

# DID NORTHWESTERN UNIONIZING JUST CAUSE REAL NCAA REFORM? NO, NOT AT ALL

Well, the likely answer is no, but the ground is certainly finally shifting underneath the NCAA to such an extent that they are worried. The step of trotting authoritarian boob Mark Emmert out on for a series of television appearances sure didn't work.

But, yesterday, somewhat quietly, the NCAA announced a proposed restructuring of its root governance model:

The board endorsed the restructuring process, which is aimed at allowing the division to be more nimble, streamlined and responsive to needs – particularly the needs of student-athletes – during its meeting Thursday in Indianapolis. The Steering Committee on Governance, made up of university presidents, drafted the restructuring plan.

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Under the proposal, the division would still be led by a Board of Directors composed primarily of university presidents. However, new voices would be added: the chair of the Division I Student-Athlete Advisory Committee; the chair of a new group tentatively called the Council; and the most senior Division I member of the Faculty Athletics Representatives Association's executive committee. The council chair would always be an athletics director, giving that constituency an automatic spot on the board.

The Board would focus chiefly on oversight and strategic issues, while leaving much of the day-to-day policy

and legislative responsibility to the council.

The council, composed of at least 60 percent athletics directors, would have 38 members: one from each conference plus two voting student-athletes and four commissioners (one from the five highest profile Football Bowl Subdivision conferences, one from the remaining FBS conferences, one from the Football Championship Subdivision conferences and one from the remaining conferences). The council would be the final voice on shared-governance rule-making decisions.

The steering committee suggests creating three bodies that would assist the council in its work and comprise the “working level” of Division I: an academics-focused group, a championships-focused group and a legislative group. Council members would determine implementation details, including what other groups are needed, how the groups will be populated and reporting lines. The steering committee also emphasized the need for a nomination process that is competency-based and diverse.

In order to allow the five highest-resource conferences (the Atlantic Coast Conference, Big 12 Conference, Big Ten Conference, Pac-12 Conference and Southeastern Conference) to address their unique challenges, the model would grant them autonomy to make rules on specific matters affecting the interests of student-athletes.

Sounds all nice and glossy, no? Not so much though upon closer inspection.

First off, it appears timed to be a direct attempt to deflate the unionizing vote at

Northwestern today. Emmert and the NCAA just can't help but be oppressive jerks can they?

Secondly, it enshrines into the root NCAA governance that the major football and basketball conferences are all that really matters and the rest of the universities and colleges in the NCAA are second tier and unimportant. As the AP stated in their report:

If approved later this year, schools in the ACC, Big Ten, Big 12, Pac-12 and SEC could implement some rules on their own and would get more voting power over legislation that would affect every NCAA member school.

Sadly, that looks exactly right under the restructuring plan. Now, there is some value in giving a bit of autonomy to the super conferences, but not to where they can exercise their greed to the detriment of all the rest of the smaller conferences and member institutions.

Notably, while the NCAA proposal has taken care of the NCAA's own institutional power, and cravenly concentrated more of it in the big money conferences, notably absent are attendant concrete proposals that actually aid the student athletes, provide for their well being and insure their existence in the face of injury.

As further evidence of the NCAA's continuing malevolence, at the same meeting in which the restructuring proposal was approved, the NCAA also voted to screw the athletes just a little more by restricting their ability to transfer. The exact provision is to eliminate hardship waivers that permit athletes having a just cause for needing to transfer to another school the ability to be immediately eligible and, instead, just gives them an extra year of eligibility. In short, the NCAA just decided that instead of helping such athletes, they would screw them by stringing them out.

In other related news, the National Labor Relations Board announced also announced

Thursday that they would grant the request/appeal lodged by Northwestern University challenging the previous regional decision to permit the players' attempt to unionize. From the NLRB official announcement:

The National Labor Relations Board has granted Northwestern University's Request for Review of the Regional Director's March 26, 2014 decision in 13-RC-121359. The Regional Director found the University's grant-in-aid scholarship football players are employees under the National Labor Relations Act. The election will take place on April 25, 2014 but the ballots will be impounded until the Board issues a decision affirming, modifying or reversing the Regional Director's decision.

The Board intends to issue a subsequent notice establishing a schedule for the filing of briefs on review and inviting amicus briefs, to afford the parties and interested amici the opportunity to address issues raised in this case.

It is not totally clear, but it strikes me that should the Northwestern players vote to not unionize, the NLRB matter may be technically moot and die of its own weight.

However, what is clear is that should the players vote to form a union, their secret vote won't be know and/or certified anytime soon, and will play out over months, if not years.

So, in short, status quo for the corrupt NCAA.