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Opinion

# Haskins and Myrthil: Why We Are Unionizing

Dartmouth has the chance to lead the transformation to a less exploitative model for college sports, beginning with the men's varsity basketball team.

By **Romeo Myrthil** and **Cade Haskins**

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On Sunday, Sept. 10, our team came together and decided to sign representation cards with the Dartmouth staff union, SEIU Local 560. It is our intention to use this column to describe our common

conditions, but also in a hope of catalyzing the transformation of college sports into a less exploitative business.

We deeply appreciate the opportunity that we have to study at Dartmouth, but the business of college sports is different today than it was a few years ago. Recently, college athletes began to stand up and challenge the conditions under which they participate. This action, which we understand has the potential to begin the transformation of college sports, is in keeping with the values and mission of our institution.

Two years ago, an antitrust case concerning athlete compensation brought by West Virginia football running back Shawne Alston — NCAA v. Alston — made it all the way to the Supreme Court. In a unanimous opinion, the Court decided against the National Collegiate Athletics Association. In a concurring opinion, Justice Brett Kavanaugh stated, “the NCAA business model would be flatly illegal in almost any other industry in the United States,” and that “price fixing labor is price fixing labor.” He concluded that collective bargaining could be the solution.

Building on the Alston case, two basketball players from Brown University, Tamenang Choh and Grace Kirk, sued the Ivy League last March, alleging that the Ivy League Agreement, a mutual agreement between all eight schools on topics including athletics, “has anticompetitive effects, raising the net price of education that Ivy League Athletes pay and suppressing compensation for the athletic services they provide.”

In September 2021, the General Counsel of the National Labor Relations Board, the government agency that regulates labor relations for private employers in the United States, released a memorandum stating that certain players at academic institutions are to be considered employees and receive all protections afforded under the National Labor Relations Act. As Division 1 basketball players, we fit under this designation and are covered by this regulatory guidance.

It is upon this foundation of past athlete and governmental action that we have based our initiative to join SEIU Local 560 on campus. We are prepared to pursue it with vigor.

Here are two examples of the type of issues we would like to address.

First, many of our players currently juggle part-time jobs alongside their academic and athletic commitments to help pay for their tuition and living expenses. While we currently receive many forms of non-traditional compensation, these don't pay our bills, and so we are unionizing to be compensated like other student employees, with hourly wages similar to other student wages on campus or scholarships. This would alleviate the need for second jobs and enhance our experience as part of the Dartmouth community. There is nothing legally or logistically complicated about being classified as a student employee for the athletics department. Additionally, being a student and an employee of the College are not mutually exclusive. In 2021, the executive director of the Ivy League, Robin

Harris, stated while commenting on NIL policies, “One of the fundamental philosophies of the Ivy League is that student-athletes should have the same opportunities as all students.” Other than a set of rules that the schools impose on themselves through the Ivy League Agreement, there is no reason that basketball players shouldn’t be considered student employees like students working any other campus job.

Second, several of our players have suffered serious injuries during practices or games and needed to pay substantial amounts of money out of pocket to cover their health insurance deductibles. We believe Dartmouth should be held responsible for those costs and any long-term disabilities that may arise from our participation in Dartmouth sports. These corrections will provide a more holistic, successful and well-rounded experience for our team members at Dartmouth. The list of corrections is not limited to just these, but we found it important to shed light on certain prominent issues.

We are inspired by other student workers here on campus. The dining workers and graduate students have unionized, been recognized by the College and begun good-faith negotiations. Like these other groups of students on campus, we are asserting our right to act collectively. We are also incredibly grateful for the support from Dartmouth’s staff union, SEIU Local 560, and the president of the World Players Association and MLBPA executive director, Tony Clark.

College President Sian Leah Beilock, in an article in Forbes last year, referred to the need for “brave spaces”

in which “changing one’s mind based on new evidence is a good thing.” She added that “admitting errors in judgment or action and engaging in a course correction can be even more difficult. The alternative is to purposefully ignore new information in favor of stubbornly clinging to viewpoints that we can no longer honestly defend.” We believe the College, the Ivy League and the NCAA are all guilty of this. They know the Alston decision and how it necessitates a different approach. The age of amateurism and the brazen exploitation of athlete labor and intellectual property should be over. It is time for a new model for collegiate sports in the United States to be built. Will the leadership of the College have the courage to enter into this “brave space” with us and help forge a new future? We will have our answer in a few weeks when the College is required to file its statement of position with the NLRB.

In the meantime, we call on other athletes here at Dartmouth, across the Ivy League, and the country to follow this story and join us on the journey to improve the conditions for college athletes everywhere. We are available to any athlete interested in getting more information on how to form a union. If we succeed, college athletes will finally have the chance to have an equal voice regarding their working conditions.

*Cade Haskins '25 and Romeo Myrthil '25 are members of the Dartmouth men's varsity basketball team. Opinion articles represent the views of their author(s), which are not necessarily those of The Dartmouth.*

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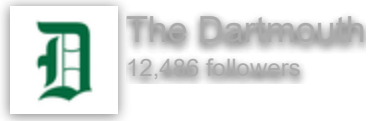
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