

Insights, News & Events

## HOW NORTHWESTERN UNIVERSITY'S BATTLE WITH COLLEGE ATHLETES COULD WIND UP BEFORE THE SUPREME COURT

News  
Aug 10, 2015

Steve Miller was quoted in the *Chicago Business Journal* on August 10, 2015. The article "How Northwestern University's Battle With College Athletes Could Wind Up Before the Supreme Court" discussed the "likelihood" of the Northwestern University football players case going all the way up to the Supreme Court.

Steve said the NLRB has to uphold the ruling in early 2014 by the Board's regional director in favor of the formation of a college players' union called the College Athletes Players Association.

If it turns out the players also voted in favor of a union, it really gets interesting, according to Steve, who in an interview would not go out on a limb and say conclusively the full NLRB will vote in favor of a union.

But if the NLRB does vote for the college players' union, Steve predicted the United States Congress very well might enact legislation rather than stand idly by and allow the National Labor Relations Board to send major shock waves through the nation's educational system, where players have long been officially termed "student athletes" and treated accordingly.

Whatever Congress does, though, Steve predicted Northwestern would likely refuse to bargain with its own scholarship football players if they wanted to form a union.

If the Northwestern case does wind up in court, Steve said it could conceivably go all the way to the nation's highest

### Related People



**Steve A. Miller**

Partner

[312.580.7817](tel:312.580.7817)

court, the Supreme Court, because of the significant, wide-ranging ramifications of any serious effort to unionize college athletes.

Steve added that a NLRB ruling favorable to players could open the door to unionization efforts in an enormous number of facets of higher education. Any situation — even an orchestra — where students are under scholarship and generating revenue for a school through extracurricular activities, could potentially lead to unionizing drives.

To read the full article, please visit the [\*Chicago Business Journal\*](#).