

Employment Relations in Sports
Fall 2017
DRAFT: SUBJECT TO CHANGE

Labor Studies 38:578:528:01
Mondays, 4:30pm-7:10pm
Room 115, Labor Education Center

Professor Rebecca Givan

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Office Hours: By appointment (including before class)

This course will explore and analyze the environment, participants, process, outcomes and impacts of employment relations in sports. We will discuss key themes in employment relations and the ways in which they apply to athletes, sports leagues, and other key stakeholders.

Students are expected to complete the assigned reading prior to class meetings and be prepared to discuss the material. To facilitate the learning experience, the class will combine small group and class discussions, lectures and exercises.

SMLR Learning Objectives:

V. Understanding Context - Evaluate the context of workplace issues, public policies, and management decisions Employment relations issues in sports are critically shaped both by national laws/policies governing the workplace and by globalization of marketing, customers, and talent.

VI. Application – Demonstrate an understanding of how to apply knowledge necessary for effective work performance Application of various insights from employment relations to the specific industry structures, human resource practices, and human rights issues in a variety of sports that are now increasingly international in scope is the central concern of this class

Assignments: Note - you must complete all assignments to receive credit for the course.

Participation (Includes attendance, thoughtful participation & all in-class work): 30%

Exam 1: (October 16th): 20%

Exam 2: (December 11th) 20%

Research paper: (Due December 15th) 30%

Exams will take the form of in-class open book, open note essays. You should bring a computer if you prefer to type your answers.

For all written assignments, please use 1” margins, double spacing and a 12-point font. All papers should be uploaded to Sakai.

Academic Integrity:

You are responsible for understanding and following the Rutgers University Policy on Academic Integrity. Information on the policy is available here: <http://academicintegrity.rutgers.edu/policy-on-academic-integrity>. Written assignments will be submitted via Sakai and processed through Turnitin.

Class schedule:

The schedule of readings and assignments is below. We may need to move some topics (and readings) to accommodate guest speakers or adjust the emphasis as a result of class discussion. However, exam dates and assignment deadlines will not change. You should complete all readings before class, and come to class ready to discuss what you have read. This is a graduate seminar, and there will be several readings for each session. You should give each reading sufficient time, and come to class with notes and questions about what you have read. Most of the class will be seminar style, and will rely on your thoughtful participation. The occasional lectures will not repeat the material in the readings, but build on this material, although you are encouraged to ask questions about the readings during class. **There will occasionally be an assignment at the beginning of class (such as a quiz or short writing assignment) based on the week's readings.**

Books:

There is a Sakai site for the course, and readings will be posted there. Please download the assigned reading well in advance of class time.

Schedule

Week 1 Monday September 11th

Introduction

In class case study: Colin Kaepernick

Reference materials:

Dave Zirin, "What the NFL Players' Union Chief Has to Say About Colin Kaepernick's Protest." *The Nation*. <https://www.thenation.com/article/what-the-nfl-players-union-chief-has-to-say-about-colin-kaepernicks-protest/>

Week 2: Monday September 18th

Collective Bargaining in Sports

Collective Bargaining Agreement worksheet due.

Reading:

- Charles P. Korr "From Judge Cannon to Marvin Miller: From Players' Group to Players' Union" (1-20)
- and Karen S. Koziara "Labor Relations in Baseball: Lessons Learned about Collective Bargaining" (32-47). Both in Staudohar, Paul D. 2000. *Diamond Mines : Baseball and Labor*. 1st ed, *Sports and entertainment*. Syracuse, N.Y.: Syracuse University Press.
- SKIM ONLY: Halchin, L Elaine, Justin Murray, Jon O Shimabukuro, and Kathleen Anne Ruane. 2012. "Congressional Responses to Selected Work Stoppages in Professional Sports." Congressional Research Service <http://www.fas.org/sgp/crs/misc/R41060.pdf> or http://digitalcommons.ilr.cornell.edu/cgi/viewcontent.cgi?article=1952&context=key_workplace
- Pierce, Daniel S. 2001. "The most southern sport on earth: NASCAR and the unions." *Southern Cultures* 7 (2):8-33.

Week 3 Monday September 25th

The buying and selling of athletes

Reading:

- Chapter 2 (41-74) in Gilbert, Daniel A. 2013. *Expanding the Strike Zone: Baseball in the Age of Free Agency*. Amherst: University of Massachusetts Press.
- Rosenthal, Jeffrey A. 1995. "The Amateur Sports Draft: The Best Means to the End." *Marq. Sports LJ* 6:1.
- Spagnuolo, Diana L. 2003. "Swinging for the fence: A call for institutional reform as Dominican boys risk their futures for a chance in Major League Baseball." *U. Pa. J. Int'l Econ. L.* 24:263.
- Magee, Jonathan, and John Sugden. 2002. "'The World at their Feet' Professional Football and International Labor Migration." *Journal of sport & social issues* 26 (4):421-437.

Week 4 Monday October 2nd
Amateurism 1: College athletics

Reading:

- Taylor Branch “The Shame of College Sports” *The Atlantic*, October 2011
<http://www.theatlantic.com/magazine/archive/2011/10/the-shame-of-college-sports/308643/>
- Dave Zirin “Chapter 6: The NCAA’s “whiff of the plantation”” (106-119) in Zirin, Dave. 2013. *Game Over : How Politics Has Turned the Sports World Upside Down*. New York: New Press.
- National College Players Association *The Price of Poverty in Big Time College Sport*. 2011. <http://www.ncpanow.org/research/body/The-Price-of-Poverty-in-Big-Time-College-Sport.pdf>

Week 5 Monday October 9th
Amateurism 2: The Olympic Movement

Reading:

- Chapter 4 “The 1968 Olympics Raise the Bar” (73-100) in Zirin, Dave. 2005. “What’s my name fool.” *Sports and Resistance in America*, Haymarket.
- Chapter 8 (187-218) in Rhoden, William C. 2006. *\$40 Million Slaves : The Rise, Fall, and Redemption of the Black Athlete*. 1st ed. ed. New York: Crown Publishers.
- Ruiz, Rebecca R., Juliet Macur and Ian Austen “Even With Confession of Cheating, World’s Doping Watchdog Did Nothing” *New York Times* June 15, 2016. <http://www.nytimes.com/2016/06/16/sports/olympics/world-anti-doping-agency-russia-cheating.html>

Week 6 Monday October 16th 1st Exam

Week 7 Monday October 23rd

Race and Racism

Readings:

- Chapter 4 (63-89) in Dave Zirin *A People’s History of Sports in the United States* New Press, 2009.
- Chapters 4&5 (72-117) in Ruck, Rob. 2011. *Raceball : How the Major Leagues colonized the Black and Latin game*. Boston, Mass.: Beacon Press.
- Chapter 10 (231-245) in Rhoden, William C. 2006. *\$40 Million Slaves : The Rise, Fall, And Redemption of the Black Athlete*. 1st ed. ed. New York: Crown Publishers.

Week 8 Monday October 30th

Regulating the athlete’s body: Drug testing, gender testing, and sexuality.

Readings:

- David Epstein. “Magic Blood and Carbon-Fiber Legs at the Brave New Olympics” *Scientific American*, August 5 2016
<http://www.scientificamerican.com/article/magic-blood-and-carbon-fiber-legs-at-the-brave-new-olympics/>
- Ariel Levy “Either/Or” *The New Yorker* November 30, 2009.
- Dave Zirin “Chapter 8: ““Is Your Underwear Flame Retardant?” Sexuality and Sports” (135-162) in Zirin, Dave. 2013. *Game Over: How Politics Has Turned the Sports World Upside Down*. New York: New Press.
- WADA “2015 World Anti-Doping Code Read articles 5 (36-42), 8 (57-59) 13 (80-86) 21 (113-115) Available online at <https://wada-main-prod.s3.amazonaws.com/resources/files/wada-2015-world-anti-doping-code.pdf>

Week 9 November 6th

Health and Safety

Reading:

- Halchin, L. E. (2008). *Former NFL players: Disabilities, Benefits, and Related Issues* (RL34439). Washington, DC: Congressional Research Service.
http://digitalcommons.ilr.cornell.edu/key_workplace/525/
- John Branch (2011) “Punched Out: The Life and Death of a Hockey Enforcer” *New York Times* <http://www.nytimes.com/2011/12/04/sports/hockey/derek-boogaard-a-boy-learns-to-brawl.html?pagewanted=all> Read parts 1, 2 and 3.
- Part 4 (249-361) in Fainaru-Wada, Mark, and Steve Fainaru. 2013. *League of denial : the NFL, concussions, and the battle for truth*. New York: Three Rivers Press.

In class:

Film (excerpts): League of Denial (PBS)

<http://www.pbs.org/wgbh/pages/frontline/league-of-denial/>

Week 10 Monday November 13th

Brokers and middlemen: Agents, recruiters and scouts

Readings:

- Chapter 4 (107-135) in Gilbert, Daniel A. 2013. *Expanding The Strike Zone : Baseball in the Age of Free Agency*. Amherst: University of Massachusetts Press.
- Karcher, Richard T. 2006. "Solving Problems in the Player Representation Business: Unions Should Be the Exclusive Representatives of the Players." *Willamette Law Review* 42:737.
- Willenbacher, Eric. 2004. "Regulating Sports Agents: Why Current Federal and State Efforts Do Not Deter the Unscrupulous Athlete-Agent and How a National Licensing System May Cure the Problem." *St. John's Law Rev.* 78:1225.

Week 11 Monday November 20th

Compensation

Readings:

- Chapter 2 “Anything but “Free”: Playing for the NFL” (21-48) in Yost, Mark. 2006. *Tailgating, Sacks, and Salary Caps : How The NFL Became the Most Successful Sports League in History*. Chicago, IL: Kaplan Pub.
- Kahn, Lawrence M. 2000. "The sports business as a labor market laboratory." *The Journal of Economic Perspectives*:75-94.
- Darby, Paul. 2007. "Out of Africa: The exodus of elite African football talent to Europe." *WorkingUSA* 10 (4):443-456.
- Pp 238-250 in McDonagh, Eileen L., and Laura Pappano. 2008. *Playing with the boys : why separate is not equal in sports*. Oxford ; New York: Oxford University Press.

Week 12 Monday November 27th

Globalization and sports

- Chapters 6 &7 (147-204) in Dave Zirin *Brazil's Dance With the Devil: The World Cup, the Olympics and the Fight for Democracy* Chicago: Haymarket Books, 2014.
- Chapter 3 “Global Migration of Sports Labor” (63-99) in George Harvey Sage. 2010. *Globalizing Sport: How Organizations, Corporations, Media, and Politics are Changing Sports*. Boulder, CO: Paradigm Publishers.
- Human Rights Watch *Building a Better World Cup: Protecting Migrant Workers in Qatar Ahead of Fifa 2022* (read whole report)
http://www.hrw.org/sites/default/files/reports/qatar0612webwcover_0.pdf

Week 13 Monday December 4th

Wrap up and discussion of research paper topics

Be prepared to spend 5 minutes explaining your topic to the class.

Week 14 Monday December 11th 2nd Exam

Friday December 15th

Research paper due- Upload paper to Sakai by midnight.

Collective Bargaining Agreement (CBA) Worksheet

On the first day of class you will be assigned a collective bargaining agreement. Your first task is to find the CBA online. Read the ENTIRE CBA. Take notes on the following questions. Come to class with your notes as well as the CBA (in electronic form or hard copy). You must upload your notes to Sakai (the answers to these questions) no later than **noon September 14th**. The CBA you read should be currently in effect, or if expired, be the last agreement that exists for this unit (i.e. no successor agreement has been negotiated).

You can find many collective bargaining agreements online by searching for the name of the employer and/or the union and “collective bargaining agreement” or “cba.” Many CBAs also appear on the employer or union local’s website and you can consult the links provided online here: <http://libguides.rutgers.edu/c.php?g=336678&p=2267003>

Who are the two (or more) parties to the CBA?

What are the start and end dates of the CBA? How long is the contract?

Are there any provisions for contract re-openers or extensions in particular circumstances?

Are there separate classifications for rookies and veterans? Are there other categories of players? How is each category defined?

What is the minimum salary?

Are there exceptions to the minimum salary? If yes, how do they work?

Is there a salary cap (for individuals or for the team)?

Are there exceptions to the salary cap/maximum? If yes, how do they work?

What are the increases to minimum salary for each year of the contract?

What are the specifics of the retirement plan?

Is there a provision for life insurance?

Is there a provision for parental leave? What is the policy?

Is there a meal allowance or travel per diem? If yes, how much is it?

What is the drug testing policy?

Are there any unusual provisions in the CBA?