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Rich Meneghello (00:01)

Welcome to the FP5: Five Things for Your 9-to-5. We help employers make sense of the fast-moving world of workplace law and compliance by breaking topics down into five parts.

I'm Rich Meneghello, and today we're talking about the 2026 FIFA World Cup, which is coming to the US, Mexico, and Canada. It's not only the biggest sporting event in the world, it's set to be the biggest sporting event in global history. We got 48 teams, 104 games, 16 host cities, five weeks, and there's gonna be more than a billion people watching worldwide.

You might be wondering what employers need to know about the World Cup and why should they care. And my guest today has a bit of a unique perspective on this event, not only as a labor and employment attorney, but somebody who's actually played the sport at the highest levels.

Today, one of my good friends in the firm, Adam Sloustcher, is joining us. He's the regional managing partner of our Dallas office. He's the co-chair of our sports industry team. But more importantly to me, Adam is I think probably the best soccer player I know. Adam has a great background and history. He was a member of the U.S. Youth National Soccer Teams. He was a McDonald's and Parade All-American. He played at University of North Carolina and Loyola-Marymount, where he was a team captain before he played professionally in the MLS, Major League Soccer here in the US with the San Jose Earthquakes. So he definitely has the best perspective on the World Cup and labor and employment law in our firm. Adam, how are you, sir?

Adam Sloustcher (01:42)

Doing great. Wow. What an intro, Rich. I tend to tell people that twenty pounds ago, not just twenty years ago, twenty pounds ago, I was okay at soccer, but thank you. Thank you for that.

Rich Meneghello (01:55)

We, our firm a couple of years ago when we had one of our retreats, we got together a group of folks and got a ball and kicked it around one early morning before meetings. And I you know, maybe back then it was fifteen pounds ago, but you still look pretty good out there, Adam. You still look good.

Adam Sloustcher (02:12)

Appreciate it, Rich.

Rich Meneghello (02:15)

We did have one guy who wanted to play who didn't have the right equipment and he had like work boots or something on. So I'm not saying you had the greatest talent to play against, but still you looked pretty good out there.

Adam Sloustcher (02:25)

There was also that guy though that that was a rugby player who slid into one of our colleagues from behind. I'll never forget that. That was, that was pretty good.

Rich Meneghello (02:33)

I think that happened twice, actually. Not gonna name games, but yeah, yeah, that's absolutely true. All right. Well, before we dive into the five things, maybe there's some employers out there who don't know what to expect, don't really know much about the World Cup. I want our listeners to understand sort of the scope of it here. This isn't March Madness that goes on for a few weeks. This isn't the Super Bowl, which is one day. It's an event. Do you wanna give people a little bit of perspective about what they're gonna be facing here, starting any day now?

Adam Sloustcher (03:05)

Yeah, I mean, I'm biased because I'm a soccer guy, but it's the greatest sporting event in the world. So from June 11th to mid-July. So over a little over a month, you're gonna have soccer games on, multiple per day, almost every single day. All almost all the games are on during the workday. And similar to the Olympics, everyone around the world will be tuning in. I mean, soccer is the number one sport in almost every country in the world.

It's not in the United States, unfortunately. Maybe one day we'll get there, but in every other world, soccer's the number one sport. So you're gonna have people tuning in all day, all night and talking about it for over a month.

Rich Meneghello (03:47)

And a lot of those people too, for those who haven't experienced it, soccer fans travel like no other fans of sports. So you're gonna have people from all around the world pouring into the US for that period of time too.

Adam Sloustcher (04:03)

That's right. And so hotel prices are hiked up and restaurant reservations are already booked out and there's gonna be more traffic wherever you live. So it's definitely gonna be an exciting busy time. Yeah.

Rich Meneghello (04:23)

Well, let's dive in and talk about the five things that employers need to know about the 2026 FIFA World Cup. The first thing is employers, your productivity policy is about to be put to the test in a way like maybe it's never been tested before. Because, like we said, the Super Bowl has an impact of just a few days. March Madness, a couple of weeks, but the World Cup, 40 days. And so that changes the math, really, the whole perspective of how employers need to manage distraction and I don't think employers are thinking about it yet.

Adam Sloustcher (04:54)

Yeah. Yeah, you're exactly right. I mean, it's not just one Monday morning. We're talking about, like you said, forty days, a sustained period where employees are checking scores, streaming matches, talking about, you know, who played well last night or who played well this morning. Sometimes they're taking longer lunches, taking extra breaks to go watch these matches somewhere. Games will be played during US working hours. So it's not just an after-work conversation like you said. It's going to dominate the conversations at the water cooler, at everyone's desks, etcetera. So a lot of people will be distracted essentially during working hours.

Rich Meneghello (05:34)

Something also unique about soccer, and I don't know why this is, but it also feels like that there's so much that happens in between the games. There's drama and there's narrative and there are all these, and it's not just these manufactured, like I feel like the Olympics often do this like manufactured personal stories about backgrounds. Soccer just has like, weird stuff's gonna happen. There are gonna be weird stories people are talking about. We can't predict them, but we know weird stuff's gonna happen.

Adam Sloustcher (05:57)

Always. And sometimes the juicy details of who's gonna be healthy for the next match or the locker room, heated locker room drama, et cetera, spills out, the tea will spill out, for example, in between matches. So you're right, and it just keeps our work our workers more engaged between games and essentially more distracted.

Rich Meneghello (06:18)

Let's talk about the distraction because it feels like from an employment lawyer standpoint, the issue doesn't usually come down to the distraction itself. It comes down to how employers decide to enforce whatever rules they have regarding people who are being distracted. What are your thoughts on that? How do you handle that?

Adam Sloustcher (06:38)

Yeah, I think as an employer, you just want to be focused on consistent enforcement. So it's really not the distraction that's your legal risk. It's what's our policy and how can we apply it consistently? So for example, if you're cracking down on an employee watching a US game, but you're looking the other way when someone's on ESPN all morning during March Madness, could that lead to potential problems? Could people say, Hey, I'm being treated differently? Just like you wanna do during any other period of time throughout the year, you want to have consistent application of your policy. So, you know, dust off that device policy and productivity standards that you have, communicate it now proactively and make sure our managers understand the importance of consistency.

Rich Meneghello (07:23)

There's an interesting trend that I saw. I'm not going to date myself too much, but like 20 years ago when I was a lawyer, I would give advice to clients about March Madness or the Super Bowl. And it was always sort of the draconian, you know, make sure people, you know, ban this and prohibit that, blah, blah, blah. And really over the last decade, it's gotten much more into the, you know, good employee relations situations where we you know, recommend to employers think about their relationship with employees differently.

And when it comes to things like March Madness and the Super Bowl, why not like lean into it, right? So the same thing comes with the World Cup. Rather than viewing the World Cup as a distraction, I'm wondering if you think there's ways that employers can sort of embrace the distraction and make it part of your workplace culture, make it fun.

Adam Sloustcher (08:11)

Yeah, I definitely think that. And I think there's an opportunity. I think it's really an employee relations play. The happier your people are, the more productive they'll be. And so I'm hearing clients already having designated areas in their office where the games will be on during working hours or they're having flexible scheduling around match days, again with the intent of employee relations and increasing morale.

Rich Meneghello (08:41)

Yeah, I love it. We're actually, soft pitch here for the firm's AI Conference in Washington, DC, June 24-26. But on June 25th, in the middle of our conference, the US is playing Turkey in the final group stage match, which may be a very critical match. The game is on the West Coast, so it doesn't start until 10 PM East Coast time. So we're just we're doing a watch party. We're going out to dinner with everybody after the conference. When the dinner's over we're renting a little room in the hotel. We're gonna get a TV. We're gonna get some, a cocktail bar open and some snacks and we're just telling people to, you know, come join us and watch. So I'm not saying you should

necessarily invite your employees to go out with you at 10 PM at night, but hey, if the game if there's a game on at noon, you know, that's a little different, right?

Adam Sloustcher (09:26)

Totally. And I mean it's a good segue into another really important point. People are gonna be staying up late to watch these games. Like you said, some of the games are being played on the West Coast. So on the East Coast are not ending until like just before midnight sometimes. Yeah. And then if they go into, you know, extra time, depending on what round the game is, it could be ending really, really late. So just know that your employees and are supporters of all sorts of teams, or they just love soccer, they're gonna be staying up late watching these games. and that means there may be folks who are absent from work or late or calling in sick, etc. And so that I think that's something that employers should expect while the World Cup is going on.

Rich Meneghello (10:18)

Yeah, and I think that's a great, like you said, segue to our second point, which is that World Cup hangover is real and attendance policies need to be addressed. And it's interesting because right now in in your head, maybe many employers are thinking about that soccer fan in the in the office or that that one person is really into it. But I predict what's gonna happen, because this happens every World Cup, but it's especially gonna happen with it here in in North America, is that you're gonna get people who are casual soccer fans who are going to become rabid soccer fans. And those who aren't soccer fans at all who are still going to be talking about the games because they're going to get into it. There's going to be all this excitement and all this buzz. And so, like you said, I think in terms of people who are going to become fans of the sport and fans of the World Cup, you're going to see them, like you said, calling in sick, requesting half days, or just being distracted or exhausted. So that being said, are we talking the same sort of theme that we were discussing earlier about enforcement, is that is that sort of the same approach that you're gonna be taking with employers?

Adam Sloustcher (11:22)

Yeah, definitely. I mean, clients asking about this, about this now, like the advice is yeah, you gotta apply your FMLA policies, your leave of absence policies, when someone calls in sick, your sick leave policy, any sort of ADA accommodations that are requested during this time. Our policies have to be applied consistently. And just like always, it unless you have evidence, like real evidence that there's fraud, that the employee requesting time off isn't actually sick, and we have a video recording of them at Disneyland, et cetera. You know, just like you would accommodate someone who makes a request when the World Cup is not going on, you'll just have to apply the same type of principles now.

And so applying the policy consistently across all employees is definitely going to be is going to be important. You don't want that manager being quoted in in the lawsuit saying, it's so funny how you're off after every US game that's played in the World Cup in response to someone saying, you know, I'm sick, I can't come in. So we want to make sure that we're training our people to stay consistent, stay on track with what our policies are and how we handle accommodations, even during the World Cup.

Rich Meneghello (12:43)

So people listening to this, it's either right on the eve of the World Cup or maybe it's the first early days of the World Cup. What can employers do now to address this enforcement issue we've been talking about with both, with attendance, with distraction, with productivity, everything? What's something they could do now?

Adam Sloustcher (13:01)

Yeah, a lot of clients are being proactive about it now, offering flexible scheduling or pre-approved PTO around key match days. It just reduces unplanned absences and morale headaches. So that's what I'm seeing mostly right now.

Rich Meneghello (13:19)

Right, and that leads us into thing three, and that's betting. You already talked about you being a betting man, perhaps. And with the proliferation of online gambling and so many opportunities for the average person to wager, there are gonna be people betting, there are gonna be people that want to start office pools. There might be some employers that want to start office pools, and they're fun until they're not. We talk about this every year when it comes to March Madness and the Super Bowl. And it never gets old though because the legal landscape keeps shifting. The World Cup is definitely gonna generate massive betting interest across the country. And odds are your employees out there are going to be part of that betting public. So what do you counsel employers, Adam, when it talks about it landing at their workplace right now?

Adam Sloustcher (14:10)

Yeah, I'd say first we need to know what rules we need to follow. So there's no federal sports betting ban anymore. The Supreme Court of the United States struck that down in 2018. So this is a state law question. So the first question is where are our people? Because each state may have different rules. So you want to know what rules apply, and then even in states where sports betting is actually okay or legal, office pools may only be lawful if they fit within a narrow exception and so many states will say it's okay as long as no one profits from running the pool, entry fees stay below in certain thresholds, and participation is limited to known people.

Rich Meneghello (14:53)

What about, so you talked about the states. Many people listening in have workforces that span states. Many have remote workers who are in different states. How do you deal with that when it comes to state law and gambling?

Adam Sloustcher (15:08)

Yeah, great question. I mean, multi-state and remote workforces make this way more complicated. There's going to be essentially a patchwork of different state laws that we may have to follow. So the law that applies generally is where the employee is, not where the company's headquartered or where the office is located. So if you have a single World Cup pool with participants all over the country or in five states, you could be subject to five different legal regimes all at once, which can make things complicated.

Rich Meneghello (15:38)

Well, do you have any recommendations when it comes to who are employers who are looking at about this, who want to set up, or thinking about office pools generally? What are some tips that you have for them to make sure they stay on the right side here?

Adam Sloustcher (15:51)

Yeah, I'd say, you know, participation has to be voluntary. Managers shouldn't be running the pools for their teams. And then company systems and work time shouldn't be used to administer the pools. Those are the big three.

Rich Meneghello (16:05)

Yeah, okay. And similar to what we were talking about earlier in terms of employers sort of leaning into the fun, I know during March Madness that we often recommend employers rather than having people run pools and have cash floating around and hurt feelings and this and that. Why not employers? “You do your own pool, people don't have to pay to go into it.” Any recommendations similar here too?

Adam Sloustcher (16:26)

No, I think you're right. Like I think the low risk alternative and still allows people to get the thrill of participating in something like this is run a company sponsored free pool: company provides the prizes, no money changes hands among employees. It's a fun, safe, less risky way from an employment law perspective to boost morale and allow people to participate.

Rich Meneghello (16:58)

This is the FP5, and I'm Rich Meneghello, Chief Content Officer at Fisher Phillips, and I'm here with Adam Sloustcher. Adam is the regional managing partner of our Dallas office, and he co-chairs the Fisher Phillips Sports Industry Team.

Just as a reminder, folks, you can find a link to the comprehensive World Cup readiness checklist in our podcast show notes. So I'd recommend you go ahead and check that out if you want a lot more detail about this topic.

All right, Adam, and that brings us to our fourth thing. The World Cup is a unique sporting event, much different than the Super Bowl or March Madness or any other sporting event that people in the states typically watch because there are forty-eight nations involved, which means workplace diversity is gonna be front and center. A meaningful percentage of a lot of workforces have deep national identity ties to teams in this tournament. It brings out a passion and a fervor that you don't typically see with club sports. And it's a beautiful thing, right? It's part of what makes the World Cup so amazing.

But it also comes with some legal considerations that maybe some employers should be thinking about in advance. What are some things that might come up for employers, Adam, that they may not be anticipating?

Adam Sloustcher (18:18)

Yeah, I mean, like you said, this is genuinely a different than any other sporting event. We all know national origin is a protected class. So you you're gonna have employees coming into the office, publicly identifying with certain national teams, displaying flags, wearing jerseys, in some cases getting into heated rivalries or discussions with each other. So, you know, what may start as friendly trash talk or banter may cross the line if it incorporates stereotypes, derogatory language about a certain club, or country, or culture, or targets an employee in a way that makes them feel uncomfortable or singled out.

Rich Meneghello (18:53)

And you know, other people we need to mention to you that might feel singled out as well, Adam, are people like me, my people with the last name Meneghello, the Italians. Italy, which has without a doubt one of the best teams in the world, for some reason has missed another World Cup. They're not even gonna be here. So please have some pity, folks, for people like us. And honestly, people make fun of me and my Italian heritage right now. I might I might be offended by that. I don't know what you think, Adam, but the Italians deserve to be pitied this year, don't they?

Adam Sloustcher (19:22)

They do. Three years in a row not making the World Cup. My wife's Italian. Her whole family is suffering. So I feel your pain, Rich.

Rich Meneghello (19:29)

Thank you. Thank you. I appreciate that. I appreciate that. How should, and I'm only half joking there. I'm literally only half joking. Okay. How should employers approach this issue though of potential national origin, banter, and discussion that that could quickly veer into something that we don't want to be having in the workplace?

Adam Sloustcher (19:50)

Yeah, I think it's simple. Remind your staff and management that harassment or other conduct policies are in effect during the tournament just like they are in effect at any other time. The fact that it's just sports isn't doesn't make the banter okay, if it crosses the line, anything that would otherwise violate our harassment policy is still off limits.

Rich Meneghello (20:17)

All right, and the final thing, thing five. If your company is located in one of the host cities, you have some extra homework to do, and the clock is just about expired if it hasn't already. So everything we've talked about so far applies to every employer across the country. But if your business operates in one of the host cities: Dallas, Houston, Atlanta, LA, Miami, Boston, Philly, Seattle, San Francisco, Kansas City, or New York/New Jersey, which I love how New York sneaks in there even though it's not a New York, but anyway. There's a whole second list of things to consider. And Adam, I know you're right in the epicenter of one of the biggest the biggest venues, Dallas. What tell us about what it means to be located in a host city.

Adam Sloustcher (21:04)

Yeah, I mean Dallas is hosting nine matches. That's more than any other city in North America. Including the semifinals. I'm excited. My plans this summer are going to five of the nine World Cup matches. So super, super pumped. But what I'm seeing happening on the ground is, you know, like I mentioned earlier, the hotel prices are sky high. Restaurants are all booked. Those involved in the planning have all scaled up in terms of their workforce. Millions of people are going to be pouring into the host cities. There will be more traffic. People may be late to things, such as work. And so, yeah, there's a lot going on in these host cities to prepare. I mean, the time is almost now. So these cities have been doing these things to prepare for at least over the last 12 to 24 months.

Rich Meneghello (21:59)

Yeah, absolutely. And maybe though, this is going to catch some employers by surprise. Hopefully, especially those in sort of hospitality/retail are sort of already sort of gearing up for it and getting ready. But if not, there's still time, hopefully, to throw something together. But in terms of catering to new customers, but my goodness, in terms of workers and staffing, what are some things that that folks might consider if they haven't thought about it already?

Adam Sloustcher (22:28)

Yeah, great, great question. When these things happen, when big events are being hosted in the in cities, employers staff up, there's a lot of pressure to have enough staff to make sure everything that needs to get done, gets done. So if you're in hospitality, retail, food service, transportation, really anything consumer facing, you're gonna need to scale up if you haven't already. And so what that means from a wage and hour perspective is you

know, how are we classifying our workers, or are they W-2? Are they W-2 temporary employees or seasonal employees, or should they be 1099 contractors? That classification issue, it comes up for every employer almost. And then things move quick. Like there's rapid onboarding. There's whether people are getting their meal breaks on time, depending on which jurisdiction we're talking about, whether people are paid overtime, whether they need to be paid overtime. So all of these wage/hour issues will be present in all the, for all the employers in these host cities.

Rich Meneghello (23:30)

And some cities are used to dealing with massive influx of people coming in, right? So like I don't know how many people are expected to be in the New York/New Jersey area. I'm guessing the city doesn't even feel it really because there are always so many tourists and that sort of thing. But you know, there could be some, where especially like I'm thinking of Seattle, where the venue is right downtown, right? It's right there. Might be a little bit different than San Francisco where the stadium's a little bit further away. But if you're a business that is somewhat adjacent to either the stadium venue or one of the many fan zones that are gonna be set up to capture all the attendees who aren't at the games at that moment but yet still want to be in some sort of centralized location, there's probably some additional concerns for them, I'm guessing.

Adam Sloustcher (24:17)

Yeah, I think if you're adjacent to a fan a fan zone or a venue, you just gotta be thinking of safety. So your emergency response protocols, crowd management plans need to be updated. But the opportunity is there and the these events generate significant economic activity, lasting brand exposure for businesses that do it right.

Rich Meneghello (24:37)

Yeah. You're going to five matches already that you have locked in. Which is the one you're looking forward to the most in Dallas?

Adam Sloustcher (24:44)

The semifinal. I mean, I don't know obviously who's gonna be in the semifinal, but I always say that the semifinal is more exciting than the World Cup final. Yeah. just because in the final the teams generally play very conservatively, maybe hang back a little bit and don't take much risk. But for whatever reason, the semifinal, it's game on and the teams like to score a lot of goals.

Rich Meneghello (25:06)

I hundred percent agree with you. I feel like the '22 World Cup might have been a little bit different because the final did have its moments. The Argentina-France game was great. But you're right, usually the final itself is a bit super cagey affair, a little bit anticlimactic, and the semifinals are just bonkers.

All right, so Adam, one of the things that we like to do at the end of every episode so that our listeners can get to know you a little bit better is ask you five questions about you. Are you ready?

Adam Sloustcher (25:41)

I am.

Rich Meneghello (25:42)

All right, here we go. And this is obviously keeping with the theme that we've been talking about today: these are all soccer related questions. Number one, Lionel Messi or Cristiano Ronaldo?

Adam Sloustcher (25:50)

It's a tough one. Both great players. I gotta go Messi because he came to MLS.

Rich Meneghello (25:55)

There you go. Exactly. You think Ronaldo will come to MLS once he wants one final last payday?

Adam Sloustcher (26:00)

I don't know. I would love to see him play for the LA Galaxy or a New York Red Bulls, but I don't know. He seems happy in Saudi Arabia.

Rich Meneghello (26:08)

Yeah, you're right. Okay. Two, when you were playing, did you have any ritual or superstition?

Adam Sloustcher (26:15)

I did. I had my jersey tucked in at practice and at a game always. I was taught at a really young age during training, always have your jersey tucked in because that's what you, that's what the rules require during a game. And so that just stuck with me.

Rich Meneghello (26:35)

What's the one thing that most people don't know about what it's like being a professional athlete?

Adam Sloustcher (26:41)

I'd say at times it's lonely and it's boring. You show up for practice and practice is like an hour or two. Maybe you stay extra and do weights or whatever. Some days you have off. You just have a lot of free time on your hands. So, you know, you end up hanging out with the other guys, but sometimes you're alone. So you just gotta keep yourself busy. And I think it's I mean, I guess depending on how often you play, you know, you may wanna have another job. You may just wanna have something else that you do. You just have a lot of free time.

Rich Meneghello (27:13)

Wow. Okay. We always just see the glamour and the fun, right? But not the boring part. All right, fourth question. How far is the US going to go in the World Cup?

Adam Sloustcher (27:18)

Ah, this is tough. I mean, I think at most the Round of 32. I've just been waiting, waiting, waiting to see them get it together. Like, and maybe it's coming. Maybe they're gonna be peaking during the group stage, and that's what I want to see. And maybe it's good that I haven't seen it yet. But man, there's just been so many ups and downs. I really hope it's further than the Round of 32. But if I had to put if I had to bet on it, I would say at most right now, Round of 32.

Rich Meneghello (27:54)

Yeah, I'm the exact same way as you. I know there's this thing about like teams growing into the tournament as they go and you always see a couple teams that do that that make a nice run, but I haven't seen that spark that leads me to that seems more like a hope than a than a possibility, right?

Adam Sloustcher (28:12)

I think you're right. Yeah. I mean if you would have asked me after the last World Cup how far we were going to make it, I would have told you quarterfinals, maybe even more. We were all saying that because we were so impressed with this young group. But man, it just there's been so much turmoil. Matt Crocker just left. Like it just seems to always be something creating an obstacle for the group. But again, maybe they will peak at the right time. And at this point, I'm really just hoping and praying for that.

Rich Meneghello (28:41)

Yeah, me too. All right, fifth question. Final thing. Who's gonna win the whole thing? Who's gonna win the World Cup?

Adam Sloustcher (28:47)

I guess France or Spain. I mean, just both teams are so talented. I would love to see England win it, obviously if it's not the US. I just think England has a has a great squad. They're really exciting to watch. They did really well at the last World Cup. But again, France and Spain, they're both heavily favored. So they're, one of those two will probably win it. But we'll be rooting for England, once the US, is if the US is eliminated.

Rich Meneghello (29:15)

Ooh, I like how you switched from "when" to "if." I love it.

Adam Sloustcher (29:20)

I caught myself.

Rich Meneghello (29:23)

Well that's a great note to end on. Thanks again, Adam.

Adam Sloustcher (29:26)

Of course. Thanks for having me.

Rich Meneghello (29:29)

And as always, everyone, thank you for listening to the FP5. For other insights from Fisher Phillips, go ahead and visit fisherphillips.com.

Be sure to check out the World Cup Readiness Checklist that we've linked in this podcast episode show notes. We will see you next week.

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