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If It Doesn't Move, Kick It... How U.S. Soccer Is Playing Smart Off The Ball

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On Wednesday, May 18, 2022, the U.S. Soccer Federation (U.S. Soccer) announced collective bargaining agreements that achieved equal pay for the Women's and Men's National Teams. The United States women's national soccer team (WNT) represents the United States in international women's soccer. Not only did the WNT kick the ball – they collectively scored an unprecedented header in the form of a CBA with far reaching implications for soccer, women, and all sports globally.

To ignore these female athletes, their achievements, and the ripple effect it will have, is to disregard that there are more soccer fans worldwide than any other sport – 3.5 billion, compared to 500 million for baseball, 450 million for golf, and 400 million each for basketball and American football (the four of which make up Nos. 7, 8, and tied for 9 on the list of the top ten). In fact, even if you throw in tennis' 1 billion fans worldwide for good measure, you still only get to a collective 2.75 billion, compared with that of soccer's 3.5 billion.

While the statistics above may be shocking to some sports fans, they must surely be known to those making decisions as to the allocation and investment of funds in leagues, teams, athlete salaries, prize money, endorsements, licensing, memorabilia and appearance fees. Curious then that the 100 highest-paid athletes in the world, which include players from 10 sports and 24 countries, as reported by Sportico for 2022 include: 36 NBA players, 25 NFL players, 12 MLB players, 12 European Soccer players, 4 Fighters, 4 Golfers, 3 Tennis Players, 1 F1 Driver, and 1 Cricket player (Cricket enjoys 2.5 Billion fans worldwide holding the No. 2 spot). Of the 100 top earning athletes only 2 are women – tennis players Naomi Osaka (No. 20) and Serena Williams (No. 52). Even more curious then are results of a recent survey conducted by Altman Solon which

revealed that nearly 50 percent of women in the UK, US and Germany are monthly sports viewers, a figure that rises to nearly 70 percent in Latin America and Asia. In terms of viewership of women's sports men make up 50 percent of the women's sport fanbase. An analysis of social media popularity with a higher than average engagement by female athletes, the rise of NIL income for women at the college level and beyond, and female representation in video games (about 50% of gamers are women), make the figures above even more puzzling and the achievement of the women of US Soccer all the more meaningful.

The WNT is the most decorated women's soccer team in history and holds the record for the most watched soccer game in United States history. The team has won four Women's World Cup titles (1991, 1999, 2015, and 2019), four Olympic gold medals (1996, 2004, 2008, and 2012), and eight CONCACAF Gold Cups. The team is governed by United States Soccer Federation and competes in CONCACAF (the Confederation of North, Central American, and Caribbean Association Football). The WNT's 2019 stadium home jersey remains the No. 1-selling soccer jersey, men's or women's, ever sold on Nike's website in any one season. It's impossible to ignore their talent, hard work and success both on and off the soccer field.

As a result of the WNT's efforts, for the first time in history soccer players on the men's and women's teams will receive the same appearance fees and bonuses for international matches. For the World Cup, the most-watched sporting event in the world with 1 billion viewers (the Super Bowl in second place with 100 million viewers), FIFA's bonus pool for the upcoming 2022 men's World Cup in Qatar will be \$440 Million, while the prize money for the women's World Cup in Australia in 2023 will be \$60 Million. The negotiated CBAs circumvent FIFA and provide the US women's and men's teams with an equal share of the prize money won—a provision which is the first of its

kind in professional sports and will hopefully equalize investment, not just tournament prize money.

Never Give Up On The Play

The WNT first filed a complaint with the Equal Employment Opportunity Commission (EEOC) in 2016, demanding equal pay for the same work as the Men's National team. By 2017, the team had reorganized their players association, fired their union executive, and took control of CBA negotiations, and they secured a new CBA with improvements in both working conditions and pay. Two years later, the players took their fight a step further by withdrawing their EEOC complaint and filing suit against U.S. Soccer in the Central District of California under Equal Pay Act and Title VII claims.

In April of 2020, the Central District of California granted partial summary judgment to U.S. Soccer, dismissing the central elements of the WNT complaint. The court found that each team had negotiated its own CBA with differences in guaranteed and meritorious pay. Further, the court found that the WNT had a higher total compensation between 2015 and 2019 as a result of the men's team failing to qualify for the 2018 World Cup and the women's team winning the 2019 World Cup. Meaning, the WNT's lopsided success contributed to the failure of their push for equal pay.

While the WNT filed for appeal, U.S. Soccer, now led by Cindy Parlow Cone, sought to find common ground and cool the growing negative media coverage. In November of 2020, U.S. Soccer and the players association reached a new agreement for equal working conditions that provided more equitable staffing,

travel, accommodations, and match venues. In early 2022, U.S. Soccer reached a settlement for the 2019 suit, which gave the WNT \$24 million, mostly in back pay to players on the women's team, and included an agreement to reorganize both the men's and women's CBAs to equalize pay.

Winning Requires Teamwork

By early 2022, both team's CBAs were expired, encouraging all sides to come to a collective table and nail down an agreement for the benefit of U.S. Soccer as a whole – another first. Finally, on May 18, 2022, U.S. Soccer announced a new deal that achieved equal pay for the men's and women's teams.

The newly minted CBAs provide an equal pay rate for the teams through 2028. Each player receives \$8,000 for a friendly match and bonus pay for a tie or win (nothing additional for a loss). For official competitions, each player receives \$10,000 plus bonus pay. This scale is equal across both teams. The model is pay-for-performance, which is a change for the women's team only. The prior women's team CBA provided a yearly salary for national team players and dramatically lower performance-based pay.

For World Cup competitions, which provide millions of dollars in prizes based on placement, both teams will pool their bonuses and split the earnings. For the 2022 and 2023 World Cups, U.S. Soccer will take 10% of the sum of both team's earnings, with the remainder split evenly between the two teams. For the 2026 and 2027 World Cups, U.S. Soccer will take 20%, and again, the remainder will be split evenly between the two teams.

For non-World Cup tournaments, if both the men's and women's team play in the same tournament (for example, the Gold Cup), the prize money is pooled, U.S. Soccer retains 30%, and the remainder is split evenly between the two teams. If only one team plays in a non-World Cup Tournament, U.S. Soccer retains 30% and the competing team receives the remainder. In addition to the pay structure agreement, the CBAs provide an equal revenue-sharing structure for broadcasts, apparel, and sponsorships. U.S. Soccer also agreed to pay players the same dollar amount for each U.S. Soccer ticket sold, including a 10% bonus for any sell-out matches. Venues, accommodations, travel, and

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staff are to be equitable. The CBAs also created 401(k)s for all players and free childcare for both teams.

Eye On The Ball

The fight for equal pay in sports is far from novel, but its achievement is rare. This imbalance is typical across most comparable sports such as the NBA and WNBA, the professional tennis circuit, and the PGA and LPGA Tours.

The most unusual aspect of the equal pay structure is the pooling and sharing of tournament prize money. The arrangement assures that both teams make the same total compensation from the world's most popular athletic tournament. This change may open more opportunities for similar structures in other sports or tournaments across the country and globally.

Although unique circumstances may have created the conditions that led to U.S. soccer's equal pay deal, its achievement alone may spur other leagues to address the pay gap with an eye toward advancing sport as a whole regardless of gender. One of the replicable successes of the WNT during their six-year campaign was their ability to garner significant public support. Players used their popularity to engage on social media, make victory speeches, book television appearances, and write articles that focus on the gender pay gap in sports. In fact, a frequent chant by fans during WNT games in the years leading up to the CBAs was "Equal Pay." The players' persistence over years, mounting public pressure, and the eventual support of and recognition by the men's team and controlling organization, U.S. Soccer, allowed the WNT to strike with conviction.

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