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June 10th NFLPA Media Call

George Atallah: [00:02](#) Joining us today, wanted to cover a couple of topics. It's been about a month since we've done a briefing like this. So want to make sure we keep our availability frequent to you all and make sure we get to as many questions as we can. D, I know you wanted to start off with something that you wanted to share with the group. So why don't you go ahead.

DeMaurice Smith: [00:27](#) Well, good morning. I'm sorry. Good afternoon, everyone. I have a little bit of trouble with my camera for some reason, but wanted to say thanks again for joining us today. And it's a good time. Hopefully you guys are, be able to spend a little bit time with your families and it's the off season for us. Obviously there's a few things going on, but it's a good time for us to reconnect.

DeMaurice Smith: [00:54](#) One of the things I did want to start off with, over the last two years, I've gotten to know Cameron Kinley extremely well. For those of you who don't know, Cameron was a quarterback for the Naval Academy. Just a tremendous young man. First African-American, I think he's the first African-American class president in Academy history. As With many veterans from our service academies, Cameron applied for a waiver of his commission while he pursued his dream of playing in the National Football League. He's currently signed by the Tampa Bay Buccaneers, but most importantly, his request to delay his commission has been denied by the acting secretary of the U.S. Navy, who is, at least my understanding is, is a carry over from the previous administration.

DeMaurice Smith: [02:05](#) This union fully supports Cameron. We've worked with his agents and his advisors, and I've had an opportunity to talk with him a little bit about keeping his head up and making sure that he continues to represent himself as a tremendous young man. But also someone who believes in fulfilling his military service, but does want





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an opportunity to play in the National Football League, like other athletes who played in the NBA and the MLB. So wanted to start off there because every now and then we have one of those issues that transcends just the NFL and transcends sport. I think it would be a great thing for this young man who, no matter what happens, he's going to, we're going to be hearing about Cameron Kinley down the road. But certainly hope that he gets an opportunity to explore his dream in the National Football League and then go forward to continuing to serve his country as he's done for the last four years. Any questions about that? If not George, I would just say we jump into to this.

George Atallah: [03:24](#)

Yep. Let's do it. Raphael and then Paul, and that's the order that I have them in and feel free to use the raise hand feature in Teams if you're on video. If you're on the phone, I'll hopefully be able to catch you as well. Thanks. So go ahead, Raphael,

Raphael Haynes: [03:45](#)

Hey [inaudible 00:03:46] Raphael Haynes with The 3 Point Conversion. I'm going to ask you about Cameron in that situation. Is it anything that the NFL can do as far as talking to the Naval Academy or just to the armed services when it comes to that? Like you stated, we see instances where David Robinson played in other sports, but with this situation, why, when or why he can't play in, is there, has there any been, has there been any talk, a dialogue with the NFL PA as far as trying to talk to the armed services about this?

DeMaurice Smith: [04:22](#)

Yeah, absolutely. I've been in touch with Roger and folks at the NFL. We had a joint call with his representatives. We're all working, both making direct contacts with people in government about this. We've reached out to his senator and others to help us on this. And both of our public policy teams have been involved in this.

DeMaurice Smith: [04:53](#)

Look, like you, I think that this is a tremendous opportunity, not only for Cameron, but a tremendous opportunity for the service academies and our military as well. What better way of showing that all of our military men and women are not only serving their country, but promoting the ideals of the Naval Academy of duty, honor and service. And there's never going to be a day when Cameron is not covered on that field, where someone, one isn't going to say that Mr. Kinley is a graduate of the Naval Academy and is going to be



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...serving his country in a military role after this. You mentioned a few of those athletes, those guys have always been tremendous ambassadors of our country while they were playing a professional sport. And I think that, that certainly would be...Sorry about that. I think that that would certainly be something that you would want to see, Mr. Kinley.

DeMaurice Smith: [06:17](#)

Not even I like to hear myself talk.

George Atallah: [06:20](#)

Yeah. Thanks Raphael. Paul. I see you. You're up.

Paul: [06:28](#)

D, a COVID vaccination question. There still seem to be a number of players in the league who have not yet been vaccinated. I'm curious what your feelings are on that and have you and the union encouraged players to get vaccinated?

DeMaurice Smith: [06:45](#)

We've encouraged players to get vaccinated from day one. And it's not really a question of my feelings. It's a question of making sure that our players have access to all of the information, their ability to reach out and call me. I will tell them that immediately after calling me, I send them to Thom Mayer, our Medical Advisor, or one of our other specialists. But we've urged players to get the vaccine. We've urged them to make sure that they just make a decision that's informed. And other than that, really, I don't have any other feelings about it. We've always tried to make sure that our men and our families address themselves in the NFL as a man and a businessman in the business of the NFL. And that means primarily making sure you're well-informed and you make well-informed decisions.

Paul: [07:53](#)

Have you and Roger, do you continue to talk about how this is going to be handled, going forward with respect to unvaccinated players?

DeMaurice Smith: [08:02](#)

Not really. I'm most excited that you called him Roger, to be dead honest with you. But, no. I mean, the union has protected its members where they cannot get cut and they will be paid whether they are vaccinated or not. So there really isn't anything else for us to discuss with respect to the ramifications if players don't get vaccinated. We'll continue to stay in touch about how we can increase the distribution of information, how we can answer questions and how we can help the general public as a public health issue on this.



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Paul:

[08:53](#)

Thanks.

George Atallah:

[08:55](#)

Thanks, Paul. Mary Kay, nice to see you again. To all the Cleveland folks, JC has got a family obligation today and this weekend, so he sends his best, but obviously we're here to chat about other issues as well. So go ahead.

Mary Kay:

[09:14](#)

Okay. I have a couple of questions. Should I just try to ask my questions all in this one little hand raise thing? Okay.

George Atallah:

[09:23](#)

Rapid fire. Let's go.

Mary Kay:

[09:23](#)

I'll try it. Okay. So, okay. Yeah, let's do it quickly. So my first question, I think this one would be for Dr. Mayer probably. My first question is about the CDC currently investigating myocarditis in young men, particularly young in teens and young men, I think is where the incident is the highest. And also in Israel where the per capita vaccine is probably higher than anywhere in the world. Their study has come back showing that there is a probable link between myocarditis and men between the ages of 16 and 30, which pretty much covers your whole player membership. So my question to you guys is, how is this ongoing probe by the CDC impacting your recommendations to your players at this time?

Tom :

[10:20](#)

So, excellent question, Mary Kay. First of all, we've said forever, that it's a novel and emerging virus. And so we're still continuing to learn about what those novel emerging facts are. D had us stand up in March of last year, a group of serious scientists. I always called them serious bad asses because there are people that D insisted that we get folks that have been in the trenches before or been in crisis before. And so we follow everything, whether from Israel, from India, from Brazil or anywhere else. And this group is really looking very carefully at that.

Tom :

[10:57](#)

We have known several facts for a long time. One is that various types of viruses can cause myocarditis, not just the Corona virus and not just SARS-CoV-2. So we were aware of it before it was even reported. And we're vigilant about it.

Tom :

[11:13](#)

Number two, this is a thrombotic disease and an inflammatory disease as well. So we looked at the issue



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of myocarditis, pericarditis and any other inflammatory or thrombotic conditions that might occur. Dr. Erin Baggish is one of our key advisors, both for the group of COVID advisors, but also in our Harvard research. He's the Co-PI of our entire Harvard research. He's a preeminent athlete cardiologist in the world and a highly respected guy. So I've talked with Erin as recently as this morning about the issue. So far, we have not seen that in NFL athletes, but we broadened it and Dr. Baggish has done the same for NC2A athletes. And so far, looking at it with EKG, with echocardiography and a blood test called a high sensitivity troponin, the incidence has not been higher. But we are ever vigilant on that and we'll continue to watch it and advise our folks as the facts are known.

Mary Kay:

[12:21](#)

Okay. And I'm not sure if I made myself perfectly clear on the question, but this is for post vaccinated young men. Not from the actual virus itself, which has been shown to basically be negligible in terms of myocarditis, amongst athletes from Ohio state studies and other things. So my question is specifically about the current CDC probe amongst young men, post vaccinating, showing an increased risk of myocarditis. And so therefore, while this investigation is going on, I just thought maybe you guys have a different message to your players about this. [inaudible 00:12:56]

Tom :

[12:56](#)

So your point, if I didn't answer your question, I apologize, but that context is needed to understand.

Tom :

[13:00](#)

I apologize, but that context is needed to understand that the only way to answer that question ... and obviously, we're following that very closely, hence having Dr. Baggish directly involved is to study that, you have to look at the incidents of myocarditis and pericarditis in non-vaccinated athletes of the same age group. And that has not yet been done in a way that you could say, "Okay, now we've got an apples-to-apples comparison." But we are watching that very closely.

Mary Kay:

[13:31](#)

Okay. Thank you. And so I'm sorry, it's never easy to answer these questions in a short way, but let me just try to run through these other ones really quickly if you don't mind. The Cleveland Clinic, the great Cleveland Clinic right here in my own hometown, published a study yesterday. They studied 52,000 employees,



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basically, and concluded ... and you probably are familiar with the study I'm about to cite. They concluded that ... I think the terminology was, "There's no point in vaccinating people who have had and recovered from COVID-19. There's no discernible benefit to vaccination for COVID-recovered individuals, and the immunity is well-sustained, perhaps even longer than the vaccine." Of course, we don't know the answer to that yet. But my question is, with the NFL heavily incentivizing players who have the vaccine, in light of this study ... and again, not 100 percent certain if it's peer reviewed yet or any of those things. But, in light of this study, should there not be incentives for the COVID-recovered players as well as vaccinated players?

DeMaurice Smith: [14:52](#)

You want me to do it, Tom? Or you want to jump in first?

Tom : [14:55](#)

Well, let me just quickly say that when Dee hired me or allowed me to continue in the job, he said, "Look, doctor. As long as you're comfortable with, we're going to go anywhere the science takes us and nowhere the science doesn't take." And I think that's why we worked so well together, for a lot of other reasons as well. This is persuasive science and not just because it came from the Cleveland Clinic, with whom I'm very familiar, but the cause, it is logical, but it shows the facts that novel and emerging, that there are sufficient antibodies from having had the infection for the 262 players last year who contracted it, as there is from having been vaccinated. It also shows them some other do as well, that there is certainly no harm in an additional vaccination, whether messenger RNA or a viral vector, but the protection of both the player and who's been infected and the player who's been vaccinated are equal based on the science that we know now.

DeMaurice Smith: [15:59](#)

I guess [crosstalk 00:16:01] ... yeah, the only other two or three things that I would add and I just quickly pulled up the Cleveland Clinic's statement from yesterday. And the three things that I would pull, or four things that I would pull from it is, one, agree with Doc, that we'll continue to take a look at the issue as we always have. But when you look at the statement from yesterday, the first line of the statement is, "Cleveland Clinic recommends those who are eligible to receive the COVID-19 vaccine." It's number one.



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DeMaurice Smith:

[16:32](#)

Number two, the second paragraph, talks about how this study was designed to focus on a scenario where access to the vaccine would be limited, and they wanted to conduct an investigation to find out if it was limited, whether or not there was some efficacy around people who have previously had COVID not getting it so that the vaccine could be available to someone else. And then, the last sentence is, "In addition, we do not know how long the immune system will protect itself against re-infection. after COVID." Fairly significant. "It is safe to receive the COVID-19 vaccine, even if you have previously tested positive, and we recommend all those who are eligible to receive it."

Mary Kay:

[17:27](#)

Mm-hmm (affirmative). Yeah. And we don't know how long the vaccine immunity lasts either, so it's kind of apples-to-apples there, I think. So my next question ... I will [crosstalk 00:17:42].

DeMaurice Smith:

[17:42](#)

Hold on one second.

George Atallah:

[17:44](#)

I just want to make sure we have time for everyone else.

Mary Kay:

[17:47](#)

Okay.

George Atallah:

[17:47](#)

So can you ... let's go to one more.

Mary Kay:

[17:48](#)

Okay.

George Atallah:

[17:50](#)

Can you do a quick one?

Mary Kay:

[17:51](#)

Yep.

George Atallah:

[17:51](#)

And then, we can keep moving because we've got four or five.

Mary Kay:

[17:54](#)

Media policy. Can you let us know where you guys stand on your media policy and how you want your players interacting with reporters?

George Atallah:

[18:05](#)

I'll take that one. I've had conversations with our protocols team. Nothing's been determined yet. Certainly, I can just rest on my role and the union's role as being an advocate for your access, even when the vaccine ... I'm sorry. When the pandemic was at its peak, we're still working through those issues. I know



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the PFWA has been a strong advocate for you guys, in that respect [crosstalk 00:18:34] to work with their leadership to-

Speaker 1: [18:39](#) (Laughs).

George Atallah: [18:39](#) I'm glad that's funny. Appreciate it.

DeMaurice Smith: [18:43](#) Someone's having a better time than most of us on this call.

George Atallah: [18:49](#) Yeah. Clearly. I mean, it is 2:20, so somebody might be having a fun time as-

DeMaurice Smith: [18:55](#) A high ball, as we would say.

George Atallah: [18:57](#) Yeah, really. So yeah, I guess we'll just continue to be an advocate for as much access as is safely possible. And that will also continue to evolve, right? So we're going to take those invites. Training camp might look different than the regular season and so on and so forth. So stick with us as we develop that policy.

George Atallah: [19:26](#) Mark, I see you. Go ahead.

Mark : [19:30](#) Are you able to say, either Dee or Dr. [inaudible 00:19:33], are you able to say, at this point, what the vaccination rate is for players, league-wide, in total? And also, if you're able to say or not, does that vary greatly from team to team or is it fairly uniform from team to team?

DeMaurice Smith: [19:47](#) Yeah, we don't have all the information yet. And I mean, I'll take a look at that and how about if I talk to George and make sure he gets back to whether we have that data or not.

Mark : [20:00](#) And then, just quickly following up on that, it's been speculated that 85% could be what's set as the threshold for your discussion with the league on when/if a team reaches that number, being able to greatly relax or drop protocols for the training camp in the season. Is that accurate? That that could be where that lands?

DeMaurice Smith: [20:23](#) Don't know yet. I think all of it would depend not only on the vaccination rate for the people at that team, but



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I would have to think that it would necessarily include the vaccination rates of other people that they would play, right? So we'll take a look at all of that, and we make decisions on the protocols based on the macro, not the micro.

George Atallah: [20:54](#)

Thanks, Mark. We can follow up on the vaccination rates once we have the data available to us. Thank you.

Mark : [21:02](#)

Yep.

George Atallah: [21:03](#)

Tom Pelissero. Nice to not see you or hear you see you.

Tom Pelissero: [21:09](#)

Well, I figured you didn't want to watch me my lunch, so I finished that up. Camera on now. Mark took part of my question about the 85% threshold. There've been some rumors, or at least questions among general managers, coaches and others, about four teams that fall below whatever that threshold might be, that in certain situations, whether it's masks on the airplane or certain game day protocols, some vaccinated individuals could end up having to, in essence, go back to doing some of the things they were before. Is your understanding that could, in any way, apply to players in terms of guys who got the vaccine, maybe in part because they don't want to wear a mask and all of a sudden, they're being told, "When you get on the team plane, you have to put a mask on."

DeMaurice Smith: [21:54](#)

Yeah. I mean, I can jump in on this one. All those kinds of questions are going to be, obviously, individually-based, based on a circumstance. And Tom and the group of experts that we've retained will weigh in about what's in the best health and safety interest of those players. So I'm going to be a little circumspect about speculating what happens if a team is below a certain threshold only because anything that we say, generally, you know how that works. People are going to say, "Okay, Dee Smith said nobody has to wear a mask." No, no, we're not going to go down that road.

DeMaurice Smith: [22:34](#)

We'll have to take at what the circumstance is, whether it's travel or not travel, or whether it's indoor meetings or not indoor meetings, and probably end up with coming out with guidance based on where that particular team is, at the moment, in connection with everything else that's going around in their



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environment. And Doc, if I'm wrong about that, feel free to correct me.

[23:01](#)

No, absolutely right. The only thing I'd add to that is herd immunity, which is anytime you see a percentage ... they're relying on the concept of herd immunity, and herd immunity is a theoretical mathematical calculation, not a hard and firm scientific fact. So we look at that. I wouldn't say we look at scans, but we look at it with a view towards, "Where's the real science behind that calculation of 85%, 82%, and all that?" So that's why we have our experts because we can dial in on the best available answers to the question at hand. But herd immunity itself is, perhaps, a little more leaky a vessel to put all of our hope in than some people seem to have done.

Tom Pelissero:

[23:53](#)

And one quick followup just because there's some NFL assistant coaches with a number of teams who, so far, are refusing to get vaccinated. Obviously, there's different levels of restrictions for whether or not you have a religious or medical exemption or if you don't. But is the NFL PA supportive of the current policies that unvaccinated coaches, regardless of their reason, are not allowed to be around vaccinated or unvaccinated players even though an unvaccinated player can be around a vaccinated coach?

DeMaurice Smith:

[24:23](#)

Yeah. This is a great question. And let me just, to use Doc's phrase, make sure that we're "level set" on all of that. The league makes decisions about what and to whatever extent they want to implement a policy with respect to their employees. So when it comes to the vaccine, the union has made no recommendation about whether coaches need to get it or coaches have to have it or what happens to a coach who doesn't get it. We've got a big enough job representing the players. We don't represent the coaches.

DeMaurice Smith:

[25:03](#)

Now, it might be a completely different question, whether the assistant coaches could use the benefits of a union. I happen to think they probably could because they have far less benefits and protection than the players do. But we focus on the protocols, given what the league has decided with respect to its own employees. And I know it's a little bit fuzzy, but I've heard a little bit of rumbling out there about, "The



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Union is the reason why coaches can't do this, and the Union is the reason why."

DeMaurice Smith:	25:40	can you get the phone?
Speaker 2:	25:40	Agh.
Speaker 3:	25:40	(Laughs). Sorry, guys.
Speaker 4:	26:00	Sorry guys.
George Atallah:	26:07	Dee, I think... Hi Liz. Dee, unmute yourself buddy. Dee, are you unmuted now?
DeMaurice Smith:	26:22	I am.
George Atallah:	26:22	Okay. [crosstalk 00:26:23] We're definitely going to snip that for TikTok later, don't worry.
DeMaurice Smith:	26:29	So, I think I answered the question. I think. I don't even know where we are now. I don't even know what we're doing.
Tom:	26:38	That'll be the... I'll tweet that. Thank you.
DeMaurice Smith:	26:40	Thank you.
DeMaurice Smith:	26:46	Oh boy. Yeah. So, I mean, just to clear it up, we've heard a little bit of rumbling about, "It was the union that is dictating what coaches can do or not." We don't represent the coaches, we can't direct that the coaches do anything. The protocols will be designed around the policy that the league implements with respect to its employees. And then we make decisions based on those employees and what's in the best health and safety interest of our players and that's how we come up with the protocols. But under no way, shape or form are we dictating anything about mandating that certain coaches be vaccinated or not. It's not what we do.
Tom:	27:35	Thank you.
George Atallah:	27:38	Thanks Tom. Les, nice to see you too. Go ahead.



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- Les: [27:45](#) Yeah. Okay. Sorry. Yeah, this is for either of you, I've been trying to get my arms around writing a story about the race norming and the concussion protocols. And what I can't explain to my readers is exactly how we got here. From the NFLPA's point of view, how did... Can you sort of encapsulate this to me for...
- DeMaurice Smith: [28:12](#) Sure.
- Les: [28:13](#) In a way that makes sense?
- DeMaurice Smith: [28:16](#) Well, I don't know if it'll make sense or not, but I'll give it my best shot. First giant step backwards, the NFLPA has never been a party to the concussion lawsuit. Right? So... And that's really an important point, because again, I don't read everything, but certainly I've heard a lot. Because we are not a party to that, we've never been involved in a settlement, never been involved in full litigation, never been involved in the amount and certainly never been involved in the process by which a member of the settled class qualifies for compensation or healthcare or anything else. And I haven't... I've been out of law firm partner world for a little while, but having been a participant in a number of settled class actions, a lot of these questions should be directed to the plaintiff's lawyers.
- Les: [29:22](#) Mm-hmm (affirmative).
- DeMaurice Smith: [29:23](#) Because they were the ones who made the decision to sell the case, They were the ones who approved the process. And a lot of those questions about how awards were being made and the process for doing that is really, almost entirely, the province of the plaintiff's lawyers and, almost secondarily, the National Football League. Right?
- Les: [29:52](#) Okay.
- DeMaurice Smith: [29:55](#) So, after we go over that giant first step, the NeuroCog Benefit or the disability plan is a jointly negotiated plan between the NFL and the NFLPA, obviously completely separate from the concussion litigation, right?
- Les: [30:16](#) Yes.



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DeMaurice Smith:

[30:17](#)

So again, 2011. All of us, I think, were around for that. If you weren't around for that, blessings to you, that you weren't. But when we went through the 134-day lockout and reached a deal, we made significant changes to the benefits plan and precisely the neuro-cognitive benefit plan. And the players, we took out football causation from the neuro-cognitive plan. So, a player filing for the NeuroCog Benefit under our plan, doesn't have to prove football causation. Race is not on the application form because you don't have to prove football causation. The analysis is simply the analysis of whether you have a cognitive... I'm oversimplifying it, but if you have a cognitive deficiency, right?

Les:

[31:21](#)

Right.

DeMaurice Smith:

[31:22](#)

So, it's just important as we're talking about all these things about keeping things that are separate because they're completely separate processes. So, under the NeuroCog system, an independent physician makes the decision about whether a player qualifies. There's no requirement to use any sort of test that involves race norming whatsoever for the benefit. So, two different systems. Does that help?

Les:

[31:51](#)

Yeah. Helps very much. Thank you. I was not entirely clear on that. I appreciate it.

George Atallah:

[31:58](#)

Appreciate that, Les. Lindsey, where are you? You are up.

Lindsey:

[32:08](#)

If I can get my camera on there, sorry guys.

George Atallah:

[32:11](#)

We can hear you. We got you.

Lindsey:

[32:13](#)

Perfect. Well, I just wanted to follow up a little bit on the vaccination questions from earlier, given the timeline where we're less than seven weeks out now from the start of training camp and we're hearing from players as recently as really today and yesterday, at their camps. Talking about how they still don't have information or they're trying to get more facts. What has been the education process been, so far? What has been that messaging? And if there's players that, still now on June 9th, have questions, what more are you guys going to be able to do to provide information that might be persuasive?



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DeMaurice Smith:

[32:49](#)

I can jump into this. For any player who has a question, call us. Right? I mean, we've got information on our website. We've talked about this now for months. Their agents know, their contract advisors know, their financial advisors know. They've got access to team doctors, they've got access to our website, they have access to me, they have access to the folks who were touring and going around to camps now. There really shouldn't be any excuse for not having the answers to the questions that you have. And frankly, there should be... There is no roadblock or wall to any player picking up the phone and either sending a text or making a call or sending an email.

Tom :

[33:54](#)

We've also, as Dee said, posted on the website, a lot of information. We've talked to executive committee, we've talked to the membership itself, the board, and I've fielded over 200 calls from players, often with their wives, intel. So we know that the right people are being informed about this to make the decision. And as I've said before, I'll say what our players say, they're grown-ass men. You give them the grown-ass facts and they'll make a grown-ass decision. And I think what you're probably hearing is not that they don't have the information, but that it's a difficult decision for people to make. We have encouraged people to do so, but to become fully informed and make their own decision about it.

George Atallah:

[34:43](#)

Thanks Lindsey, David. How are you, David?

David:

[34:48](#)

Doing well, doing well. Appreciate you guys taking the time to do this and you've answered most of the questions I had. The one question I want to know is, when players do call, what are their primary concerns and reason for hesitating and not getting the vaccination?

Tom :

[35:06](#)

Well, the calls I field are not surprising. They want to know, did it go too fast? Why is it an Emergency Use Authorization instead of the normal process that we go through? What is [inaudible 00:35:18] mRNA? Does that... Isn't that something that just got developed? The answer to the mRNA is no. That's old technology that was waiting for the viral genetic code to be plugged in for the spike protein to be able to be used. So it's around that. I mean, I think there are people who worry about, is this medical experimentation? Is it too fast? Is



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it too soon? What do we know? And look, some things we don't know. How long do the antibodies last? We know a little bit about that, in terms of people who got infected, and we can speculate what that means for people who are being vaccinated. But I can tell you, at least on the couple of hundred folks that I've talked to, there are serious thoughtful questions that deserves serious and thoughtful answers. And it's not a fear-mongering thing. It's really truly honest questions about things that are out there that they're worried about.

David: [36:23](#)

I do appreciate it. That explains most of it. And it's just... Is it curious to you why more haven't gotten their shots at this point?

DeMaurice Smith: [36:31](#)

Yeah. I mean, I can jump into this. I really don't know what the numbers are, but pulling back a section, pulling back for a moment, we're a microcosm of our country. Right? So why would... I would sort of pose the question back to you. I did see a graph of tracking vaccination rates in various states as it was correlated to race, age, voting patterns and everything else. There's wide disparities in our country between where some people are getting vaccinated and why some people haven't. So look, I think the only thing that we can do is make sure that all of our players have all of the information. Honestly, if anybody on this call has talked to a player who doesn't have the information... We're not... You don't have to give up a, quote, unquote, source, but nobody should not have all the information that they want. And if you know someone who's searching for answers, tell George, text me, we'll give him a call. But I don't think that we are... I don't think the country is in a place right now where lack the information.

DeMaurice Smith: [37:55](#)

I think the country is in a place right now where people are asking whether they trust the information and whether the information is sufficient to deal with any other issue they may have.

George Atallah: [38:16](#)

Thanks to the question. No more questions in queue, but there is one thing we have been talking about for a couple of months now, we're obviously over the voluntary portion of the off season, which was a hot topic of discussion and a big push for us in our player leadership. We wanted to give everybody an update, a little bit, on that and how that went as we enter the



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- Speaker 4: [38:55](#) Yep. We went into this to inform our players about their CBA right to say, "No." To go to off season workouts...
- DeMaurice Smith: [39:00](#) CBA right to say no to go to off season workouts. And that is rooted in a lot of the things that we've talked about on this call, about people making informed decisions about what's in their own best interest in the business of football. And we can disagree about, and have healthy debates about that. But the one thing we cannot debate is our players had a CBA right to say no to a voluntary workout. Since then we we've had players who've gone some who have not. We've had a number of players negotiate with their teams over what those OTA workouts were going to be. In the 12 years that I've been in this job, I don't remember there ever being a mass number of players and coaches negotiating over their voluntary workload. And if players want to do that, that's actually a great thing for the Union.
- DeMaurice Smith: [40:02](#) It's a great thing for a player. It's certainly a great thing for a man who wants to take control of his own destiny. In the same vein, we've seen a number of teams, and we have a few teams that are currently under quote unquote investigation right now for violation of the off season workouts. At least one of those teams has been punished for a violation of off season workouts, because the Union became aware of violations in the protocols for those off-season workouts. We have several other teams where we are looking at the film now, and we'll make a recommendation to the league after we view the film about those violations and what should happen with respect to those violations. But this is something that we are always going to encourage. We're never going to shy away from advising our players about taking into consideration what's in their best interest. And if they want to negotiate with their coach or their team about their workload, so be it. George, anything else I left off? [crosstalk 00:41:15]
- George Atallah: [41:15](#) No, that's it. Just wanted to make sure we covered the burning topic of the last several weeks that we were engaged. And here's Liz coming in late with a question. Let's do it. Nice to see you Liz, you're still on mute.



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DeMaurice Smith:	41:45	Are we doing charades? Is that what, am I last guy?
George Atallah:	41:48	Here's my question...
DeMaurice Smith:	41:49	And I didn't know. And nobody told D.
George Atallah:	41:52	Liz you're on mute.
Speaker 5:	41:54	Sounds like three syllables.
George Atallah:	41:59	How do I unmute? Hold on. Let me see if I can control it from here. Why don't, Liz, why don't we... I don't know. It's not giving me the master control to unmute you, so. There should be a little, click on the microphone thingy. [crosstalk 00:42:20].
Speaker 5:	42:20	Top left.
George Atallah:	42:21	That's the actual official term for it. It's the microphone thingy.
Tom :	42:24	Okay. I got it. Sorry. [crosstalk 00:42:26] I am so sorry.
George Atallah:	42:27	That's okay.
Tom :	42:28	I know you guys don't believe in it. I'm blaming Mercury Retrograde, it's happening now.
George Atallah:	42:34	That's okay. All good.
Tom :	42:34	All right. I apologize for the noise. I apologize completely. Thank you for being patient. Who is investigating the teams for the violating the protocols, is my one question. My second question, is you say the players are talking among themselves with the teams. Hey, we don't need to be here. Whatever. The Browns' players are negotiating with the Brown's Management or whatever. Are you guys negotiating CBA changes to the CBA regarding the voluntary workouts? And then who is investigating the teams? How are they violating, whatever they're violating?



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DeMaurice Smith:

[43:14](#)

Answer to the second question is no. Answer to the first question is, the way it works for suing to the CBA, is we have an unfettered right to pull the film of any practice, any time, anywhere. If we believe that there is a violation of the collective bargaining agreement, we review the film for violations. If we believe that there is a violation, we contact the League. Either they're jointly reviewing the film with us at the same time, or they review the film after that. And they have an opportunity to impose a penalty on the team. And then we have grievance rights if they don't want to act, or if we believe that the punishments insufficient.

Tom :

[44:09](#)

So the violations have something to do with what happened on the field? Rather than people, something that happened on the field, like tackling or practice or something like that? What are, what is allowed in this stage of football?

George Atallah:

[44:24](#)

Yeah. That's right.

DeMaurice Smith:

[44:26](#)

Correct.

George Atallah:

[44:27](#)

Yeah. Your first part of that question is correct. There are guidelines for what players will, for what coaches and clubs, can put players through in certain phases of the off season. If we believe that some of those drills or activities violate what's in the CBA, we can then call the tape and do our own review of it.

Tom :

[44:51](#)

So does that have to do with tackling or contact ,or you're worried that whatever these activities are...

George Atallah:

[44:56](#)

Yes, yes.

DeMaurice Smith:

[44:56](#)

Yes.

Tom :

[44:56](#)

...that it could cause worry?

DeMaurice Smith:

[44:58](#)

Yes. It could be anything that violates the OTA rules.

Tom :

[45:02](#)

Okay. And then, did anyone get injured as a result of these activities?

DeMaurice Smith:

[45:07](#)

We are looking at some cases where there were injuries, but we know of at least one, well, one team has already been disciplined with respect to losing their,



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[45:28](#) one of their Rookie mandatory mini camps, I believe. Is that right, George?

George Atallah: [45:41](#) Oh, really? So it's been investigated by the League. It's been determined this League violated. As a result, they have lost the right to hold a Rookie mini camp next year. Is that what you were saying?

George Atallah: [45:45](#) No, let's get the...

DeMaurice Smith: [45:46](#) Terminology right.

George Atallah: [45:47](#) Terminology right.

Tom : [45:48](#) Yeah, please. Thank you.

George Atallah: [46:05](#) We'll get the, if the letter has gone out to the club, I'm sure the League will inform what that discipline is. And if they don't, we'll be available to get it to you guys.

Tom : [46:21](#) And can I just ask, this reports at about 50% of the players are vaccinated and 50% aren't. Is that anywhere near close? I heard you guys say you're going to get us the numbers. Is that true? Dr. Meyer. Hi, is that close? Do you know the answer?

DeMaurice Smith: [46:30](#) Because we don't, because we haven't looked at the, we said earlier we would get you the information. So we obviously don't, we wouldn't comment on whether the 50% is right, right?

Tom : [46:36](#) I don't know. Maybe you would. Is it close?

George Atallah: [46:37](#) I mean.

DeMaurice Smith: [46:38](#) You were better on mute.

Tom : [46:44](#) Well, thank you D.

DeMaurice Smith: [46:48](#) Well, we heard the phone ringing. We had it all. It was great.

Tom : [46:51](#) You know, I do apologize.

George Atallah: [46:51](#) That's okay.

Tom : [46:51](#) I'm not very good with technology.



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DeMaurice Smith:	46:51	It's all right. No. We will get you the numbers when we have it.
	46:56	But, at least one team has been disciplined in how many teams are being investigated?
DeMaurice Smith:	47:02	Multiple.
George Atallah:	47:02	Multiple.
DeMaurice Smith:	47:02	Multiple.
Tom :	47:04	Like six?
George Atallah:	47:07	I mean, if you're going to handicap it.
Tom :	47:09	Six is a lot, six would...
George Atallah:	47:11	I know.
George Atallah:	47:12	I mean, how many, one... is one person? Right?
DeMaurice Smith:	47:16	Hold on. My phone's ringing. Let me get that.
Tom :	47:17	I mean it. Multiple teams, like more six, some fewer than six. Right.
DeMaurice Smith:	47:25	I'm just going to say multiple.
George Atallah:	47:29	Multiple. Multiple teams.
Tom :	47:29	And who does the investigation? The NFL?
George Atallah:	47:32	We reviewed that.
DeMaurice Smith:	47:33	We talked about that, already.
George Atallah:	47:34	Yeah. We reviewed the tape. We present any evidence that shows that there was a violation, versus what we see on the tape, versus what's in the CBA. And then we make a joint determination that it was a violation. And then there's potentially discipline at the end of it.
Tom :	47:55	Okay. And then how long before you guys can give us an idea of the vaccination rate?
George Atallah:	48:00	We don't know.



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Tom :	48:02	Thank you, gentlemen. I apologize.
George Atallah:	48:04	All good, No need to apologize.
DeMaurice Smith:	48:06	All good.
Tom :	48:06	Okay. Thank you so much.
DeMaurice Smith:	48:08	All right.
George Atallah:	48:10	Everybody. I think we're going to leave it there.
DeMaurice Smith:	48:13	We're good. Hey, thank you folks... see you in the Summer.
George Atallah:	48:17	Any follow up questions, hit us up. Email, text, you know where to find us. And we'll try to reconvene sometime after the 4th of July, right before training camp. Transcript and video will be up hopefully by tomorrow