

Rah Rah Rah!

By Reg P. Wydeven
July 26, 2015

When I was a kid, my buddy, Pearl, shared a room with his older brother. He had a poster of the Dallas Cowboys Cheerleaders on their wall, which we studied often. The Dallas Cowboys Cheerleaders were a huge deal in the '70s and '80s. They were tall and pretty and the Cowboys' success added to their fame. And the skimpy outfits probably helped, too.

While I had gone to several Wisconsin Badger football games as a kid to watch my hero, Matt Vanderboom, I didn't go to my first Green Bay Packer game until I was in high school. Thinking about the poster in Pearl's room, I was interested to see our version of the Cowboys cheerleaders.

Because the game was on Christmas Eve, I assumed there would be no skimpy outfits. I didn't realize there would be no cheerleaders at all.

In 1987, the Packers elected to no longer have professional cheerleaders. In typical Packer fashion, all fans cared about was the football – they were ambivalent toward the cheerleaders, so the team did away with them. But it wasn't always that way. In 1931, the Packers became one of the first NFL teams to have cheerleaders, which were comprised of squads from Green Bay East and West high schools.

It was actually Vince Lombardi who conscripted professional cheerleaders in the late 1950s. Dubbed the Packerettes, the cheerleaders dressed modestly, maintaining Midwestern values, and intentionally did not resemble the Cowboys cheerleaders. The squad was later called the Golden Girls, and later the Green Bay Sideliners.

After the decision was made to nix the pro cheerleaders, Packer fans are now led by volunteer squads from nearby UWGB and St. Norbert's. The Packers, along with the Bears, Lions, Browns, Giants and Steelers, are the only NFL teams to not have professional cheerleaders. The other 26 teams, however, will now have to contend with how they pay their cheerleaders.

California just passed a law that requires professional sports teams to treat their cheerleaders like employees. Prior to this measure, cheerleaders were treated as independent contractors, meaning that they were not subject to state labor laws.

The law was passed in response to a lawsuit filed last year by members of the Raiderettes, who cheer at Oakland Raiders games. The class action suit alleged that based on time spent rehearsing, cheering at games and making public appearances, their hourly rate came to less than \$5 an hour. In addition, they were not reimbursed for travel or other expenses. The Raiders settled the suit for \$1.25 million in September.

Like the Raiderettes, cheerleaders for the Buffalo Bills and Tampa Bay Buccaneers have filed similar lawsuits. In addition, a bill similar to California's was introduced in New York. Because the cheerleaders are hired by individual teams, the NFL has not been involved in the dispute other than to issue a statement saying, "teams are advised to follow state and federal employment laws."

Seeing as the NFL is a multi-billion dollar a year industry, I'm thinking teams can afford to start paying their cheerleaders minimum wage.

This article originally appeared in the Appleton Post-Crescent newspaper and is reprinted with the permission of Gannett Co., Inc. © 2015 McCarty Law LLP. All rights reserved.