

Client Alert: From Student-Athletes to Employees?: The NLRB General Counsel Deems Student Athletes Employees under the National Labor Relations Act

Publications

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Only adding further to the controversy surrounding the status of college athletes created by the Supreme Court's June 2021 decision in *NCAA v. Alston*, on September 29, 2021, the General Counsel of the National Labor Relations Board (NLRB) issued a memorandum stating that student athletes at private educational institutions should be considered employees under the National Labor Relations Act (NLRA), and thus should have the right to unionize.

The General Counsel's position would have to be adopted by the NLRB in order for it to have the force of law. However, the fact that the General Counsel is looking for a specific case through which to advance this argument means the NLRB, which currently has a majority of Democratic members likely to favor the General Counsel's position, may adopt the General Counsel's position on this contentious issue.

To read the full client alert, please [click here](#).

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