

RUTGERS - THE STATE UNIVERSITY OF NEW JERSEY

Labor Studies and Employment Relations Department
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LABOR RELATIONS IN PROFESSIONAL SPORTS

37:575:310:01 Spring 2024

Professor Leonard C. Schiro, Esq.

Mondays, 5:40- 8:40 pm

Food and Science Building 101 (65 Dudley Road, New Brunswick, NJ, Building #6246)

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LSCHIRO@MSMLABORLAW.COM

Professor Schiro will be available prior to class arriving at 5 pm and will make himself available for any and all concerns. These meetings may be scheduled or you may simply drop in. If additional time is required, online meetings may be scheduled.

COURSE DESCRIPTION:

Professional and college sports have been influenced and altered in all aspects of the game by relationships between the league and the various unions representing the players. Labor unions in the MLB, NFL, NBA, NHL, as well as the WNBA have created the economic and societal landscape that currently dictate modern professional sports. This class will provide a historical basis for understanding the ebbs and flows of salaries, player safety, equity, and competitiveness in professional sports and how that has influenced amateur sports including the NCAA. The class will also provide in-depth instruction and in class applications of negotiating techniques and strategies in both a collective (union) negotiation and individual (player) negotiations setting.

COURSE LEARNING GOALS:

By fully participating in this class, you will learn the history of collective bargaining in professional sports as well as, negotiating techniques, which may be utilized in any circumstance in life. You will also become aware of the evolution of labor relations in professional sports through the various collective bargaining agreements that are negotiated and how they will impact society.

GRADING:

- 1) mid-term exam – 33%
- 2) final exam- 33%
- 3) projects A and B-16.5 % Each

90 and above A

85 – 89 B+
80 – 84 B
75 – 79 C+
70 – 74 C
65 – 69 D+
60 – 64 D
Below 60 F

* Exceptional class participation may result in a half grade boost for your final grade. Unexcused absences may subject students to grades being lowered.

TEXT BOOKS DO NOT HAVE TO BE PURCHASED.

Playing For Dollars: Labor Relations and the Sports Business, Staudohar, Paul D, Cornell University Press, 1996. (Not required to be purchased)

Legal Bases, Baseball and the Law, Abrams, Roger I, Temple University Press (Not required to be purchased)

Gain the Edge! Negotiating To Get What You Want. Latz, Martin E. Griffin; First Edition, December 27, 2005. (Not required to be purchased)

Effective Legal Negotiation & Settlement, 6th Ed., Charles B. Craver (Not required to be purchased)

COURSE SCHEDULE

- Sept. 9 Introductions & Course Overview, Labor Relations in the U.S.,
Basics in Negotiation Techniques
- Sept.16 Creation of Professional Baseball, Advent of Reserve Clause and
Effect
Class exercises of negotiations with and without reserve clause
- Reading: *Legal Bases, Baseball and the Law*, Ch. 1 and 2
(You are expected to read prior to the class and engage in the
class based on the reading)
- Sept. 23 In Depth Discussion Of Multiple Legal Actions To Reserve Clause
In Professional Baseball And Football;
Review Partial Documentary On Curt Flood And The Reserve
Clause

Reading: *Legal Bases, Baseball and the Law*, Ch 3 Antitrust

Creation Of Free Agency In Baseball Through Collective Bargaining; Discussion Of Catfish Hunter And Oakland A's; Andy Messersmith And The Dodgers And Dave McNally and the expos; Creation Of Salary Arbitration In Baseball

Graded Project #1: Salary Arbitration; Assignment Of Player And Teams

Sept. 30 **Each Student Will Be Assigned A Salary Arbitration As Either A Team Or Individual Player Seeking A Contract. The Exercise Requires Both Sides To Present A Salary Arbitration Case Before The Class The Following Week And Requires Strict Compliance With The Mandates Set Forth In The MLB Players Association Contract And MLB. This Will Count For 16.5% Of Your Grade. Each Presentation Will Be Done In Front Of The Class And The Class Will Vote On Who Won The Arbitration. Winners Will Receive A Half Grade Boost And There Will Be No Grade Effect For Losing.**

Oct. 7 Presentations Of Salary Arbitrations

Oct. 14 History Of The NFL And Restrictions On Free Agency Including The Rozelle Rule, Plan B Free Agency, Strikes And Lockouts;
Prep For Midterm

Oct. 21 Mid-Term Examination

Oct. 28 Spring Break NO CLASS

Nov. 4 History Of NBA And NHL; Review And Analyze Current Collective Bargaining Agreements And Review Transition Between Rookie Contract And Free Agency with Emphasis On Restricted Free Agency In NBA And Franchise Tags In NFL (MLB Is Salary Arbitration)

Relevant Portions of the NBA Collective Bargaining Agreement and NFL Collective Bargaining Agreement. These readings will be done in class.

Nov. 11 Addressing Gender Based Pay Inequity in WNBA and National Womens Soccer League

Salary Caps In Professional Sports; Review And Analyze CBA For Salary Caps In NFL, NBA, NHL, And Luxury Tax In MLB

Class Exercise On Calculating Salary Caps

Nov. 18 Assignment B - Students Will Be Assigned Either A Player Or A Team In Which They Will Have To Analyze In The Roll Of Either A Player Agent Of A General Manager The Needs Of Their Client, The Potential Financial Impact, The Value Of The Player/Players, And Attempt To Negotiate And Secure A Contract. Grades Shall Be Based On The Preparation And Assessment As Well As The Negotiating Techniques Employed, And Effort As Measured By Quality Of Those Factors And The Amount Of Teams And Or Players With Which You Attempted To Secure A Final Contract. This Will Be Done With Either In NBA Or NFL Setting As Determined By The Professor.

Nov. 25 Additional discussions regarding salary caps and in class negotiations for Project B

Dec. 2 Presentations of Project B; Final Exam Prep

Dec. 9 Final Exam

ATTENDANCE POLICY:

In the event you are unable to attend class, please email me at lschiro@msmlaborlaw.com. Class participation is helpful, however, I am always willing to accommodate special circumstance.

DISABILITY ACCOMODATIONS:

Any student in need of disability accommodations should register for accommodations and consult the policies and procedures of the Office of Disability Services at <http://ods.rutgers.edu>.