

Richard Harlan Frank

(1926-2012)



*Inducted into the Labor and Employment Law Section Hall of Fame
June 2014*

Richard Harlan Frank was born in Detroit, Michigan, on August 12, 1926, and died Friday, June 8, 2012. Judge Frank served as an infantry man in Europe during World War II and later joined the Regular Army. He was a member of the liberation force at the Dachau Concentration Camp in Germany in 1945. Following his service, he resumed his education at Georgetown University, where he earned his B.S. and L.L. B. degrees, in 1950 and 1953, respectively.

Frank practiced law in Washington, D.C., from 1953 until 1958, developing an expertise in labor law, which led to his working in appellate litigation for the National Labor Relations Board. He maintained a private practice in Tampa from 1962 until January 4, 1985, during which he represented numerous unions in both public (PERA) and private (NLRA) litigation. Frank counted among his many clients the Sheet Metal Workers International Association, Local Union No. 57, Dade Teachers' Association, FTP-NEA (DTA), the Broward Educational Support Personnel, the Laborers' International Union of North America, Public Employees' Local 678, AFL-CIO, FUSA, FTP-NEA, FEA/United, and the Broward County Classroom Teachers Association, Inc. Frank represented the University of South Florida House Staff Association in strike proceedings at Tampa General Hospital (University of South Florida College of Medicine, 7 FPER ¶ 12401 (1981)), and was later successful in excluding medical residents from the definition of public employee under PERA. University of South Florida College of Medicine, 8 FPER ¶ 13166 (1982). Among the many cases he litigated over the course of his career as a labor lawyer, Frank handled two of the most well-known public sector labor cases, Palm Beach Junior College on waivers of bargaining rights and the well-known Palowitch case on mandatory subjects of bargaining. Palm Beach Junior College Board of Trustees v. United Faculty of Palm Beach Junior College, 475 So.2d 1221 (Fla. 1985) and The School Board of Orange County v. Palowitch, 367 So.2d 730 (Fla. 4th DCA 1979).

In 1985, Frank was appointed by then Governor Bob Graham to the Second District Court of Appeal. He served for 14 years, and was elected Chief Judge in 1994, and retired in 1999. He was a member of The Florida Bar, Virginia State Bar, District of Columbia Bar, American Bar Association and the Hillsborough County Bar Association. He was admitted to and practiced before the U. S. Supreme Court, the U.S. District Court for the District of Columbia, the Northern, Middle and Southern Districts of Florida, and the Southern District of Alabama. He practiced before each of the Federal Court of

Appeals. During his professional career, Judge Frank lectured at Stetson University College of Law, Florida State University College of Law, the University of Florida College of Law, and taught as an adjunct professor at the University of South Florida.

He was the assistant editor of the *Developing Labor Law*, published by the American Bar Association and the Bureau of National Affairs, and wrote articles on labor law for national professional publications. Frank served as co-chairman of the ABA Committee on the Administrative Procedure Act. He was a member and the chairman of the Florida Supreme Court's Committee on Standards of Conduct Governing Judges. He was also a member of the Florida Supreme Court's Committee on Standard Jury Instructions in Civil Cases and a designated director of the Florida Bar Foundation.