Labour Relations in Sport

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- EU Labour Law
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- Future
European
National – England/Wales
International

- International Olympic Committee
- FIFA
- FIFPro World Players' Union
EU Labour Law

- No sport specific EU Labour Law
- Sports industry treated like any other sector
- Art 153(5) TFEU: EU expressly precluded from regulating right to strike, right of association, right to impose lockouts
- Right to strike a fundamental right: *Viking, Laval*
- Charter of Fundamental Rights of the European Union, Art 12 and Title IV
EU Labour Law

Legislation  CJEU Decisions  Social Dialogue
CJEU Decisions

- Treaty objective of establishing internal market through competition law or upholding fundamental freedoms conflicts with national labour relations law

- *Viking, Laval, Govia GTR Railway Ltd*

- *Albany International, FNV, Bosman*
Social Dialogue

- Mechanism to pursue EU social policy
- Social partners: labour and management
- Arts 151 – 155 TFEU
- Not supported at an EU level by mechanisms for economic pressure
- Enforcement
- Voluntary engagement
- Not a perfect process: weaknesses
Sport Sector

Sectoral Social Dialogue Committee for Professional Football

- FIFPRO, EPFL, ECA
- UEFA as chair
- Agenda agreed through PFSC
- Autonomous Agreement
Sport Sector

- Sectoral Social Dialogue Committee in Sport and Active Leisure
  - EASE, EC-OC, WPA, EUAthletes
  - Guidelines on Working Time in the Sport and Active Leisure Sector
  - Guidelines on Health and Safety in the Sport and Active Leisure Sector
  - Test phase
  - Issues
Future

Collective bargaining, social dialogue on a competition-basis

ECtHR cases: *Pechstein*, Whereabouts Rule

Outcomes of 3 FIFPRO complaints to the European Commission: TPO complaint, FT Contracts and Transfer System complaint