

Draft - 1/28/97

**NBA-NBPA GRIEVANCE ARBITRATION**

In re Dennis Rodman	)	
National Basketball Players Association	)	
v.	)	
National Basketball Association	)	No. 97-1

**JOINT STATEMENT OF FACTS AND ISSUES**

1. On January 17, 1997, the NBA suspended Dennis Rodman of the Chicago Bulls without pay at least through the end of the NBA's All-Star break (February 9, 1997) and fined Mr. Rodman \$25,000 for kicking a cameraman who was sitting courtside during a January 15 game between the Bulls and the Minnesota Timberwolves. The NBA also required that Mr. Rodman meet with a League-designated counselor in order to assist the NBA in determining when he will be allowed to return to active status. (Exhibit 1 [NBA Press Release; NBA Letter to Rodman].)

2. On January 17, 1997, the NBA Players Association, on behalf of Mr. Rodman, filed a grievance before the Grievance Arbitrator to contest the discipline imposed on Mr. Rodman. (Exhibit 2 [NBPA Grievance Letter].)

3. The Players Association will contend in this grievance that the Commissioner exceeded his authority under the Collective Bargaining Agreement by imposing the discipline set forth above.

4. The NBA will contend that, under the language of the Collective Bargaining Agreement (particularly Article XXXI, Section 8) and a previous decision of the Impartial Arbitrator (now the Grievance Arbitrator), *Barkley v. NBA*, No. 92-3, the Commissioner – and not the Grievance Arbitrator – has the exclusive jurisdiction to consider the Players Association's claim.

5. In the event the Grievance Arbitrator determines that he has jurisdiction to hear the Players Association's claim, the NBA will contend that the only proper question to be addressed in a dispute involving player discipline is whether just cause exists for the discipline imposed by the Commissioner. The NBA will further contend that, in light of Mr. Rodman's actions, just cause did exist for the discipline imposed by the Commissioner in this case.

Respectfully submitted,

National Basketball Players Association

By:

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National Basketball Association

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