

Commentary: Hunter on indefinite leave by NBA

Written by Yolande Y. Lezine
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National Basketball Players Association executive director Billy Hunter was put on indefinite leave after a report they commissioned questioned Hunter's leadership and criticized him for bad decisions and questionable business practices.

The union is forming an interim executive committee, the group's president, Derek Fisher, said in a statement last week. An outside attorney is also being hired as players begin moving forward, without the man who has guided them since 1996.

An internal review into union practices concluded that "based on the findings of this report, the NBPA should consider whether Mr. Hunter should remain as the union's executive director." The report recommended the NBPA begin focusing on Hunter's future during NBA All-Star Weekend, February 15-17th in Houston.

Hunter, who has held this position for the past 18 years earns \$3 million a year. He was released on January 17th after an eight-month review. It was at this time that Hunter was made aware that his \$3 million per year contract was never properly approved. The report also criticized his hiring of family members and friends, and said that there were other conflicts of interests he should have avoided.

Hunter's attorney responded that the actions weren't allowable under NBPA rules, setting up the possibility of a Hunter fight to keep to his job. Fisher pushed for the outside review of Hunter and the union. That examination by a New York law firm found no illegal use of funds but cited Hunter for a number of poor choices and recommended players discuss whether he should still be in charge.

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There have been very powerful agents who have were very unhappy with Hunter during the lockout that ended in December 2011. They could use the review's findings as a means to replace him. It was NBPA President Derek Fisher who's reports led to the internal review and a U.S. Attorney's Office investigation.

Some agents have stated that they will be satisfied as long as Hunter is not involved in the next round of collective bargaining negotiations, which could begin as early as the summer of 2017, when either the league or the players can opt out of the CBA.

The summer of 2017 coincides with the end of Hunter's contract if all option years are exercised. But there still is the possibility that the union might need to pay Hunter to leave sooner. This would give Hunter's replacement ample enough time to become familiar with union practices and the CBA.

A split before the next CBA negotiations makes sense. NBA deputy commissioner Adam Silver is replacing Commissioner David Stern in February 2014, and it would allow new leaders to forge a relationship before serious negotiations start.

The NBPA is also unsettled at the players level. The report says two active players are on the executive committee: Matt Bonner, who was elected to a three-year term as a vice president in February 2011, and Fisher, who was elected to a four-year term as president in June 2009.

The review recommended players vote in Houston on the seven open positions so the union can focus on Hunter. Fisher isn't in the league but played this season, and the report states, "We believe that it is reasonable under the bylaws to consider him a member in good standing. They also believe that it is appropriate for him to serve as NBPA president for the remainder of his term."

The portrait of Hunter doesn't look good right now. The report detailed an unflattering portrait of some of his practices, including the nature in which Hunter procured his \$3 million a year contract in violation of NBPA bylaws, hiring of immediate family members and a lax approach to some internal affairs.

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It paints a picture of someone who didn't take his fiduciary responsibilities very seriously. The main one of which is to be open and honest and disclosed. If there was a conflict of interest, Hunter should have brought it to the attention of the people who were in the position of checking you and your leadership and making sure you are treating the institute fairly. His leadership is going to be under some pressure in the coming months!

However, knowing Billy Hunter, he won't go quietly. Hunter already made a statement on the day he was released: "I look forward to continuing my work with the NBPA, adopting additional recommendations from the report and opening a new chapter of NBPA governance."