

IN THE MATTER OF SALARY ARBITRATION BETWEEN:

CODY FRANSON

- AND -

THE TORONTO MAPLE LEAFS

BRIEF OF THE TORONTO MAPLE LEAFS

[TEAM #29](#)

Introduction and Overview of Mr. Franson's Career

Pursuant to section 12.9 of the NHL Collective Bargaining Agreement,¹ through an analysis of Cody Franson's contributions and his role within the Toronto Maple Leafs in relation to comparable players in the National Hockey League, this brief will outline that Mr. Franson is entitled to an award below the midpoint figure of \$3.3 million. We submit that the appropriate award for Mr. Franson is \$3.0 million.

The 2013-2014 season was Mr. Franson's platform year. In this year, he was given increased ice time over his previous year, but this resulted in decreased production and he posted the worst plus minus rating amongst the team's defencemen. In addition, the Toronto Maple Leafs missed the playoffs. To the extent that Mr. Franson continued to produce points in his platform year, he has grown increasingly reliant on his power play production.

The 2012-2013 season was Mr. Franson's best in his NHL career. He recorded 29 points with 4 goals and 25 assists.² During this season Cody Franson was fifth among Maple Leafs defensemen in time on ice.

Mr. Franson's Platform Year and Career to Platform Statistics

	Games Played	Goals	Assists	Points	+ / -	Time On Ice Per Game	Points per Game
2013-2014	79	5	28	33	-20	20:41	0.42
Career to Platform	322	28	105	133	8	-	0.41

¹ NHL Collective Bargaining Agreement, 2005, s.12.

² All statistics relied upon in this brief are available at www.nhl.com.

In 2013-2014 Cody Franson was given more ice time and became a genuine top four defenseman for the Toronto Maple Leafs. In this new role, his production dropped off significantly. He went from being a positive player to a minus twenty and his points per game declined.

Mr. Franson's 2 Year to Platform Time on Ice Statistics

	Total Time on Ice per Game	Even Strength Time on Ice per Game	Power Play Time on Ice per Game	Shorthanded Time on Ice per Game
2012-2013	18:47	15:03	2:49	0:54
2013-2014	20:41	16:08	2:54	1:38

The increased ice time that Mr. Franson saw in 2013-2014 was primarily in a more defensive capacity. His power play time on the ice was roughly the same as in 2012-2013 -- at just under three minutes per game, increasing only from 2:49 to 2:54 -- but his overall time on the ice increased from 18:47 to 20:41. Even with this increase in ice time his reliance on power play points for his offensive production increased. In his platform season, he recorded more than half of his points on the power play despite his power play time on ice accounting for less than 15% of his overall time on the ice. Although Mr. Franson does contribute offensively, he did not demonstrate in his platform season that his offensive production can result from being on the ice at even strength.

The defensive side of Mr. Franson's game also raises significant questions. In his platform year, he was a -20 player. This was the worst plus minus of all defensemen who played at least half the games for the Toronto Maple Leafs. While he did produce some positive defensive results, such as recording 111 blocked shots and 282 hits, this does not make up for his very poor plus minus. The poor plus minus rating further demonstrates that Mr. Franson has not shown that he can produce as a top four defenceman, let alone whether he could step up to be a top pairing defenceman for the Toronto Maple Leafs.

Filters Applied to Determine Comparable Players

Only players who met the following three criteria, in relation to Mr. Franson, are considered as comparables for this brief:

- 1) Career games played: +/- 100 games
- 2) Career points per game: +/- 25%
- 3) Platform year time on ice per game: +/- 10%

Filtering for games played to include only defencemen who have played a similar amount as Mr. Franson (within 100 career games) ensures that only players at similar points in their career are considered. As Mr. Franson has played 322 games, the range for included players are those who have played between 222 and 422 career games.

Next, to find players in line with Mr. Franson's offensive production, only players with a career points per game within 25% of his output will be considered. Based upon Mr. Franson's 0.41 career to platform points per game, the range to consider is from 0.31 to 0.51 points per game.

Finally, a filter based on platform year time on ice further narrows consideration to only those players who played a comparable amount to Mr. Franson. A range of time on ice within 10% is between 18:37 and 22:45 minutes per game

After applying these three filters, the two eligible comparable players are Carl Gunnarsson and Jason Demers. As these two appropriate comparables are sufficient we have not looked to players who were arbitration eligible following the 2011-2012 season.

Cody Franson as Compared to Carl Gunnarsson

Carl Gunnarsson's platform season was the 2012-2013 year where he played with the Toronto Maple Leafs. This was a shortened season with a 48 game regular season. Following this season, Mr. Gunnarsson re-signed for the Maple Leafs with a three year contract worth \$9.45 million. Therefore, for the purposes of this brief Mr. Gunnarsson's annual salary is \$3.15 million per year.³

In Mr. Gunnarsson's platform year he demonstrated that he was a strong defensive defenseman and he played on the top defensive pairing with the club's captain Dion Phaneuf. Mr. Gunnarsson proved to be an effective partner for Mr. Phaneuf because his defensive abilities allowed Mr. Phaneuf to showcase his offensive capabilities. Mr. Franson could not be trusted in this role. The fact that in the past season, with increased ice time, Mr. Franson's plus minus went from a +4 to -20 is evidence of that. Plus minus is a stat that results from the play of more than just one player; this decrease therefore may be attributable to the fact that the team's overall performance was worse. It can also be said that part of the reason the team is worse is because one of its top four defencemen was not effective defensively.

To give a more objective assessment of a player's defensive ability, the plus minus can be assessed in relation to other defencemen on the same team in the same year. In this case, in their platform years Mr. Gunnarsson and Mr. Franson were second and last respectively amongst their team's defencemen in plus minus. A final indication of Mr. Gunnarsson's superior defensive performance is the amount of time each was trusted to play shorthanded. In their respective platform years, Mr. Gunnarsson was third amongst defencemen on his team with 2:35 shorthanded time on ice per game; whereas, Mr. Franson was fourth with only 1:38 per game.

³ <http://capgeek.com/player/1212>

Platform Year Statistics– Mr. Gunnarsson and Mr. Franson

	Games Played	Platform Time on Ice per Game (rank on team amongst defencemen)	Platform Points / Game	Plus / Minus (rank on team amongst defencemen)	Playoffs in Platform Year?
Carl Gunnarsson	37 (out of 48 game season)	21:27 (3 rd of 6)	0.41	+5 (2 nd of 7)	Yes
Cody Franson	79	20:41 (3 rd of 6)	0.42	-20 (6 th of 6)	No

Mr. Franson’s strength lies in the offensive side of the game. This strength however, does not make up for his defensive liabilities. While he does have better offensive statistics than Mr. Gunnarsson, including higher power play time on ice per game and career points per game. When it came to their platform years, Mr. Gunnarsson and Mr. Franson had almost identical points per game (0.41 compared to 0.42). This similarity came despite the fact that Mr. Gunnarsson played over two minutes less per game on the power play than Mr. Franson did in his platform year. This difference in power play ice time is especially important given that more than half of Mr. Franson’s points in his platform season came on the power play.

In addition to their individual measurable performances, one additional point divides these two players – whether their team made the playoffs in their platform seasons. Mr. Gunnarsson’s team did make the playoffs, but Mr. Franson’s did not. From the club’s perspective, given the lost revenue and prestige that comes with missing the playoffs, we submit that this fact should stand against Mr. Franson’s claim for a higher salary than Mr. Gunnarsson.

Mr. Gunnarsson's comparable platform year salary was \$3.15 million, which he earned primarily based on him being a one-dimensional defensive defenseman on the top pairing for the Toronto Maple Leafs. We therefore submit that Mr. Franson is worth less than that because he is not nearly as effective as a defensive defensemen, and his platform year offensive output was only

marginally better than Mr. Gunnarsson's. Mr. Gunnarsson was also a top pairing defenceman in his platform year, whereas Mr. Franson's was only a top four defenseman. That increased level of ice time corresponded with his worst year production wise - both offensively and defensively. Therefore, we submit that Mr. Franson should be awarded a salary that is lower than Mr. Gunnarsson's \$3.15 million.

Cody Franson as Compared to Jason Demers

Following Jason Demers' platform year in 2013-2014, he signed a two-year contract worth \$6.8 million with the San Jose Sharks. When assessing this contract as a comparable to Mr. Franson, it is important to note that the breakdown of the contract by year is \$3.15 million in the first year and \$3.65 million in the second year.⁴ The salary difference between years reflects the fact that in his second year, Mr. Demers would otherwise have been an unrestricted free agent and as such he garnered a higher wage for that season. Therefore we submit that as in this case we are in arbitration over the salary for a non-UFA year for Mr. Franson, the salary to be compared for Mr. Demers is his salary in the first year, his non-UFA year, of \$3.15 million.

Turning first to the offensive side of their games, Mr. Demers in his platform year had a slightly higher points per game output compared to Mr. Franson. Mr. Demers accomplished this despite being on the ice for about two minutes less per game and one minute less per game on the power play. Mr. Demers also demonstrated improvement in his platform year, not a drop-off in production as with Mr. Franson. Mr. Demers' platform year points per game was over 30% higher than his 0.34 career points per game; whereas, Mr. Franson's platform year points per game of 0.42 was only marginally better than his career to platform points per game of 0.41.

⁴ <http://www.capegeek.com/player/155>

Platform Year Statistics – Mr. Demers and Mr. Franson

	Games Played	Platform Time on Ice per Game (rank on team amongst defencemen)	Platform Points per Game	Plus / Minus (rank on team amongst defencemen)	Playoffs in Platform Year	Career Playoff Games
Jason Demers	75	19:29 (4 th of 8)	0.45	14 (4 th of 7)	Yes	39
Cody Franson	79	20:41 (3 rd of 6)	0.42	-20 (6 th of 6)	No	23

The difference between Mr. Demers' and Mr. Franson's platform seasons is more stark on the defensive end. While Mr. Franson recorded a -20 rating, Mr. Demers was a +14. Mr. Demers was fourth out of seven defencemen on his team in plus minus, Mr. Franson was sixth out of six. The two player had comparable shorthanded time on ice per game (1:25 for Mr. Demers; 1:38 for Mr. Franson) and a similar number of blocked shots (107 for Mr. Demers; 111 for Mr. Franson).

In addition to having superior offensive and defensive statistics, Mr. Demers also has more playoff experience than Mr. Franson. He has played 39 career playoff games but Mr. Franson has only played 23. In addition, in their platform seasons, Mr. Demers' team made the playoffs but Mr. Franson's did not.

As we have shown, Mr. Franson's production in his platform year does not warrant a salary as high as Jason Demers. Therefore, we submit that Mr. Franson should be awarded less than \$3.15 million.

Conclusion: Mr. Franson should be awarded \$3.0 million

As outlined in this brief, based on his production in his platform year, Cody Franson has not shown that he has the defensive capabilities to be a top defenseman for the Toronto Maple Leafs. Although he does have solid offensive production, particularly on the power play, in comparison with both Carl Gunnarsson and Jason Demers we have demonstrated that Mr. Franson's performance on the whole is inferior. As such, Mr. Franson should not get an award of the \$3.3 million midpoint salary. We submit that Cody Franson should be awarded \$3 million.