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Why the NLRB Ruled That College Football Players Can't Unionize

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TLNT.com

Nelson Cary, a partner in the Vorys Columbus office, and George Stevens, an associate in the Vorys Columbus office, co-authored an article for TLNT.com titled "Why the NLRB Ruled That College Football Players Can't Unionize." The article focused on the National Labor Relations Board's unanimous decision to dismiss the union election petition from Northwestern University's scholarship football players.

The article states:

"The NLRB's decision did not address the central question of whether Northwestern's players — or any other group of NCAA athletes, for that matter — are employees. Instead, it decided that asserting jurisdiction over the issue would not effectuate the policy of the NLRA, which is to promote stability in labor relations.

The NLRB cited the high degree of control the NCAA exercises over how the scholarship athletes practice and play. It also noted that the vast majority of NCAA, and Big Ten, member institutions are public universities over which the NLRB cannot assert jurisdiction.

While this is a win for Northwestern and, by extension, the NCAA, it may not have settled the issue over the longer term.

Arguments about whether NCAA Division I student-athletes are employees, and therefore entitled to compensation, continue to swirl. With the NLRB not only sidestepping that question, but also limiting its decision to the Northwestern petition, labor professionals may not have heard the last of this issue."

To read the entire article, visit TLNT.com.