

Legal and Ethical Aspects of Sport

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Exploring Overseas Basketball and the Exploitative Nature of the Business

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Aim

The National Collegiate Athletic Association (NCAA) provides athletes with the opportunity to play sports while competing for their academic institutions. While few of these amateur athletes will leave school to compete at the elite level, highly skilled basketball players, in particular, have an increased chance of playing at the professional level given the growing number of professional leagues that have been established around the world. It is generally accepted that basketball players overseas can make salaries that are greater than both the average salary of the National Basketball Association's Gatorade-League (NBA G-League) and the average salary of individuals who enter the workforce with an undergraduate degree. Given the repeated offenses of overseas basketball players who are denied monetary compensation, the Basketball Arbitral Tribunal (BAT) was established to provide dispute resolution for individuals who are not compensated by the clubs who employ them. The BAT online statistics reported that in 2015 there were 150 claims filed requesting for arbitration (www.fiba.basketball/bat/process), many of these being for outstanding salaries owed to players. The purpose of this particular study is to (a) shed light on the normalcy of overseas basketball clubs' nonpayment to players (contract breaching) and to (b) allow for the voices to be heard from the players who are directly affected by these unethical practices.

Theoretical Background and Literature Review

Work in creative industries are said to be increasingly uncertain and competitive (Siebert & Wilson, 2013). Unpaid work in the creative industry is beneficial in that it provides individuals with the opportunity to acquire the social capital necessary to gain employment; however, the practice of unpaid work has been opposed by many given its exploitative nature as young professionals are attracted to the glamour of creative industries but oftentimes compelled to overexert themselves (Siebert & Wilson, 2013; Hesmondhalgh, 2010). Siebert and Wilson (2013) surveyed students and recent graduates who were enrolled in degree programs leading to work in creative industries, in addition to having unpaid work experience. They found a significant proportion of participants who agreed that unpaid work was exploitative in nature, though they believed it to be the norm as well as crucial in eventually gaining employment. Furthermore, participants in their study were motivated by the potential of gaining employment after successfully completing a given unpaid work period. Although there were no implicit agreements, participants believed they would gain access to networks which in turn would help them with gaining employment (Siebert & Wilson, 2013). This study draws from the creative labor, and unpaid work literature while examining the ways in which overseas basketball players give meaning to their experiences of playing overseas while not receiving pay.

Research Design and Data Analysis

Individual semi-structured interviews are being conducted to provide the researcher with a greater understanding of professional basketball players' experiences of not receiving pay while employed overseas. The researcher initiated the earliest interviews by contacting associates who were professional basketball players employed overseas. Subsequently, participants referred other players with similar experiences to take part in the study. Interviews are still being conducted both, face-to-face and by means of telecommunication. Interviews are audio-taped with the consent of the participants. Interviews are transcribed verbatim and emailed back to participants in order to check it for its accuracy. Upon completion of all participant interviews, the researcher will unitize the data in which the transcriptions from participant interviews will be broken into single chunks of meaning. Categories will then be formed and presented as themes that best reflect the experiences of the participants (Lincoln & Guba, 1985).

Results and Discussion

Data is still being gathered and complete analysis will take place after the researcher has concluded all scheduled interviews. Preliminary results suggest that (a) the breaching of player contracts (i.e. not receiving pay at some point during employment) has been accepted as the norm of overseas basketball (b) players find themselves trapped in a cycle of exploitation as they focus on the potential access to networks and exposure that could be gained by continuing to work without pay. Complete results will be available for the 2018 EASM conference.

Conclusion and Implications

The issue of contract breaching and nonpayment of salaries to overseas basketball players has received little to no attention among sport management scholars. This study attempts to fill the gap in the literature. Additionally, there are implications for sport management practitioners given the impact that job satisfaction has on employee commitment and organizational performance.

References

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