

## Case Study

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# Collective Bargaining Simulation: The Federal Football League versus the National Association of Professional Footballers

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## Teaching Note and Overview for Use in Class

The last decade has witnessed two related phenomena, which provide the motivation for the development of this collective bargaining simulation. Within the industrial relations arena, enterprise or collective bargaining has replaced arbitration as the major process for wage determination and dispute resolution (Wooden, 2000). Over the same period, Australian sport has witnessed the rise of professionalism and the emergence of professional bodies intended to represent players in negotiations with sporting clubs, leagues and national associations (Dabscheck, 1996a; Dempsey, 1998). These two developments have, not surprisingly, made industrial relations an issue of central importance in the professional sports industry.

This simulation, which is based upon the events in a fictional professional sporting league, is primarily intended to aid in the teaching of industrial relations issues with respect to professional athletes. However, the simulation provides a number of additional applications, most notably in the area of bargaining and negotiation. The simulation may also stimulate useful discussion in the areas of group and individual decision-making, the use of power, and balancing multiple stakeholder groups. The following notes provide the instructor with guidelines for operation of the simulation and suggest a number of discussion topics, so as to maximise the learning potential of the exercise.

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## **Learning Objectives and Applications**

The simulation has three primary objectives. First, it is designed to enhance students' knowledge of core concepts relating to the management of industrial relations in professional team sports, and more broadly, the economic and policy issues facing the managers of sporting leagues. Second, the simulation assists students to develop (general or industrial) bargaining and negotiation skills. Third, it is designed to provide a close to real-life illustration of the value of bargaining and game theoretic ideas, by allowing the exploration of these principles in a controlled, yet applied context.

Based upon trials at Griffith University, the University of New South Wales and Victoria University of Technology, three possible applications are clear. First, the simulation provides a forum for exploring approaches to (sport) management and industrial relations in greater depth, as well as the opportunity to investigate the relevant economic and legal principles in context. Our experiences indicate that the competitive element of this simulation actually encourages those students who "want to win" the negotiation, to develop in-depth arguments based upon their subject lecture notes, reading materials and pre-existing knowledge. This process should be encouraged as an independent learning process and may, indeed, supplement other exercises and assessment items for the subject. A series of suggested lecture topics and readings are provided below in Table 1 for incorporation into a sport management, industrial relations or economics subject.

Second, the simulation is an appropriate teaching device for subjects dealing with the theory and practice of negotiation and individual or collective bargaining. The sporting context provides an alternative scenario for negotiation exercises in such subjects and one that can be easily amended to suit local sensibilities. For instance, an instructor in North America can adapt the scenario to suit a local preference for ice hockey by amending the league and place names. Furthermore, the points schedule driving this simulation restricts the set of possible outcomes from the negotiation process. The basic framework of this simulation is the familiar game theoretic model of the Prisoner's Dilemma (for an introduction to the applications of game theory in negotiation and bargaining, see Brams, 1990; Murningham, 1992). Explicit models are particularly useful when first introducing students to the concept of reviewing their negotiation strategies and explaining how priorities shape those strategies. The comparatively simple outcomes of this simulation can later be compared to more complex open negotiations where team objectives and options are not constrained by a points schedule.

Finally, the advanced instructor may extend the simulation scenario into a hypothetical style exercise by assigning students to the roles of various stakeholders in the professional sporting industry. Instructors will note that the simulation scenario contains sufficient material for the casting of students in roles including: (a) the management of the Australian Football League (AFL), (b) the management of the Federal Football League (FFL); (c) club managers/owners of both AFL and FFL

**Table 1: Selected Lecture Topics and Readings**

| <b>Topic</b>   | <b>Suggested Readings</b>  |
|--|--|
| <b>The Structure of Sporting Leagues: Labour Market Regulation and Economic Issues</b> | AFL (1999); Quirk & Fort (1992; 1999); Sanderson & Siegfried (1997); Siegfried (1995).   |
| <b>The Structure of Sporting Leagues: Legal Issues</b>                                 | Buti (1999); Davidson (1994); Farrell (1997); Goldman (1989); Ross (1999).   |
| <b>Rival Leagues and League Competition</b>  | Colman (1996); FitzSimons (1996); Quirk & Fort (1992).   |
| <b>Collective Bargaining and Industrial Conflict in Professional Team Sports</b>       | AFL & AFL Players' Association Inc. (1999); Dabscheck (1996a; 1996b; 1998); Dempsey (1998); Schwab (1998); Staudohar (1990; 1996; 1997; 1999). |
| <b>Intellectual Property and Marketing Issues</b>                                      | Macdonald & Tripodi (2001); Mason (1999); Weiler (2000), Ch.17.  |
| <b>Fundamentals of Bargaining and Negotiation</b>                                      | Brams (1990); Fisher & Ury (1981); Murningham (1992); Lewicki et al. (1994a; 1994b).   |

clubs; (d) the leadership of the National Association of Professional Footballers; (e) a Justice of the Victorian Supreme Court; (f) a media baron (or alternatively a journalist reporting on developments in the simulation or hypothetical); (g) individual professional footballers in the FFL; or (h) members of the general public.

With individuals or groups of students assigned to these roles, analysis of the simulation scenario could then proceed with students being required to consider the strategies adopted by the key protagonists with respect to the learning objectives and content of the subject. For example, the simulation provides an ideal starting point for a class discussion of the choice of labour market regulation implemented by a sporting league, and how this is a central component of the business strategy of a professional sporting league and yet represents a compromise between the interests of the various league stakeholders (e.g., Caiger & O'Leary, 1999; Cousens & Slack, 1996; Harris, 1986; Linnell, 1995). In such an exercise, students are assigned to the various roles a week or two prior to the simulation. This allows students time to review their subject materials and readings, and to consider the economic and legal principles underpinning labour market regulation in professional team sports. Students

may also be required to develop a position document based upon this theory, real-life examples and their assigned role. This work provides the starting point for the simulation itself and may be adapted for use as an assessment item.

## Operational Issues

### **The Simulation Scenario**

Instructors are advised to read the simulation itself (see pp. 103–114) before continuing with these teaching notes. The simulation is based upon the negotiation of a collective bargaining agreement (CBA) between a fictitious Australian-based professional (Australian Rules) football league – the Federal Football League (the FFL) – and the union representing professional footballers employed by the league – the National Association of Professional Footballers (the NAPF). The scenario is loosely based upon events in the recent history of the Australian Football League (AFL), the birth of the National Rugby League (NRL) following the Super League dispute between Rupert Murdoch’s News Limited organisation and the Australian Rugby League (ARL), as well as structural and labour relations issues common to professional sporting leagues in Australia, North America and Europe.

The bargaining agenda is a given set of conditions over which the NAPF seeks to establish a collective bargaining agreement with the FFL. The issues are confined to:

1. The length of the agreement;
2. Introduction of a player recruitment draft;
3. Introduction of a salary cap on team expenditure and the minimum required number of games to be played for an individual to qualify for a marquee player exemption from the salary cap;
4. The minimum annual player salary; and
5. The right of players to wear their own choice of football boot.

The agenda is intentionally constrained to ensure that a resolution is feasible and that possible trade-offs are limited. The value attached to individual conditions and salary wage increments is represented in the simulation by a schedule of points which is provided to both parties. The aim for both parties is to reach an agreement that maximises that party’s total points. However, the point value assigned to each issue differs for each team. In this sense, the points schedule is the driver of the simulation as it provides the parties with their preferences and the motivation to seek certain outcomes. This points schedule also enables the identification of a jointly optimal outcome, where the combined points value for both teams is the most

beneficial for the league when considered as a whole.

We also incorporate three important features of any bargaining scenario: power, information asymmetries and time. The first two issues are incorporated by providing each party with confidential information regarding their points schedule and the general decision-making context, and by making the costs of multiple bargaining sessions (and therefore the imperative to find a solution) more costly for the FFL than for the players. The issue of time is included by providing for multiple bargaining sessions, each of which becomes more costly to utilise.

## Teams

Students need to be allocated to an even number of teams, consisting ideally of four to six participants. Half of these teams will play the role of the Federal Football League (FFL) Management Committee with the other half acting for the National Association of Professional Footballers (NAPF) Bargaining Committee. These negotiation teams should be formed one or two classes before the use of the simulation to ensure team members have sufficient time to meet and develop their bargaining strategies. This is usually undertaken outside class time, although a short period in the class preceding the first bargaining round may also be set aside for this purpose.

## Information Provided to Teams

Once the teams are formed, participants are given two documents that set out the context of the scenario and the information known by each team. These are:

1. the Scenario Background; and
2. the FFL Management Committee – Confidential Team Information; or  
NAPF Bargaining Committee – Confidential Team Information.

The *Scenario Background* document is common to both negotiating teams and provides students with the context of the negotiations between the FFL and the NAPF. The core bargaining issues are also included in this document. The FFL and NAPF *Confidential Team Information* documents provide the teams with further information regarding the relative importance of the bargaining issues identified in the *Scenario Background*, along with the points schedule for achieving various negotiated outcomes. Given that the objective of the simulation is for each negotiating team to maximise their points score, ***it is essential that teams do not reveal this schedule to the other team.*** Instructors should familiarise themselves with the *Scenario Background* and the *Confidential Team Information* documents prior to the commencement of the simulation to ensure that they can effectively answer student questions and, where necessary, modify the rules ‘on the run’ to ensure a more effective simulation.

## Timing of the Simulation

As students are allocated to teams several classes before bargaining takes place, students should be encouraged to discuss their negotiating strategies prior to the bargaining session. Instructors may find it useful to allow a little time in class for a final private conference before the commencement of the bargaining periods. An additional vacant room is ideal for this purpose. The simulation itself is designed to be completed within 120 minutes (i.e., two standard lectures or tutorials). Table 2 provides suggested guidelines for a single two-hour session, or two hour-long sessions.

**Table 2: Suggested Timing of the Simulation**

| Single 2-Hour Session |                              | Two 1-Hour Sessions |                              |
|-----------------------|------------------------------|---------------------|------------------------------|
| 20 min                | Final comments and questions | 15 min              | Final comments and questions |
|                       | Team conference              |                     | Team conference              |
| 20 min                | Bargaining session 1         | 20 min              | Bargaining session 1         |
| 5 min                 | Time out                     | 5 min               | Time out                     |
| 20 min                | Bargaining session 2         | 20 min              | Bargaining session 2         |
| 5 min                 | Time out                     |                     |                              |
| 20 min                | Bargaining session 3         | 10 min              | Team conference              |
| 30 min                | Evaluation                   | 20 min              | Bargaining session 3         |
|                       |                              | 30 min              | Evaluation                   |

Time-outs may also be awarded within a bargaining period at the discretion of the instructor, to allow further private conference and the revision of bargaining strategies in the heat of the moment. Instructors may wish to change the length of the negotiation sessions and/or eliminate the compulsory time outs, but should note that the 20-minute breaks between bargaining periods represent important timing markers which influence the points awarded to both the FFL and the NAPF negotiating teams. Instructors must therefore keep a close watch on the time.

## Managing the Simulation

### Sequencing of Classes

Where students have a sufficient general knowledge of the negotiable issues, or have previous experience with the concepts and theory of negotiation and bargaining, the simulation may be used as an icebreaker to stimulate student interest early in the

semester. This is followed by further instruction on the issues raised in the simulation over the rest of the semester.

The more typical approach would be to use the simulation later in the semester to reinforce key concepts and learning objectives of the subject. When used in this manner, the simulation can be used as a capstone unit which integrates the broad range of concepts and knowledge introduced over the semester, in order to maximise the effectiveness of the exercise as a learning experience. Students should, therefore, be exposed to core concepts such as the nature of collective bargaining; the structure and purpose of (sports) labour and product market controls, and practical negotiation techniques *before* the commencement of the bargaining sessions. It is then advised that instructors follow up the negotiations with a class discussion or debriefing. Time has been built into the simulation to allow for immediate reflection, but in many cases the teams will reach agreement well before the end of the third bargaining period, thereby providing extra discussion time. We have found it useful to schedule a debriefing session at the start of the next class. This session should be used to discuss the outcomes of the bargaining and relate the conceptual foundations of the simulation to the participants' experiences and the outcomes of the bargaining process. Instructors should also explain the difference between simulation and actual practice where relevant. Key issues in the scenario and the strategies adopted by both teams can thus be evaluated from the perspective of the subject objectives.

Instructors are likely to have preferred readings to support analysis of the bargaining issues and other aspects of the simulation scenario. However, Table 1 includes a range of issues and selected readings that we have found particularly useful for preparing students for the actual simulation.

## **Preparatory Instruction**

As suggested above, students should possess understanding of the core concepts of collective bargaining, sporting league structures, the purpose of labour market regulation in professional team sports and practical negotiation techniques prior to the running of the simulation. This allows the instructor to introduce the fundamentals of successful bargaining and negotiation and to identify three important features of any bargaining scenario:

- the tactical aspects of bargaining and the need for planning and preemption of the other parties' preferences and possible strategies;
- the costs and benefits associated with delaying tactics in the bargaining process; and
- the importance of developing long-term relationships between management and their employees (in this case, the players).

Teams should be formed, and relevant materials distributed to students a week or two before the class is scheduled to begin the actual bargaining process. Each team should assign roles to each team member. These roles include:

1. Team leader, a chief negotiator who actually engages with the other team;
2. Secretary, a person to record the current offers presented by each team;
3. Observer, a person to observe the body language and negotiating style adopted by the negotiators for both teams; and
4. Researcher, whose role is to organise and filter relevant supporting information and arguments to the chief negotiator.

It is important for validity purposes to ensure that all team members actually attend the bargaining sessions. Student attendance may be achieved by requiring compulsory participation in the simulation, or by attaching a small assessment item to the simulation. One option is to require the submission of team strategy documents in which each team explains their bargaining strategy and objectives with reference to the theory and examples in their subject reading materials. A reflective essay, where individual students review team objectives and how their team dealt with the negotiation process, may be more appropriate for subjects where the primary learning objective is the development of bargaining and negotiation skills. Irrespective of the approach, all teams should be encouraged at this early stage to prepare a series of bargaining objectives, negotiating strategies and arguments to support their position. Students should also be advised to calculate the point value for the outcomes of arbitration, which is the default result should the two teams fail to reach agreement.

## The Bargaining Process

Instructors must ensure there is a working clock in the room where the bargaining sessions are to occur. It is useful for instructors to list the start and finish time of each bargaining period on the whiteboard and cross off five-minute increments to alert students to the time remaining. Instructors should also arrange the tables in the room to create a boardroom-style table (or tables if several simulations are occurring at the same time) with ample room for all team members and their materials. Students should be given a final opportunity for private conference and to ask any last questions before the start of the first bargaining period. At this time, one member of each team should be appointed to keep a running record of the offers made by each team during the bargaining process.

During the bargaining sessions, instructors should seek to provide constructive advice where necessary to facilitate effective negotiation. This may also include the

calling of a time-out to explain issues relating to the conduct of bargaining or to clarify aspects of the simulation. Although the simulation scenario is quite extensive, instructors will need to be able to think on their feet to adjudicate on possible issues of uncertainty. Two common problems may emerge during the bargaining sessions. One is that teams may present their offer on one of the issues and spend a majority of their time discussing this issue alone. Another is that negotiations will commence with both teams presenting their offers for all five issues, then suddenly finding themselves with nothing to say. In both cases instructors should remind teams of the importance of linking issues to encourage deal-making by striking a tradeoff. The teams should be allowed to group issues as they see fit. The simulation has been designed with this process in mind and instructors may subtly encourage teams to consider a tradeoff between (a) the player draft and footwear issues, and (b) the minimum salary and salary cap issues. Instructors should take notes on the negotiating styles and strategies of teams and students for use in the debriefing process. The student records, which track the offers presented, will supplement the instructor's notes. The record of the offers is useful during the bargaining period itself as it allows the instructor to keep track of multiple games in larger classes.

The teams will eventually reach agreeable terms or be faced with accepting the arbitrated alternative. At this point, the instructor should advise the teams to write down the agreed conditions on a fresh sheet of paper and have both teams acknowledge their agreement by signing this collective agreement. Instructors may retain this document to verify the individual point calculations of both teams before the debriefing process.

## Outcomes and Debriefing

Although the simulation is restricted to bargaining over five issues, there are 14,400 possible outcomes. Of these, three outcomes are of particular interest: (1) where the FFL is able to score maximum points; (2) where the NAPF is able to score maximum points; and (3) where the joint points score (FFL + NAPF) is Pareto optimal (e.g., the league-wide score is maximised and any alternative will result in the worsening of the points outcome for one of the teams). The scores and details of these outcomes are provided in Table 3, although these results do not take into account the bonus points (or penalties) available to both teams based upon timing issues. Instructors may obtain a copy of the Excel spreadsheets from the authors if interested in examining the full range of possible bargaining outcomes.

**Table 3: Possible Simulation Outcomes**

|  | <b>FFL Points<br/>Maximised</b> | <b>NAPF Points<br/>Maximised</b> | <b>Pareto Optimal<br/>Points Score</b> |
|--|---------------------------------|----------------------------------|--|
| FFL score  | 1300                            | -750                             | 580                                    |
| NAPF score   | -850                            | 1100                             | 380                                    |
| FFL + NAPF   | 450                             | 350                              | 960                                    |
| Length of agreement                                      | 4 years                         | 2 years                          | 3 years                                |
| Player draft   | Draft                           | No draft                         | Draft                                  |
| Control of choice of player                              | FFL control                     | NAPF control                     | FFL control                            |
| Footwear   |                                 |                                  |  |
| Minimum annual salary                                    | \$50,000                        | \$79,000                         | \$72,000 or<br>\$73,000                |
| Qualification for marquee<br>player salary cap exemption | 100 games                       | 14 games                         | 80 games or<br>83 games                |

Several issues should be raised in the debriefing process. Students like to know whether they won or lost and announcement of the points scored by each team (especially in a larger class where several simulations took place) is likely to generate spontaneous student involvement in this discussion. This discussion provides an ideal introduction to the concept of the Pareto optimal outcome and the value of cooperative bargaining (especially in professional team sports). The payoff matrix for this simulation is not structured to allow both teams to maximise their individual points via cooperation. But, the outcomes listed in Table 3 highlight the fact that the combined points score (i.e., the league-wide result) *will* be maximised when both teams have shown compromise by moving away from their opening offers. Instructors can introduce two other issues to reinforce this point. First, historical examples such as the periodic strikes and cancellation of the 1994 World Series in Major League Baseball, the 1998 half season lock-out in the National Basketball Association and the Super League dispute in rugby league can be introduced. These examples highlight the importance of a cooperative approach to industrial relations, especially when compared to the recent industrial stability and success of both the AFL and the National Football League. Second, students should consider the likely long-term consequences of their negotiated solutions. Instructors should identify any unusual outcomes (say a particularly low minimum annual salary) to provide focus to this discussion.

One danger with simulation is that students will (rationally) form strategies and opinions based upon the payoff (i.e., the points schedule) and design of the somewhat artificial rules of the simulation. One of the key purposes of the debriefing

process is, therefore, to remind the students that the simulation can only provide a working guide to bargaining in practice, for it necessarily simplifies reality and constrains the timeframe of the negotiation process. The instructor can highlight this by revealing the differences in the FFL and NAPF points schedules and by explaining the features of the scenario that were intended to guide the teams towards a compromise on certain issues. Students should be alerted to the fact that negotiators do not necessarily behave in a perfectly rational manner. Indeed, such clearly defined objectives as the maximisation of points in this simulation are rare in actual negotiations. Rather, the broad range of potential biases and heuristics used in decision-making, along with individual norms of fairness and acceptable behaviour will influence the frame of reference of an individual. This will, in turn, affect the objectives and negotiating tactics of that person, often leading to choices which may appear irrational to their negotiating opponent. It is useful here to ask students if they would have adopted the same objectives and strategies if their choices were not constrained by the points schedule of the simulation.

In subjects where the simulation is being used to develop the negotiating skills of students, the debriefing should review the choice of strategy and negotiating style adopted by each team. This analysis will be enhanced by examining the trends in the offers made by each team. The data collected by each team's secretary should be collated and presented to the class on an overhead transparency. When combined with the instructor's notes and the reflective notes of the simulation participants, the trend data should identify critical periods or issues in the bargaining process. Instructors may then lead the discussion by questioning each team to understand the choice of strategy and negotiating style at these key stages in the bargaining process. Students should be encouraged to adopt suitable theoretical models from their subject readings as tools for analysing their negotiating techniques and strategies.

The final issue to raise in analysing team strategy is intra-organisational bargaining. Consider the hypothetical NAPF. We can identify at least three groups of players with competing interests: the superstars, the rookies and the veterans in the final years of their careers. Superstars would expect the NAPF to minimise the impact of salary cap restrictions and negotiate the right for players to strike their own sponsorship deals with boot makers. Alternatively, rookies will prefer the NAPF to seek higher minimum annual salaries. Veterans, in contrast, may see the introduction of superannuation funds and counselling or welfare schemes to help players make the transition to their post-football life as the top priority (although this issue is not included in the simulation). Likewise, the FFL will be faced with a diversity of interests within the League's management structure, the League owners and the managers of the eight FFL clubs. In both cases, multiple competing interests must be reconciled before FFL–NAPF negotiations may commence. Instructors should relate this to the experiences of students via questioning of the process by which each team developed their strategies before and during the bargaining sessions.

## Concluding Comments

Our experience and the feedback of undergraduate sport management students indicates that the cut and thrust of negotiation can be highly entertaining! More importantly, when the simulation is fully integrated into the curriculum (including support in the reading list, lecture and tutorial program and the subject assessment) we have found it to be a valuable device for engaging students with the complex issues of labour market regulation, industrial relations and collective bargaining in professional team sports. The simulation also provides a novel context or exercise for introducing students to the theory and practice of negotiation and bargaining. Negotiation simulations or extended role-playing hypotheticals represent viable alternatives to the traditional lecture format. We encourage instructors to use this simulation to encourage debate and discussion over a wide range of issues.

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