

LABOR RELATIONS IN PROFESSIONAL SPORTS

37:575:310:01

FALL 2012

PTL David P. Pepe, Esq.

Monday 7:15-10:05 pm

Cook Douglas

**Office hours before or after
class by arrangement**

Lecture Hall – Room 109

O: (732) 855-6045

COURSE DESCRIPTION: Reports of touchdowns, home runs, and overtime goals by professional sports heroes are often overshadowed by stories of strikes, lockouts, and mass resignations. Some of the highest paid employees in American society and their wealthy employers have created a system of labor relations that has failed, as often as it has worked, in serving as a mechanism to collectively establish wages and working conditions. This course will examine the history and evolution of labor-management relations in professional sports and assess the impact of professional sports on fans, the public interest and the economy. Particular emphasis will be focused on the similarities and differences between labor relations in professional sports and other sectors of the U.S. economy.

COURSE READINGS: Excerpts of The Jungle, by Upton Sinclair; Excerpts of Eight Men Out, by Eliot Asinof (not required to be purchased), and handouts as assigned; Blue Collar Law and Basketball, by Mark Conrad; Major League Baseball's Labor Turmoil: The Failure of the Counter Revolution, by Jeffrey S. Moorad; Creating A Win-Win Through Collective Bargaining; The NFL Salary Cap, by Adam Heller; Pay Dirt: The Business of Professional Team Sports, by James Quirk and Rodney D. Fort; The Sports Business as a Labor Market Laboratory, by Lawrence M. Kahn; When Negotiations Fail: An Analysis of Salary Arbitration and Salary Cap Systems, by Melanie Aubut; The Effect of Salary Arbitration on Major League Baseball, by Jonathan M. Conti; Football May be Ill But Don't Blame Bosman, by William Duffy; The Business of Sports Agents, by Kenneth Shropshire and Timothy Davis; The Growth of Women's Sports, by Rachel Elaychar and Lauren Moag; The PGA Tour; Successful Self Regulation or Unreasonably Restraining Trade, by Charles R. Daniel, II; and other readings assigned as posted.

COURSE REQUIREMENT: 1) mid-term exam, 2) final exam, 3) class project, 4) attendance and class participation. Each requirement will count for 25% of a student's final grade.

COURSE SCHEDULE

- Sept. 10 Introductions & Course Overview
- Sept. 17 Labor Relations in the U.S.
- Reading: Upton Sinclair. *The Jungle (Excerpts)*
- Reading: Mark Conrad. *Blue Collar Law and Basketball*
- Sept. 24 Continued discussion of Labor Relations in the U.S. and the advent of collective bargaining. History of Unionization in Professional Sports
- Reading: Eliot Asinof. *Eight Men Out (Excerpts)*
- Reading: Adam Heller. *Creating a Win Win Through Collective Bargaining: The NFL Salary Cap.*
- Oct. 1 Collective Bargaining in Pro Sports
- Reading: Marvin Miller. *A Whole Different Ballgame (Excerpts)*
- Oct. 8 Labor Relations in Baseball – Phil Pepe. “Talking Baseball”;
(*Excerpts*)
- In class project: Salary Arbitration hearing.
- Oct. 15 In class DVD and guest lecturer Author Phil Pepe
- Reading: Jeffrey S. Moorad. *Major League Baseball’s Labor Turmoil: The Failure of the Counter Revolution*
- Oct. 22 MID TERM EXAMINATION
- Oct. 29 The Reserve Clause and The Curt Flood decision.
(Guest Lecturer)
Current Topics in Labor Relations and Sports
- Reading: Jonathan M. Conti. *The Effect of Salary Arbitration on Major League Baseball*
- Reading: Curt Flood decision.
- Nov. 5 Reading: Athlete Compensation, Quick and Fort, *Pay Dirt: The Business of Professional Team Sports*

Reading: Lawrence M. Kahn. The Sports Business as a Labor Market Laboratory

Reading: Melanie Aubut. When Negotiations Fail: An Analysis of Salary Arbitration of Salary And Salary Cap Systems.

Nov. 12 Role of Player Agents

Reading: Kenneth Stropshire and Timothy Davis. *The Business of Sports Agents.*

Nov. 19 Individual and Women's Sports

Reading: Rachel Elaychar and Lauren Moag. *The Growth of Women's Sports.*

Reading: Charles R. Daniel, II. *The PGA Tour: Successful Self Regulation or Unreasonably Restraining Trade.*

**Nov. 26 Future of Player Unions
Expiring CBA's and their impact.
Assigned Papers Due**

Dec, 3 Final Exam Review

Dec. 10 FINAL EXAM