

Should Workplace Safety Rules Apply to Professional Sports?



It may seem weird to think of NHL hockey players this way, but they're workers employed to do a job—play hockey—for their employer—a professional team. So workplace safety rules and principles should apply to them, right'

If you consider the NHL to be the equivalent of a government agency in charge of setting and enforcing workplace safety rules for its industry, then some would argue it's dropped the ball when it comes to at least one workplace safety hazard—the risk of concussions. At least that's the argument made by guest blogger Robert Smithson below.

TAKING SOME OF THE "HIT" OUT OF HOCKEY

The N.H.L. has a massive workplace issue. It isn't Canucks' fans' ongoing love/hate relationship with Roberto Luongo and it isn't the fact that yet another organization has bought into the myth of Tomas Kaberle as an elite player.

The issue which threatens to undermine the N.H.L., in a variety of ways, is concussions. The whole matter came to a head, so to speak, when Sidney Crosby became the latest victim of blows to the head.

It worsened when Sidney's comeback stalled in the last week or so. Add his name to the list of concussion victims including Lindros, Primeau, LaFontaine, Deadmarsh, Bergeron, Moore, McAmmond and, most recently, Pronger. And many, many hundreds of others.

It takes a Sidney Crosby on that list, of course, to bring the matter home to hockey's governing bodies, sponsors, and fans. Whether the issue of concussions in hockey is a new development or is one which has been there all along and has just recently found the spotlight is really irrelevant because, either way, something needs to be done about it.

Players are the lifeblood of professional (and amateur) hockey and the rink is their workplace. They have a right to a reasonable expectation of safety at work and, even if you disagree with that premise, the fact is that hockey as an enterprise cannot prosper if its key assets keep dropping like flies.

Ken Dryden wrote, in this weekend's Globe & Mail, that "No amount of well-modulated, reasonable-sounding words changes the fact that a hit to the head, by elbow, shoulder or fist, is an attempt to injure that needs to result in expulsion or suspension. No amount of hopefulness and crossed fingers will change the fact that the NHL, like the NFL, needs to start imagining and introducing "head-smart" ways to play." True words, those, spoken by one of hockey's most respected thinkers.

I'll stick my neck out, here, by pointing the finger partly at the players. Hockey's biggest hypocrites are not the owners, general managers, coaches, or league administrators. They are the players.

Time after time, when a player lands on the injured list after a big hit, teammates and others will proclaim "this has to stop" and will demand the league take action to prohibit such devastating levels of contact. But, it's the players themselves who continue to dish out crippling blows (legal or otherwise) – shots to the head, hits from behind into the boards, sucker punches, rides into a stanchion.

And where is the N.H.L. Players Association on these topics? A review of the last six months of media releases posted on the N.H.L.P.A.'s website reveals coverage of weighty subjects such as "Hockey for Haiti" and the "N.H.L.P.A. Beard-a-Thon" but nary a mention of the topic of concussions (as far as I could see).

How could that be when, during that six month period, the single biggest question mark in pro hockey has been when – or whether – Sidney Crosby could return to action? Hey, Don Fehr, what steps have you taken, lately, to protect the physical and mental health of your association's members?

It may be worth noting that there have been recent changes in rink technology (such as more forgiving glass) and in players' equipment (such as better helmets) that may have some mitigating effects. And perhaps increasing the size of the ice surface by a few feet all around would allow players to better avoid dangerous collisions.

But, these are baby steps at best. The only thing that's going to put a substantial dent in the rate at which players are felled by concussions is changing the way they are allowed to hit.

Let's play a little game of "what if". What if a few rule changes could dramatically reduce the rate of hit-generated concussions, virtually overnight? Is that possible? I don't know any more than you do. But I can easily imagine three rule changes which present that potential.

The first change is easy. All contact in the general vicinity of the head, intentional or otherwise, would be made illegal. This might mean that all upper-body area hits would eventually disappear from the game but that's perhaps just the collateral cost of protecting the players' noggin.

Second, another easy change: any blind-side hit of any kind, intentional or otherwise, would be made illegal. This means that any circumstance in which the targeted player could not reasonably see, anticipate, and prepare for (or, better, avoid), the hit would be off-limits for contact.

This would include all those nasty shots from behind into the boards as well as all blind-side shots delivered on open ice. Think of Dave Steckel's collision with Crosby during the 2011 Winter Classic game and you get the idea.

Third (this is where it gets a little bit tricky) all opposing-direction, or "head on", hits would be made illegal. These are the collisions, in which the two players are heading directly or indirectly towards each other, which produce the most thundering collisions and the most "G force" on players' bodies.

Think Scott Stevens taking out Eric Lindros at the blue line – you've all seen that video clip a hundred times – and you'll know the hits I mean. Search on the internet for hockey's biggest hits, and you'll find clip after clip after clip of these punishing, head-on collisions.

While opposite-direction or "head on" hits would be banned, same-direction or "parallel" hits – such as when two players are skating forwards side-by-side or when a backwards-skating defender dishes out a hip-check to an oncoming forward – would remain legal.

So, to be legal, a hit could only be delivered to the body, only when the targeted player can see it coming, and only when both players are skating in largely the same direction.

The three types of newly-prohibited hits would be treated as what are known in legal circles as "strict liability" offences. This means that if a player is shown to have committed the offence, he is punished regardless of any explanation he might have for the collision. The players' task becomes avoiding such collisions in the first place, not explaining them afterwards.

There would be an unpaid suspension – a big one, such as 10 games – encoded as the mandatory first-offence penalty for violations. The penalties would compound for repeat offenders. Pretty quickly, players who can't seem play within the rules would be drummed out of the game (and good riddance to them).

Would these changes undermine the history and integrity of the game? I think not.

Head shots, intentional or otherwise, don't benefit anyone – player, owner, or fan – and won't be missed. Blind side hits are just plain dirty and cheap and surely every player will sleep better not having to worry about being nailed by an unanticipated freight train. And opposing-direction hits, while the stuff of nightly highlights and video compilations, are simply too dangerous for the players – they're exciting but they have to go.

Would the world of professional and amateur hockey come crashing to a halt? No. Would the players adapt to the changes? Of course. Would fewer players like Sidney Crosby end up with career-threatening injuries? Any other outcome is simply inconceivable.