



Jeffrey Campolongo.

COMMENTARY

Women Soccer Stars Aim for Equal Pay Through Historic Collective Bargaining Deals

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By Jeffrey Campolongo

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Several years ago this column examined some of the inequities in professional soccer compensation between the U.S. Women's National Team (USWNT) and the U.S. Men's National Team (USMNT). At that time, [the women's club was suing the U.S. Soccer Federation](#) (USSF) alleging institutionalized gender discrimination under the Equal Pay Act. The lawsuit, which sparked international discussion on pay equity in sports, claimed that the discrimination affected not only the compensation paid to female players but also their playing, training and travel conditions.

For almost two decades, the U.S. women's team has dominated professional soccer. Following their successful run to the FIFA World Cup title in 2015, the U.S. women's team generated a \$17.7 million profit for the USSF. From 2016 to 2018 the women's team generated more revenue than the men's team, yet the women were paid almost four times less, the lawsuit alleged. Until that point, the women's team had been significantly more successful than the men's team, winning four Olympic Gold medals, three World Cup titles and three-time winner of the Olympic Committee's Team of the Year Award.

The women added a fourth World Cup Title in 2019. In the eight FIFA World Cup tournaments held on the women's side, the U.S. women's team has won four and either came in second or third place in the others. By contrast, there have been 21 FIFA men's World Cup tournaments, but the U.S. men's team did not qualify for about half the tournaments, and only placed as high as third once, which occurred in 1930.

Landmark Settlement Reached

When the equal pay lawsuit was filed, the attorney for the women's team, Jeffrey Kessler, said "the women earn more revenues than the men, are world champions and make substantially less. It is legally and morally wrong." In response, the USSF in legal filings argued that the women's team was "ignoring the materially higher level of speed and strength required to perform the job of an USMNT player." That response, largely reviled as sexist and out of touch, forced the sudden resignation of U.S. Soccer Federation President Carlos Cordeiro three days later. His resignation led former American midfielder Cindy Parlow Cone to become the first female president in the federation's history.

After years of legal wranglings resulting in dismissal of many of the team's claims, the USWNT and the USSF finally achieved a landmark settlement announced on Feb. 22. According to the terms of the settlement, the USSF agreed to pay \$24 million, contingent upon the U.S. team agreeing to a new collective bargaining agreement (CBA). \$22 million was to be distributed to the players named in the lawsuit, and \$2 million would contribute toward players' post-playing career and other women's soccer charitable efforts.

Historic Collective Bargaining Agreement

One of the conditions of the settlement above was that the parties would have to ratify a new collective bargaining agreement (CBA). The timing to negotiate a new CBA was ideal as the previous women's deal expired at the end of 2021, while the USMNT had been playing under the terms of a contract that ended in 2018. On May 18, the USSF announced a pair of historic labor deals for both teams.

The two CBAs, which run through 2028, provide equal rates of pay across the components of Senior National Team player pay. These economic terms include identical compensation for all competitions, including the FIFA World Cup, and the introduction of the same commercial revenue

sharing mechanism for both teams. Under the new CBA, U.S. Soccer becomes the first federation in the world to equally share men's and women's FIFA World Cup prize money. Inequity in World Cup earnings was at the forefront of the gender pay lawsuit.

Equal Pay For Equal Work (Finally)

According to a press release issued by the USSF, the CBAs aim to achieve equal pay through the following identical economic terms:

On-field Base and Performance Pay:

- For friendly games, players on the USWNT and USMNT will be paid identical roster appearance fees and performance payments, based on the outcome of the match and the rank of the opponent, with identical tiering structures. Players not on the game roster will earn the equivalent of an appearance fee for their participation in a Senior National Team camp.
- For official competitions, including the World Cup, USWNT and USMNT players will earn identical game appearance fees. For official competitions other than the World Cup, USWNT and USMNT players will earn identical game bonuses.
- The CBAs provide that USWNT players will no longer receive guaranteed salaries, and those who play in the NWSL will no longer have their NWSL salaries paid by U.S. Soccer.

Equalization of World Cup Prize Money:

- In a first-of-its-kind agreement, U.S. Soccer has agreed with both the USWNTPA and the USNSTPA to pool and share a portion of prize money paid for the teams' participation in the 2022 Men's World Cup (MWC) and the 2023 Women's World Cup (WWC). In this arrangement, the players on the 2022 MWC roster and on the 2023 WWC roster will be paid an equal percentage of the collective prize money paid by FIFA for the teams' participation and performance in their respective World Cups. The same will occur with the 2026 MWC and the 2027 WWC.
- For non-World Cup tournaments, the CBAs ensure that players on both teams will earn an equal amount of the total prize money paid when both teams participate in the same competition.

Commercial Revenue Share:

- In another first for U.S. Soccer and the Players Associations, U.S. Soccer will share a portion of its broadcast, partner and sponsorship revenue with a 50/50 split of that share divided equally between USWNT and USMNT. This new revenue-sharing framework will provide additional encouragement for all parties to work together to grow the game.
- U.S. Soccer will pay the USWNT and USMNT players a share of the revenue from tickets sold at U.S. Soccer-controlled home matches and a bonus amount for those games that are sellouts.

Other Fringe Benefits

In addition to equal compensation, all Senior National Team players will receive the following benefits:

- **Child Care:** During Senior National Team training camps and matches, U.S. Soccer will provide childcare, as it has for the USWNT for more than 25 years.
- **Retirement:** U.S. Soccer will provide a 401(k) plan for all USWNT and USMNT players, while matching up to 5% of players' compensation, subject to IRS limits. Matching amounts paid to MNT and WNT players will be deducted from each team's respective share of commercial revenue payable in each year.
- **Insurance:** Benefits players will continue to be enrolled in health insurance, dental insurance and vision insurance through U.S. Soccer.
- **Parental Leave:** Benefits players who take leave due to pregnancy or to care for a newborn/newly adopted child will continue to be paid an agreed upon amount up to a maximum of six months.
- **Short-term Disability:** Benefits players who suffer a soccer-related injury or a documented soccer-related mental-health impairment will be provided with partial income replacement of their USWNT compensation.
- **Venues and Field Surfaces:** U.S. Soccer will provide equal quality of venues and field playing surfaces to the USWNT and USMNT.
- **Safe Work Environment:** The CBAs implement important protections to prevent harassment and other improper conduct. The protections include player input into how they are treated and mirror best-in-class sporting medical and other treatment environments around the world. They also adopt prophylactic rules to protect the privacy and dignity of Senior National Team players, including the ability to report anonymously and via text.

Without question, the legal settlement and ratification of the two CBAs are historic, if not paradigmatic. The equalization of pay and sharing of revenue on an even basis sends an extraordinary message to young, female athletes that their efforts matter and will be heralded in the same way (if not more so) than their male counterparts. The messaging on this issue could not be more important to a generation of athletes. One can only hope that achieving pay equity on the soccer pitch translates over to the rest of the working world where women continue to earn merely 80% of what the average male earns.

Jeffrey Campolongo is the founder of the Law Office of Jeffrey Campolongo, which, for over a decade, has been devoted to counseling employees, working professionals and small businesses in employment discrimination and human resource matters.