



September 9, 2015

Commissioner Roger Goodell  
NFL Headquarters  
345 Park Ave  
New York, NY 10065

Dear Commissioner Goodell:

Over the past year, the National Football League has been making headlines due to a series of wage theft lawsuits that have been filed by professional cheerleaders against their respective teams. To date, cheerleaders for the Oakland Raiders, Tampa Bay Buccaneers, New York Jets, Buffalo Bills, the Cincinnati Bengals have filed lawsuits alleging minimum wage violations. These class action complaints outline a system of abuses against cheerleaders including but not limited to failure to pay in a timely manner, reimburse for mandatory expenses, adhere to the notice and record keeping requirements under state labor laws, and penalties for minor infractions with unlawful deductions from earnings.

As you may know, legislation has been signed into law in California and introduced in New York that addresses these widespread wage theft cases. We write to you as this rampant misclassification of professional cheerleaders has come to the attention of legislators across the country where the issue of “employee” vs. “independent contractor” has been brought into question in various workforce sectors.

The United States Bureau of Labor Statistics defines “employee” as “a person in the service of another under any contract of hire, expressed or implied, oral or written, where the employer has the power or right to control and direct the employee in the material details of how the work is to be performed.” Misclassification of employment can have significant consequences because it can make the difference between being qualified or denied for labor and wage protections.

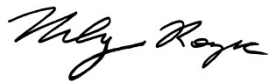
In a highly visible and lucrative industry such as the NFL, it is in its best interest that every individual be compensated for services. Although cheerleaders for several NFL teams have signed contracts that have included clauses describing their employment status as independent contractors, exempting them from the Fair Labor Standards Act (FLSA) and Occupational Safety and Health Act of 1970 (OSHA), both FLSA and OSHA clearly afford them protections from endangerments of health and safety and wage theft.

With lawsuits having been filed against five NFL teams, details have arisen surrounding the legality of these contracts given the role a franchise plays in managing and controlling a squad’s activities. In the case of the Buffalo Bills Cheerleading Squad, their lawsuit against the Buffalo Bills (“Bills”) reveals that they are bound by the Bills’ code of conduct and general standards, and that the Bills are actively involved in the squad’s plans, ideas, programs, and sponsorships. It is well known that NFL cheerleaders work year-round promoting the franchise they represent by doing charity work and shooting for calendars and photos that are used on team websites and memorabilia, and generate revenue.

Given the amount of similarities outlined in the lawsuits, there is reason to believe that the issue of misclassification and wage theft is not just prevalent among the teams that have been sued. As a multi-billion dollar industry, the NFL has an opportunity to correct this economic injustice. In doing so, you are affording professional cheerleaders with the same rights and protections enjoyed by the players, coaching staff, and stadium workers – all of whom contribute to your success.

Over the past years, the NFL has had to address cases of sexual assault and domestic violence. Each of them resulting in negative headlines suggesting the League’s lack of support for women. With women currently making up 45% of the League’s fan base, it is clear that there is opportunity now to take a stance on issues that hinder economic and social progress in a nation that has come far in the fight for fair wages and equal rights.

Thank you for your attention to this matter, and we look forward to a prompt reply.



Nily Rozic  
Assemblywoman – NY



Diane Savino  
State Senator – NY



Lorena Gonzalez  
Assemblywoman – CA



Crystal Peoples-Stokes  
Assemblywoman – NY



Didi Barrett  
Assemblywoman – NY



Sandra R. Galef  
Assemblywoman – NY



Andrew Hevesi  
Assemblyman – NY



Brian Kavanagh  
Assemblyman – NY



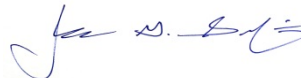
Donna Lupardo  
Assemblywoman – NY



Roxanne Persaud  
Assemblywoman – NY



Sean Ryan  
Assemblyman – NY



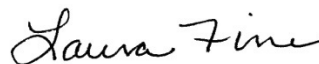
James Skoufis  
Assemblyman – NY



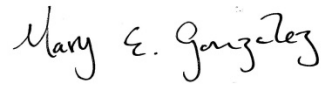
Aravella Simotas  
Assemblywoman – NY



Capri Cafaro  
State Senator – OH



Laura Fine  
Representative – IL



Mary Gonzalez  
Representative – TX



Pamela Lampitt  
Assemblywoman – NJ



Brooke Lierman  
Delegate – MD



Pam Snyder  
Representative – PA