


PROJECT SUMMARY: ERASMUS+ EMPLOYS “UNDERSTANDING, EVALUATING AND IMPROVING GOOD GOVERNANCE IN THE EMPLOYMENT RELATIONS OF ATHLETES IN OLYMPIC SPORTS IN EUROPE”

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The dynamics of Olympic sports are currently in a period of change, and the field of athletes' employment and social relations is also facing fundamental challenges. While organised sport has traditionally been characterised by amateurism, voluntary commitment and prestige, the increasing professionalisation and commercialisation have transformed both the structures and the perceptions of Olympic sports.

Against this background, demands for an improvement of the conditions of the social and professional environment of Olympic athletes have become increasingly stronger from a growing number of athletes in recent years. This development can be explained by a contradiction: on the one hand, Olympic athletes are celebrated stars and public heroes; on the other hand, many of them may be exposed to difficult financial situations, precarious working conditions and a lack of social protection.

The Erasmus+ funded project EMPLOYS addressed the multi-faceted issues elite athletes face from the perspective of employment relations in a two-year process of interdisciplinary research and stakeholder exchange. The project was led by the German Sport University Cologne, Germany (Project Leader: Prof Dr Jürgen Mittag; Project Coordinator: Maximilian Seltmann; Researcher: Lorenz Fiege). Academic partners to the project were the Edge Hill University, United Kingdom (Manager Northern Europe: Dr Leanne O'Leary), the University of Rijeka, Faculty of Law, Croatia (Manager South-Eastern Europe: Associate Prof Dr Vanja Smokvina), the Universidade Europeia Lisbon, Portugal (Manager South-Western Europe: Luiz Haas) and the Institute for Sport Governance, Poland (Manager Eastern Europe: Dr Pawel Zembura). The project team was complemented by two umbrella organisations of sports stakeholders, namely EU Athletes (Manager Stakeholder Engagement: Paulina Tomczyk) and the European Olympic Academies (Manager Stakeholder Engagement: Sönke Schadwinkel).

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PROJECT PHASE 1: “UNDERSTANDING”

The objective of this first project phase was to conceptualise the employment relations of athletes in Olympic sports. Since not all athletes in Olympic sports outside of professional leagues are considered as employees under national law, this approach can appear somewhat controversial. Against this backdrop, a wide definition of employment relations was developed to encompass

“all legal, contractual, financial, and social relationships that enable an athlete to engage in and perform elite sport in their discipline and specific national context, and shape economic exchange relations and social conflict relations; this includes the networks, institutions and systems in which different actors are involved with regard to work related processes and economic activities.”¹

To achieve this objective, data on the relationships of athletes in 29 European countries (27 EU members + UK + Norway) were collected with the support of national academic experts and practitioners. Following the completion of the first project phase (“Understanding”) from March to December 2021, the partners published a first “Fact Report” as an empirical evidence base of the legal and socio-political landscape defining the working and social relations of athletes in Olympic sports in Europe.²

PROJECT PHASE 2: “EVALUATING”

In the second phase of the project (“Evaluating”) from January to June 2022, the project team focused on the evaluation and assessment of current practices and pursued the goal of developing context-specific dimensions and principles for Good Governance in the employment and social relations of athletes in Olympic sports in Europe. The project partners first developed a normative-value-based concept that describes the fulfilment of specific socio-political rights of athletes as “Good Governance”. Derived from legal and political frameworks and policy documents of the UN, EU and ILO, and relevant academic studies, the concept considers both context-specific and universally applicable political, social and civil rights of athletes from an ethical and moral perspective.

Based on this innovative conceptual approach and intensive communication with national, European and international stakeholders in sport during numerous so-called Multiplier Sport Events (MSEs) in Cologne, Lisbon, Ormskirk, Rijeka and Warsaw, the project team developed 27 principles of Good Governance of individual and collective working and social relations of athletes in Olympic sports in practice. The principles cover a total of six core dimensions (contract, income, commercial opportunities, occupational safety and health, social protection,

1 Jürgen Mittag, Maximilian Seltmann, Lorenz Fiege, Leanne O’Leary, Pawel Zembura, Luiz Haas, Thiago Santos Vanja Smokvina, Paulina Tomczyk; Manfred Lämmer and Sönke Schadwinkel, *Good Governance in the Employment Relations of Athletes in Olympic Sports in Europe: Understanding – Evaluating – Improving* (Rijeka: University of Rijeka, Faculty of Law, 2022), 12, <https://repository.pravri.uniri.hr/en/islandora/object/pravri%3A3107>.

2 Jürgen Mittag, Maximilian Seltmann, Lorenz Fiege, Leanne O’Leary, Pawel Zembura, Luiz Haas, Thiago Santos and Vanja Smokvina, *Fact Report: Understanding the Employment Relations of Athletes in Olympic Sports in Europe* (Rijeka: University of Rijeka, Faculty of Law, 2022) <https://repository.pravri.uniri.hr/en/islandora/object/pravri%3A2369>.

participation and bargaining) and have been operationalised in different sub-principles.

Until the end of August 2022, the stakeholders identified by the project team (e.g. Ministries, National Olympic Committees, sports federations, athletes' associations) were able to share their perspectives and criticisms on the 27 Good Governance principles via a survey tool. Subsequently, the principles were finalised by the researchers of the project team after assessing the structures, mechanisms and programmes in the respective national settings, as well as identifying best practices.

PROJECT PHASE 3: "IMPROVING"

In the third and final phase of the project ("Improving"), the academic partners evaluated the current practices and relationships shaping the employment and social relations of athletes against the concept and principles of Good Governance. The evaluation was carried out across the six dimensions and identified general trends and examples of good practice. In addition, a specific study on national, transnational and international legal and socio-political frameworks and their impact on athletes' employment relations was carried out. Through the stakeholder survey, the respondents were also asked which of the involved actors bear (or are supposed to bear) a particular responsibility for the fulfilment of the individual principles. Considering this systematic stakeholder feedback and the results of the evaluation, the project partners have formulated practical recommendations for action and policy for different groups of actors to improve the social situation of Olympic athletes in Europe in the short, medium and long term.

The final project results and practical implications and recommendations were aggregated in a third (final) report³ at the end of 2022 and publicly discussed at a final conference in Brussels on 6 December 2022.

EIGHT ANALYTICAL THESES FOR GOOD GOVERNANCE IN THE EMPLOYMENT RELATIONS OF ATHLETES IN OLYMPIC SPORTS

The conceptual and empirical analysis of the project can be summarised in the following eight theses:⁴

1. The elite performance of athletes in Olympic sports produces economic gain and is the reason for the spending of substantial amounts of public money.
2. Olympic elite athletes provide their services in an environment of subordination.
3. Sport Governing Bodies have a significant degree of control over the career of Olympic elite athletes.
4. The situation of athletes' employment and social relations can be precarious.
5. Good Governance in Olympic elite sport requires a systemic approach that places athletes' rights at its centre.
6. Athletes' employment relations rights can be fulfilled through different ways; while worker status is preferable, the actual practice (of the involved stakeholders) is important.
7. Contracts, social dialogue and collective bargaining are important tools of Good Governance in athletes' employment relations.

3 Mittag et al., "Good Governance".

4 Mittag et al., „Good Governance“, 135-39.

8. Interaction and coordination between the national and trans/supranational levels remain a key challenge for effective athlete-centred policies.

OUTLOOK

The project has provided an important initial step to conceptualise and analyse Olympic sports from the interdisciplinary perspective of employment and social relations. While many aspects uncovered by the different reports deserve the attention of academics and stakeholders, the project team will continue its work in a follow-up project, which will delve deeper into the topic of social protection of athletes. The SOPROS project “Assessing, Evaluating and Implementing Athletes’ Social Protection in Olympic Sports” will investigate the current situation regarding social protection of athletes and develop concrete solutions for current problems via a dialogue-oriented process. SOPROS is once again co-financed by the EU’s Erasmus+ Sport programme and will last three years (beginning in January 2023). Two new partners, the European Association of Sport Employers and the International Labour Organization, will join the existing project consortium. The project team invites everyone interested in this relevant topic to engage in the process and to support the work towards a governance of Olympic elite sports that ensures safe and sustainable careers for all elite athletes.



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