



## Student Athletes are Students - Not Employees

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Rick Grimaldi and Lori Halber's article "Student Athletes are Students - Not Employees" was featured in *Region's Business* on January 26, 2015.

In what is likely the first of a series of critiques of the National Labor Relations Board (the "NLRB" or the "Board"), we revisit an issue first discussed by our colleague, J. Freedley Hunsicker, Jr. in *The Legal Intelligencer*: "Northwestern Football Players' Unionization Remains Long Shot." In the now infamous case, Northwestern University and College Athletes Players Association on March 26, 2014, the Regional Director of the Board's Chicago Region decided that Northwestern football players on scholarship are employees with the right to organize under the National Labor Relations Act. Despite the efforts of the NLRB, the push to unionize student athletes, for now, seems to have quieted.

Eligible Northwestern University student football players who receive athletic scholarships cast their ballots in an April 2014 election conducted by the NLRB on whether they wished to be represented by a Union known as College Athletes Players Association. The "walk-on" members of the team, who were not on scholarship, were not permitted to vote. There were 76 eligible voters, most between the ages of 18 and 23. The ballots have been impounded pending the Board's review of the Regional Director's decision. As Hunsicker wrote, "The implications of a binding decision that scholarship football players are employees with the right to organize under the labor law are far-reaching."

To read the full article, please visit *Region's Business*.

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