

## SPEAKING ENGAGEMENTS

### 2nd And 10 Northwestern: What It Means For Universities And Employers

#### DATE

May 9, 2014

#### SPEAKERS



**John T.L. Koenig**  
Partner



**William A. Nolan**  
Partner



**Gerald F. Lutkus**  
Of Counsel  
(Retired)

### Are They Students or Employees? An Examination of the Northwestern Unionization Issue

Barnes & Thornburg partners *John Koenig* (Georgia), *Jerry Lutkus* (Indiana) and *William Nolan* (Ohio) will be joined by John's college football teammate *Nolan Harrison*, Senior Director of Former Players Services for the National Football League Players Association, in this informative webinar discussion. We will discuss the law behind and the implications of the decision by an NLRB Regional Director to allow the scholarship football players at Northwestern University to vote on whether they want to be represented by a union. John and Nolan will offer additional perspective as former college football players on how a decision to organize a football team will impact that team.

**Friday, May 9 | Webinar | 11:30 a.m. - 1 p.m. (EST)**

#### Speakers:

- John Koenig, *Partner*, Barnes & Thornburg
- Jerry Lutkus, *Partner*, Barnes & Thornburg
- William Nolan, *Partner*, Barnes & Thornburg
- Nolan Harrison, *Senior Director of Former Players Services*, the National Football League Players Association

#### Webinar attendees will hear about:

- The Regional Director's opinion
  - How did he conclude players were employees?
  - Was this a departure from NLRB precedent?

## RELATED OFFICES



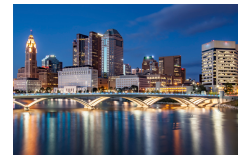
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- What happens next?
  - What happens now that the NLRB has decided to review the Regional Director's decision?
  - What happens to the election ballots?
  - What are the arguments of the parties?
  - Will all of this be appealed to the courts and, if so, when?
- Ramifications
  - For universities - FLSA, taxes, withholding, workers' comp, unemployment
  - For employers generally - NLRB's view of what constitutes "employees" and the continuing activism of the NLRB
  - For the football players – taxes, redefining their role and voice, redefining the coach's authority, grievances
- View from the sidelines: What does a union rep for professional athletes think about unionized college players?
- What steps should universities take?
  - Does this apply to universities other than Northwestern?
  - Do other divisions need to be concerned at all?
  - What about other sports and other student activities?

Indiana CLE credits pending.

**Questions?** Contact [jodie.daugherty@btlaw.com](mailto:jodie.daugherty@btlaw.com) or (317) 261-7922.



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