

PLAYER BURNOUT AND CLUB LIABILITY: THE EMERGING LEGAL FRAMEWORK AROUND PLAYER WELFARE IN FOOTBALL

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INTRODUCTION

In today's hyper-commercialised sports industry, elite players are expected to deliver world-class performances year-round, across leagues, international fixtures, friendly tournaments, and club competitions. In modern day sports, players are not just athletes in the bare sense, they are investments, brands, and entertainment assets.[1] While fans enjoy the spectacle, behind the scenes, players are facing a silent epidemic called 'Player Burnout'. A form of chronic physical and psychological fatigue caused by relentless schedules, high number of games and insufficient period for recovery.

The growing number of matches as a result of recently expanded competitions like the FIFA Club World Cup and the just concluded World Cup has intensified debates around player welfare and club liability. How far can clubs and federations push players before it becomes a legal issue? Can players seek legal redress when overloaded match calendars cause long-term damage and injuries? What legal standards exist or should exist to protect players from preventable harm?

UNDERSTANDING PLAYER BURNOUT

Player burnout is a state of chronic physical and mental exhaustion in sports that results from prolonged exposure to intense sporting activity without adequate recovery, and often accompanied by a loss of motivation and reduced performance. Experts describe burnout as being "characterized by the absence of motivation as well as complete mental and physical exhaustion"[2]

Contributing factors to player burnout includes; minimal off-season rest (sometimes just two weeks especially with the introduction of new competitions), excessive match exposure across domestic leagues, continental tournaments, and international duty, commercial tours and friendlies during traditional rest periods and excessive pressure to play through injury and exhaustion.

According to the FIFPRO survey in 2023, 52% of players reported suffering an injury or feeling more susceptible to injury due to the congested schedule.[3] These are not isolated cases, they reflect a pattern driven by overloaded match schedules, poor rest periods, and insufficient mental health support.

In Nigeria, while data on player burnout is scarce, anecdotal evidence suggests many professional footballers, especially in the NPFL, are often overused without adequate rest[4], nutrition, or medical oversight.[5] Grassroots players face even worse conditions, often training daily without contracts, insurance, or load management protocols.

[1] https://gameplayer.substack.com/p/footballers-are-walking-media-companiesand
[2] https://www.linkedin.com/pulse/understanding-preventing-burnout-youth-soccer-david-copeland-smith-272lf/
[3] https://bigdatasports.media/wp-content/uploads/2023/03/FIFPRO_PWM23-Draft_PostTournamentReport.pdf
[4] https://www.completesports.com/npfl-eguma-bemoans-enyimbas-fatigue-crisis-amid-gruelling-npfl-schedule/?utm_source=chatgpt.com
[5] Emoghene, B. O. (2023). Sports Stress in 21st Century: A Management Model in the Nigerian Situation. International Journal of Human Kinetics, Health and Education

THE LEGAL BASIS FOR CLUB LIABILITY

1.The Duty of Care in Labour Law:

Legally, the relationship between a player and their club is that of employee and employer. This means clubs owe players what is known in law as a duty of care. Across most jurisdictions, from Nigeria to the United Kingdom, South Africa to Canada, labour laws require employers to protect the health, safety, and welfare of their workers.

In Nigeria, the **Labour Act (Cap L1, LFN 2004)** mandates that every employer ensures employees work under "safe and healthy conditions". It is a fundamental duty of every employer.[6] It is essential for clubs to ensure the presence of qualified and professional medical personnel and facilities at the stadiums. **Article 12.1 of the NPFL Rules and Framework states** that: *Each Club shall appoint at least one part-time team doctor and one part-time crowd doctor and employ one full-time senior physiotherapist.* The rest of the Article further provides for provision of medical facilities, documentation and examination of medical records and maintenance of medical pension for the players.

In the UK, the **Health and Safety at Work Act 1974** goes further by requiring active risk management to prevent harm. A football club that pushes a player beyond physical limits, fails to provide medical rest, or pressures them to play through injury may be in breach of this duty of care.

In South Africa, the **Occupational Health and Safety Act 85 of 1993** imposes similar obligations. In the United States, although sports are often governed by collective bargaining, workplace injury laws still apply.

A club may be in breach of duty of care by knowingly placing an athlete at risk, such as forcing a player to participate despite medical red flags, or failing to monitor and regulate training and match loads.

2.Sporting Regulations and Player Welfare:

a.FIFA Regulations on the Status and Transfer of Players (RSTP): At the heart of FIFA's legal framework for players is the **Regulations on the Status and Transfer of Players (RSTP).** While **Article 13** simply states that contracts between professionals and clubs must be respected, the deeper implication is that these contracts must be performed under fair and safe working conditions. A contract that demands continuous play without adequate rest, or one that permits reckless scheduling at the expense of a player's health, can no longer be said to meet the standard expected in modern sport.

b.FIFPro: The Players' Voice in the Welfare Debate

Fédération Internationale des Associations de Footballeurs Professionnels (FIFPro), the union for professional football players worldwide, has been instrumental in bringing player welfare to the forefront of football governance. Through detailed data, research, and direct player testimony, FIFPro has challenged governing bodies and clubs to acknowledge the harmful effects of modern fixture congestion.

In its 2023 Workload Report[7], FIFPro revealed that a significant number of elite players were experiencing what it called "chronic exposure to high-intensity competition", a condition that often goes unnoticed until injury or mental breakdown occurs. The report highlighted that all potential matches of a top player could amount to 80 matches in a single year, factoring in domestic league fixtures, continental cups, World Cup qualifiers, and international tournaments. This data provides the backbone for an evidentiary claim of negligence or breach of duty. Where a club has access to medical data, load management software, and direct player feedback, and still ignores the warning signs, legal liability may attach.

c.UEFA and CAF: Regional Standards of Care

Union of European Football Associations (UEFA) is actively addressing player burnout by collaborating with clubs and national leagues to minimize fixture congestion, introduce mandatory rest periods, and promote mental health support. They are also working to raise awareness about mental health issues and ensure players have access to psychological support services

[6]vv 2O. V. C. Okene, Labour Law in Nigeria: The Law of Work (3rd edn., Port Harcourt: Claxton and Derrick Limited 2012) 80.

[7] Extreme Calendar Congestion: The Adverse Effects on Player Health & Wellbeing at https://fifpro.org/media/qa5pkwep/fifpro_pwm2023_final.pdf

In contrast, the Confederation of African Football (CAF) is still in the developmental phase of formal welfare regulation. However, recent reforms now require all licensed clubs participating in CAF competitions to employ certified medical staff.[8] CAF is also working toward implementing minimum medical standards for match-day readiness and training load management, although enforcement remains a challenge in leagues where basic infrastructure is still developing.

While sporting organisations are saddled with the responsibility of ensuring clubs meet basic medical standards to participate in competitions, these clubs have the major responsibility to ensure that their players are in shape and are going through the necessary physical, mental, physiological and psychological checks to enable them to be fit for matches and to prevent player burnout.

VARIOUS ROUTES GIVING RISE TO CLUB LIABILITY

The convergence of international regulations, player advocacy, and medical evidence is creating a new legal environment, one in which clubs can no longer hide behind outdated notions of athlete toughness or scheduling necessity. Clubs now owe a clear duty of care to their players, and failure to meet this duty carries both legal and sporting consequences. When a player suffers burnout, chronic injury, or mental health collapse due to clear excessive workload or neglect, the legal and regulatory structures now offer multiple routes to liability. These routes include:

1.Breach of Contract: Football contracts are not only performance-based, they often carry express or implied terms requiring clubs to protect the health, safety, and welfare of their players. If a club insists on fielding a player who is medically unfit, ignores specialist advice, or fails to provide adequate recovery time, such conduct may amount to a material breach of contract.

2. **Negligence Claims:** In jurisdictions that permit tortious claims against employers, a player may bring a negligence lawsuit if the harm suffered was foreseeable and preventable. For example, if a club fails to act on medical warnings or biometric data indicating a fatigue risk, and this results in injury or psychological collapse, the player may have grounds to sue. Courts in the UK and Canada have accepted employer negligence in high-risk professions as valid claims, and similar reasoning may soon gain traction in sports law jurisprudence in Africa.

3.**Regulatory and Disciplinary Sanctions:** Apart from judicial remedies, players may also trigger disciplinary proceedings against clubs through national or international sporting bodies. FIFA's Dispute Resolution Chamber (DRC), CAF's compliance units, and domestic league authorities can impose sanctions for welfare violations, including: fines, transfer bans, disqualification from competitions, compensation awards. Clubs that repeatedly endanger players' welfare through reckless scheduling, poor medical practices, or refusal to implement rest protocols may face penalties that go beyond legal damages and affect their sporting viability.

LEGAL AND STRUCTURAL REFORMS FOR ENFORCING PLAYER WELFARE AND PREVENTING PLAYER BURNOUT

1. FIFA, in partnership with World Health Organisation and International Labour Organisation, should adopt a binding Global Charter on Athlete Welfare, setting enforceable standards across all member associations.[9]
2. All clubs should be required to submit player usage data to their football federations for compliance review and to monitor workload reports.[10]
3. Players must be educated on their rights and seek avenues for redress where necessary.
4. Mental health screening and therapy support should be mandatory for all elite teams, with confidential reporting lines.[11]
5. Sporting bodies and legal NGOs should partner to provide pro bono legal assistance to athletes pursuing welfare-related claims.
6. Medical practitioners working for football clubs should have autonomy in deciding the return date of a recovering player.

CONCLUSION

The modern sports calendar has evolved into a relentless grind, where financial incentives and competitive prestige often take

[8] Article 28, CAF Men's Club Licensing Regulations
[9] Tanni Grey-Thompson, Duty of Care in Sport: Independent Report to Government (Department for Digital, Culture, Media and Sport 2017)
[10] FIFPRO, 2023/24 Men's Player Workload Monitoring Report (5 September 2024)
[11] V Gouttebarge and others, 'Mental and Psychosocial Health among Current and Former Professional Footballers' (2015) 65(2) Occupational Medicine 190

precedence over the health and sustainability of the very athletes who make the game possible. Clubs entrusted with the daily management and wellbeing of players can no longer operate in a vacuum of unchecked discretion. Where they ignore medical advice, deny players rest, or prioritize short-term results over long-term health, legal liability is not only foreseeable, it is justifiable.

But responsibility does not end with the clubs. Football federations and governing bodies must do more than issue guidelines, they must enforce them. Expanded competitions like the new FIFA Club World Cup, stacked calendars, and lack of mandatory rest periods are clear signs that institutions are stretching athlete capacity to dangerous levels. Without enforceable protections, players are left vulnerable, and clubs are left to choose between compliance and competitive advantage.

To protect the future of sport, athlete welfare must become a legal priority, not an afterthought. The law must evolve to reflect the reality that burnout, mental health decline, and career-ending injuries are not acts of fate but predictable outcomes of systemic neglect. Clubs must be held accountable. Federations must lead with policy, not just press releases