

Eagles lineman challenges NFL and NFLPA in NLRB filings

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Eagles offensive tackle **Lane Johnson** has alleged that the NFL and the **NFL Players Association** refused to provide him with side agreements to the collective-bargaining agreement pertaining to the performance-enhancing substance policy under which he was punished, according to filings to the National Labor Relations Board.

Johnson, the No. 4 overall pick of the 2013 draft, was suspended 10 games for violations of the policy in October. In November, Johnson filed unfair-labor charges against the NFL and the NFL Players Association with the NLRB, as well as a complaint with the Department of Labor against the NFLPA.



Lane Johnson is now serving a 10-game suspension.

Photo by: GETTY IMAGES

Johnson alleges that the NFLPA violated federal labor law by “refusing to provide [Johnson] with side agreements between [the NFLPA] and the NFL, which purportedly amended substantive provisions of the policy and were directly relevant to his appeal in response to repeated, written and oral requests for the agreements,” according to the charge he filed against the NFLPA.

Johnson further alleges in his charge, a redacted version of which SportsBusiness Journal obtained from the NLRB through a Freedom of Information Act request, that the NFLPA directed him that he “could only obtain the side letters from the NFL.”

The NFLPA “did this with knowledge that the NFL had refused repeated requests to provide such documents and had directed [Johnson] to obtain them from charged party,” the charge states.

Johnson alleges that the NFL violated labor law by “refusing to provide [Johnson] with the purported side agreements allegedly amending substantive policy terms,” according to the charge he filed against the league with the NLRB.

NFL spokesman **Brian McCarthy** declined to comment on Johnson’s charge. The NFLPA did not immediately comment for this story.

“Lane is interested in his reputation,” said **Stephen Zashin**, Johnson’s attorney and a partner in the Cleveland-based law firm **Zashin & Rich**. “He is interested in making sure that other members of his bargaining unit understand the terms and conditions of the collectively bargained agreement, and obviously he wants to be restored to the position he was prior to the discipline.”

Johnson was serving his 10-game suspension last week and is due to report back to the Eagles, where he had been the starting right tackle, on Dec. 19.

Zashin, along with three NFLPA attorneys, represented Johnson in a arbitration hearing that the NFL held in October. “It’s hard to defend someone when you don’t have the actual terms of the policy itself,” Zashin said.

Bill Gould, Stanford Law School professor and former chairman of the NLRB, said that union members have the right to see any language in collective-bargaining agreements or side letters that govern them under labor law. “The union has the obligation to let him see the agreement,” Gould said.

It is unusual for a member of a sports union to file an NLRB

charge against his union and his employer, Gould said. But, when it comes to union members in industries nationwide, “There are lot of these cases before the board and before the courts.”

Generally speaking, Gould said, such cases are difficult to win.

> **CAA SIGNS EJ MANUEL**: CAA Sports has signed Buffalo Bills quarterback **EJ Manuel** for representation in all areas.

CAA Football co-head **Todd France** will lead the team representing **Manuel**, who was the No. 16 pick in the 2013 draft. **Manuel** had been represented by **Eugene Parker**, who died in March.

Manuel will become an unrestricted free agent in 2017, after the Bills elected in May not to pick up its fifth-year rookie option on him.

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