

# Labour Relations in Sport

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# European



# National – England/Wales



# International



INTERNATIONAL  
OLYMPIC  
COMMITTEE



## 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