010:** PA Courthouse Doors Have Been Opened Wider To LEP Individuals
- **April 2009:** Administrative Due Process 2009, How the Existing System Protects or Fails to Protect Administrative Due Process Rights in Pennsylvania
- **December 2007:** Faculty on issues involving unauthorized practice of immigration law.

Civil Rights in the 21st Century - New Millennium * New Supreme Court

April 2007: Program Planner full day three Location CLE. Moderator for panel on "Applying International Standards to U.S. Civil Rights and Social Justice."

Public Interest Law Day.

- **October 2004:** Program Planner and Faculty "Representing Clients with Limited English Proficiency."
- **June 2002:** "Employment Rights of Immigrant and Undocumented Workers."

TEACHING EXPERIENCE (continued)**Pennsylvania Legal Aid Network (PLAN) - Pennsylvania Legal Services (PLS)**

- PLAN Statewide Conference (May 2007) presenter “Employment Law Potpourri”
- PLAN Statewide Employment Project Training (September 2007) “Claims for Wages”
- PLS Statewide Training Conferences (Multiple Years)
- PLS Employment Law Task Force Conferences (Multiple Years)
- PLS Senior Advocate Forum 1990, 1991: Presentations on obtaining injunctive relief and discovery proceedings in complex litigation

National Legal Aid and Defender Association - Migrant Advocacy Conferences

November 2010: Presenter workshops on bankruptcy, jury trials, and housing remedies.

November 2008: Program Planner and Faculty “Discovery Tactics in Wage and Hour Cases” and “Enforcing Decent Conditions in Farmworker Housing”

November 2006: Program Planner and Faculty “Enforcing Decent Conditions in Farmworker Housing”

December 2004: Program Planner and Faculty in: “Utilizing Nontraditional Employment Law Theories for Farmworkers” and “Litigation & Advocacy Strategies for Enforcing Decent Conditions in Farmworker Housing”

November 2002: “Securing a Remedy: Damages and Injunctive Relief,” “Retaliation, Discrimination and Wrongful Discharge,” “Enforcement of Decent Conditions in Farmworker Housing,” and “Maximizing the Impact of an Agricultural Worker Practice.”

November 2000: “Maximizing Impact with Class Actions, Mass Actions and Multiple Actions,” “Enforcing housing rights for workers in labor housing facilities,” “Enforcing Wage Payment and Compensation Rights: Problems With Pay Records That are Inaccurate, Incomplete, Falsified or Non-existent,” and “Enforcing Employment Protections for Agricultural Processing and Agriculture-Related Workers.”

American University Washington College of Law: March 2009 Faculty “Realizing the American Dream? Contemporary Challenges Facing Temporary Guest Workers and Their Advocates”

Latino Latina Critical Theory Conference IX: Villanova Law School May 2004

- Presenter: “Recognizing and Confronting the Economic Incentives to Utilization of Immigrants to Undercut Worker Rights”

4th National Low-Income Immigrant Rights Conference Washington D.C. May 2003

- Moderator and Program Planner “Guestworker Programs: Designing a Viable Alternative That Does Not Lead to Worker Exploitation”

Peggy Browning Fund Fourth Annual Workers Rights Conference Washington D.C.

- October 2002. Keynote Speaker “La Lucha Continua” on Labor and Employment Law.

Dickinson College of Law Carlisle, Pennsylvania Agricultural Labor Management Seminars

April 1985, April 1986, April 1987, April 1988

Program co-planner and speaker at seminars on farm worker labor law issues co-sponsored by Dickinson College of Law, Friends of Farmworkers, Pennsylvania Farmers Association, Agricultural Law Committee of the Pennsylvania Bar Association, Pennsylvania Cooperative Extension Service, and Farmworker Opportunities, Inc.

Legal Services Corporation National Migrant Farmworker Training Conferences

January 1980 San Antonio, Texas; November 1981 Estes Park, Colorado; March 1985 Denver, Colorado; March 1990 Colorado Springs, Colorado; Housing Conference, December 1992, Washington, D.C.; March 1994 Fort Worth, Texas

LSC Regional Migrant Farmworker Law Training Conferences

February 1980 Aguadilla, Puerto Rico; December 1981 Philadelphia, Pennsylvania; April 1983 New York, N.Y.; November 1986 Tampa, Florida