

LABOR RELATIONS IN PROFESSIONAL SPORTS

37:575:310:01

FALL 2015

PTL David P. Pepe, Esq.

Monday 7:15-10:05 pm

Cook Douglas

Lecture Hall – Room 109

Office hours before or after
class by arrangement
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, the economy and also how collegiate athletics is impacted by labor relations. Particular emphasis will be focused on the labor relations concerns of Athletic Representation and its impacts on sports.

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 Aabut; The Effect of Salary Arbitration on Major League Baseball, by Jonathan M. Conti; The Business of Sports Agents, by Kenneth Shropshire and Timothy Davis; and assigned readings.

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. 1 **Introductions & Course Overview**
- Sept. 7 **Labor Relations in the U.S.**

Reading: Upton Sinclair. *The Jungle (Excerpts)*

Reading: Mark Conrad. *Blue Collar Law and Basketball*
- Sept. 14 **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.*
- Sept. 21 **Collective Bargaining The Rise of the Major League Baseball Players Association.**

Reading: Marvin Miller. *A Whole Different Ballgame (Excerpts)*
- Sept. 28 **Labor Relations in Baseball – Phil Pepe. “Talking Baseball”; (Excerpts)**

In class project: Salary Arbitration hearing.
- Oct. 5 **The curious case of Curt Flood (DVD) In Class**

Reading: Curt Flood decision.

Reading: Jonathan M. Conti. *The Effect of Salary Arbitration on Major League Baseball*
- Oct. 12 **MID TERM EXAMINATION**
- Oct. 19 **Tom Brady vs. The NFL**
- Oct. 26 **The NCAA and The Athlete In Class DVD (Schooled)
Assigned Readings**

Nov. 9 **Role of Player Agents**

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

Nov. 16 **Media and Sports (Guest Lecturer)**

Assigned Readings

Nov. 23 **In Class presentation of Arbitration Cases.**

Nov. 30 **Final Exam Review**

Dec. 7 **FINAL EXAM**