

# European Sports Law and Policy Bulletin

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## REGULATING EMPLOYMENT RELATIONSHIPS IN PROFESSIONAL FOOTBALL A COMPARATIVE ANALYSIS

*Michele Colucci and Frank Hendrickx (eds.)*

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## INTRODUCTION

Sport performs several functions in society: an educational, a social, a cultural as well as a recreational function. Nevertheless sport is also a business: in economic terms, it is a rapidly growing area accounting for 3% of world trade and is one of the sectors most likely to generate new employment in the near future.

International and national sports associations regulate this business in an autonomous way and adopt private regulations or by-laws, including organisational, disciplinary rules as well as rules of play. However, the trend towards more professionalism in sport and its growing economic and relevance have prompted an increasing reliance on legal rules adopted by governments and international organizations such as the United Nations, the Council of Europe, and the European Union.

Sport is also considered as a “special sector” and could even be seen as a specific ‘labour market’. In a professional sport context, athletes and players can be considered as “special workers” and their clubs and teams as “special employers”. The specific nature of sports, leading to the question of how public regulation and private sport rules relate to each other, is also an issue where employment relationships are concerned. For example, how do employment law rules interrelate with questions of athlete selection, remuneration, discipline or contracting? How do laws and regulation support and implement players’ or athletes’ unionism or collective bargaining that may take place? To what extent are team members seen as regular employees, or individual players as self-employed persons?

In this book, we take stock of the rules and problems that exist when combining the law on employment relations and specific sport contexts, and particular sporting rules. The focus will be on professional football, a field of worldwide economic and social interest, where club-player relations are rather well established and structured through international sporting bodies and a large number of problems and issues have already occurred. Professional football is a field where the interaction between public employment regulation and private sports regulation is most relevant. The aim of this book is to examine the question of how the legal regulation of employment relations are applied or adapted in the context of professional football and to what extent could aspects of sport specificity be identified or established to justify a special legal regime.

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Brussels, 31 October 2014

*Michele Colucci*      *Frank Hendrickx*

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