

## NFL's first proposals to union steer away from economic issues

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Almost a year and a half after opting out of the collective-bargaining agreement, the NFL made its first formal proposals to the NFL Players Association last week, but it was not clear what it means toward getting a new labor deal in place, labor experts said.

NFL officials and club owners have said that the current CBA pays the players too much and that the league needs an entirely new economic model.

The league did not unveil its entire package of proposals. Instead, it made proposals on non-economic issues to the union at a bargaining session last Tuesday in New York City.

Neither the league nor the NFLPA would reveal exactly what proposals the NFL made at the session, the third formal meeting between the sides. George Atallah, NFLPA assistant executive director of external affairs, said in a statement: "We discussed some non-core CBA issues. Another meeting is scheduled in the coming weeks at which time we will respond to the league's non-economic proposals."

Labor experts said talking about issues, even non-core issues, can be used as a strategy to build momentum toward getting an overall deal done. But that doesn't always work, especially since the core issues in this negotiation are economic.

"It is abundantly clear to everyone that this deal will all come down to whether the parties can reach agreement on the economic issues by defining what football revenues are and then allocating what share of the football revenues should be paid to the players," said Ian Pulver, an NHL agent who worked for more than a decade as associate counsel to the NHL Players' Association. "That is it."

The NFL, by opening bargaining with non-economic proposals, could be trying to do many things, including trying to set the tone of the negotiations, or just trying to start dialogue between the parties, Pulver said. "It is conceivable that the NFL wants to attempt to reach agreement with the NFLPA on the non-economic issues so that when they get down to the real hard bargaining on the economic issues the other pieces of the puzzle are already in place."

**Josh Zuckerberg**, a partner with **Pryor Cashman**, which represents both labor and management in negotiations, said that sometimes when there is an inability to reach agreement on economic issues, parties may try to make some progress on non-economic issues.

But presenting a full package of proposals allows the parties to make more of a macro analysis of the entire package and do some horse-trading on issues, Zuckerberg said.

“The bottom line, in my view, is you always prefer to have parties talking than not talking, ” he said, “but there is no way to evaluate whether proposals on the non-economic issues will bring the parties to a resolution of the major, material economic issues on the table.”

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