

## THE PGA TOUR: CRISIS MANAGEMENT AND SOCIAL JUSTICE IN PROFESSIONAL SPORTS

*Allison Keller\**

Allison Keller works for PGA TOUR. The PGA TOUR is basically the league and player union all in one.

- We are based in Ponte Vedra Beach which is about seventy miles East of Gainesville.

- *Mission Statement*—By showcasing golf's greatest players, the PGA TOUR engages, inspires and positively impacts our fans, partners and communities worldwide.

The PGA TOUR co-sanctions more than 130 tournaments on 6 tours around the world, including: PGA TOUR, PGA TOUR Champions, Korn Ferry Tour, and our three international developmental tours in Latin America, Canada, and China.

- Players come from 29 countries.
- Worldwide, PGA TOUR tournaments are broadcast to 226 countries and territories in 23 languages.

Virtually all tournaments are organized as non-profit organizations to maximize charitable giving.

- \$3 billion in all-time total charitable contributions across our Tours.

### Questions from FESLR

**1. For the law students who hope to work in a non-legal role during their career, how has your experience as a litigator helped you serve in your different roles at the PGA TOUR, especially as Chief Administrative Officer?**

As far as litigation preparing me for other roles -- I love this question because I am a big believer that the study and practice of law has broad application.

- Litigation teaches you how to think, react, and problem-solve on the fly—promotes critical thinking and leadership skills—skills needed for leadership in most businesses and organizations today.

To demonstrate this point - our core executive team is made up of thirteen leaders and six of them have law degrees.

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\* Chief Administrative Officer, PGA Tour.

- These lawyers lead business areas as varied as our Global Media, our NFT/virtual gaming strategy, and even the head of our Player Relations—all attorneys.

#### ALLISON KELLER'S JOURNEY

She practiced employment, labor and commercial litigation for about five years before joining the PGA TOUR.

- She worked for two different law firms—one was a local firm in Orlando and the other was McGuire Woods in JAX.
- She loved the law, particularly the intellectual rigor combined with the “game day” feeling of preparing for trial. That feeling when you need to step up and “bring it.”
- My partner playing “Bad to the Bone” the morning of trial.
- Some people really embrace the competitive and adversarial nature of litigation but I admit I did find employment litigation a bit emotionally draining given the nature of cases, i.e., nasty divorces and other emotional disputes.

My favorite course at UF LAW was Professor Nunn’s class called Race & Race Relations Law. Doing well in this class inspired me that I could someday make a positive impact in the area of racial justice.

- BUT defending fortune 50 clients in racial and sexual harassment cases wasn’t exactly the impact I had idealistically hoped for.
- Suffice it to say - I felt drawn to the more positive employee culture and talent areas, the healthy lifecycle of employment—not the “rather nasty divorce” that was litigation.

So fast forward 27 years to today where one of the most inspiring responsibilities I have is to oversee our Office of Social Responsibility, which develops and drives our Diversity Equity and Inclusion strategy, with Neera Mahajan Shetty directly leading this area reporting to me in the Office of the Commissioner.

More specifically to your question about litigation, there is no doubt that litigation can be an excellent springboard for non-legal jobs:

- Hone your ability to think on your feet, process information quickly
- Learn to control your fight or flight instinct and get better at controlling emotions under pressure, which is good in any executive role.
- Speak persuasively and bring others along.

**2. Failures often drive personal and professional growth – can you discuss an instance at the TOUR where you faced failure and how that facilitated your professional development?**

In 2008, at age 38, I was leading the launch of the PGA TOUR’s antidoping program—the first one we had as this was required to become an Olympic sport.

- So I just moved from really a pure legal role into more of a competitions and player facing role, and I was nervous about being a woman and talking about topics such as urine specimens and drugs and things of that nature.

This was controversial because golf is culturally a game of honor where players call penalties on themselves. Golf is typically not associated with cheating (Be it doping, baseball bats that have been changed, intentionally losing games, Deflategate no disrespect ha ha).

So back in 2008, everything was new and lots of administrative details to get right as far as medications that players were taking that had to be vetted by a physician for what is called a Therapeutic Use exemption.

- My team and I failed to send required forms and this resulted in a player not being able to play in an important tournament overseas. The player was understandably very frustrated.

It was a mistake on Allison’s part, and it ended up keeping this player out of an international tournament that was really important to him, and so she just remembers the long walk down the hall to our commissioner's office and.

- She decided to not try to know make excuses to the Commissioner and it turned out okay, but there were some positive lessons came from this experience.

An attorney told me early in my career that 99.9% of mistakes I would make as an attorney are fixable. *Don’t try to cover it up, just own it and fix it.*

- I also think quickly owning my mistake with a plan to fix it helped me build trust with our CEO/Commissioner at the time – he knew I wouldn’t try and cover my tracks.

- I also learned that while speed of work is important, when I mess up most of the time because I moved too fast. I prized speed over accuracy.

- On the other hand, a theme I want to share is we must get comfortable with risk of mistakes and even failure.

To continue to grow you have to get comfortable with risk, and even failure.

- A mentor once shared with me, “if you are not messing up or “stubbing your toe” with some regularity, you are not pushing things enough.” So I do take comfort that while playing it safe can allow you to avoid some mistakes, there is less chance for growth and impact.
- The best opportunity to learn is to work on a stretch project or put yourself out there for risk. I don’t think I would have been given a chance to lead or take more responsibility without willingness to fail.
- *You will learn more from those opportunities than perfection and playing it safe.*

People must develop a healthy relationship with adversity and failure. Very little learning comes from success. Nearly 100% of our learning comes from failure.

### **3. Vaccinations are a hot-button issue in sports leagues across the nation, namely in the NBA – how has the TOUR navigated this sensitive topic to ensure the season is a successful one?**

To answer this question I thought it would be at least interesting to see where the PGA TOUR was on the day life changed dramatically for all of us here in the USA. March 11, 2020.

- We were conducting our largest flagship event here in Ponte Vedra Beach, Florida, where we host nearly 200k fans onsite during the week.
- Millions of viewers and reach a billion homes through our media platforms.
- We spend a year planning THE PLAYERS Championship and have visitors from around the globe.
- COVID-19 had made landfall in US but was seen as contained and mostly in isolated spots in SF and Washington state.
- Like all other major league sports, we were closely monitoring with CDC and local experts but at this point no one was cancelling anything.

CDC sports specialist advising us and other professional sports leagues advised us to keep playing but with social distance recommendations and hand sanitizer!

- When we kicked off our event that week, the only sports events that had been cancelled were all in Asia.
- There were no cases in Northeast Florida and so we were comfortable moving forward.
- Our beautiful global stage was set and we were anticipating our most successful event to date.

Our defending champion was a household name in Rory McIlroy, the number one player in the world.

- The course conditions were perfect. Weather was outstanding.
- International player field was in place and stronger than ever.

Before the competition started on Thursday, on Tuesday, we had our military appreciation day and Concert.

Wednesday night at about 10pm we learned that the President had instituted an international travel ban.

- We were all shocked.
- Rudy Goubert of the Utah Jazz had tested positive and the NBA cancelled the game with the Oklahoma city, and then later suspended their 2020 season.

We quickly activated our crisis management team and our senior executives held a call at 11pm. This is before any of us were proficient at video conferences so it was just audio.

- We had a heavy debate.
- We considered whether to “pause” the tournament or move forward.
- We decided to move forward based on zero cases.

To quote one of our Board members after the crisis, today’s overreaction will seem tomorrow’s underreaction and that is true.

So our players teed off that Thursday to strong crowds.

- After crisis management meetings and phone calls with governors, mayors, the white house CDC and news reports starting to stream in....
- At 9:15 pm Thursday night 3/12 we decided to cancel the event and said Commissioner Monahan would address the media the next morning.

Soon after, with the arrival of the pandemic in earnest, we like most sports and businesses suspended play across all Tours for a 12-week period before resuming play in June 2020, ultimately becoming one of the first sports leagues to return to competition amid the pandemic.

When we resumed playing, we developed a comprehensive health and safety program created in consultation with our Chief Medical Advisor, Dr. Tom Hospel, and infectious disease experts from the Mayo Clinic and Harvard. We also had the opportunity to share and get our policy approved by the CDC prior to our return.

Next, we went thru an extensive education program with our players, caddies, staff, media, and tournament operators to ensure that everyone knew their responsibilities upon our return. It should be noted that we would not have been successful had our players and other constituents not been extremely focused and compliant to our protocols. They understood the importance of staying in the bubble that was created at each tournament site. Eating in their rooms, not traveling together, wearing a mask and socially distancing from one another.

Also, golf generally has thrived both recreationally and professionally because of the inherent nature of the game. It is played outdoors and across acres of land – allowing participants to spread out and do their jobs in a socially-distanced manner.

Finally, and to answer your question about the vaccinations, once our constituents became eligible, we made vaccinations available thru a variety of different means:

We partnered with the Mayo Clinic and Walgreens so any one associated with our organization could get vaccinated. Players and tournament ops employees are constantly on the road, so the ability to go to a Walgreens in any town was of key. We also provided vaccines onsite.

- Once the vaccine became accessible and our player vaccination rate was deemed high enough, we decided that we didn't have to mandate the vaccine.

Things have not been perfect but we have tried to be transparent with our fans, players, tournaments and employees in this quickly changing environment.

One low point was when John Rahm, the six stroke leader in the Memorial Tournament in was informed following Saturday's third round that he tested positive for COVID-19 and was withdrawn from the tournament – he was going to win millions of dollars.

- Rahm, was ranked second in the world, and was given the news by PGA Tour medical team as he walked off the 18th green at Muirfield Village Golf Club, where he is the defending champion.

- In retrospect we wish he had been told privately and outside of cameras. People thought he had been given news about family or death of a loved one.

#### **4. Can you talk more about how what skills in-house departments look for in attorneys who want to work in entertainment and sports?**

Most of our in house attorneys did not have direct sports or media experience before coming to the TOUR.

They had expertise in contract negotiation, licensing, litigation, intellectual property, real estate and other core legal functions.

A few areas of the law that I see being in increased demand in sports and media include intellectual property/digital media rights, licensing, internet privacy and cryptocurrency.

My advice would be to set a goal to become the best technical lawyer you can be and work to develop **strong, trusting relationships with clients.**

I would also say that demonstrated ability to work with people with different backgrounds and experience.

When I worked in a law firm, most of my day was spent with other attorneys.

Working in a legal department, you may work with operations teams, Digital and media production types, HR leaders, and creative/artists types, so having a broad ability to connect and listen.

Finally, a healthy balance of risk versus business development.

- Being practical and understanding the business side (not just the legal risk analysis) is important. I did hear that some in house teams are called the anti-sales department!

For instance, when the USSC overturned the 1992 PAPSA which banned sports betting, our legal team led the charge to develop a strategy with other sports leagues on a state by state basis to develop laws that would protect and benefit sports rights holders. They were proactive business partners, helping to drive the business forward while mitigating risk.