Does The Recent History Of Labor Relations In Professional Baseball Reflect Strategies And Perceptions About The Current Overall State Of Labor Relations In American Industry?

Joseph C. Horton  
*Seton Hall University*

Follow this and additional works at: [http://scholarship.shu.edu/dissertations](http://scholarship.shu.edu/dissertations)  
Part of the [Labor Relations Commons](http://scholarship.shu.edu/dissertations)

Recommended Citation  
[http://scholarship.shu.edu/dissertations/607](http://scholarship.shu.edu/dissertations/607)
Does the Recent History of Labor Relations in Professional Baseball Reflect Strategies and Perceptions About the Current Overall State of Labor Relations in American Industry?

By
Joseph C. Horton

Thesis Advisor
Donald N. Lombardi, Ph.D.

Submitted in partial fulfillment of the requirements For the Master of Arts in Corporate and Public Communication Seton Hall University 2003
ACKNOWLEDGEMENTS

The author would like to take this opportunity to thank the people who made it possible for him to accomplish this study. First, he would like to thank his family, George and Kathleen Horton and Tara Pellegrino, for their unyielding support and endless encouragement. Special thanks also go to Dr. Donald Lombardi, advisor and friend.
TABLE OF CONTENTS

I Introduction ........................................................................................................... 1
    Research Question ............................................................................................. 2
    Subsidiary questions ......................................................................................... 3
    Objectives of the Study ..................................................................................... 4
    Definition of Terms ............................................................................................ 4
    Limitations .......................................................................................................... 4
    Summary ............................................................................................................. 5

II The Unionization of American Industry ............................................................... 6
    What is a Union? ................................................................................................. 6
    Why Do Workers Join Unions? ........................................................................... 6
        The Origins of Organized Labor in America ................................................. 7
    The Sherman Anti-Trust Act ............................................................................. 7
    The Wagner Act of 1935 ................................................................................... 9
    The Taft-Hartley Act ....................................................................................... 10
    The Landrum-Griffin Act .................................................................................. 12
    The Rise of a Man Named “Jimmy” .................................................................. 13
        The State of Labor Relations in American Industry Today: The New Movement ....................................................................................................... 14
    The New Unions ............................................................................................... 15
    Recent Significant Rulings of the NLRB ........................................................... 16
    Obstacles to Future Organization ..................................................................... 17

III The History of Labor Organizations in Professional Baseball ....................... 20
    The Brotherhood of Professional Baseball ...................................................... 21
    The Players’ Protective Association ................................................................ 22
    The Baseball Players’ Fraternity ..................................................................... 23
    The American Baseball Guild ......................................................................... 23
    The Major League Baseball Players’ Association ......................................... 24
        Three Strikes, You’re Out! ........................................................................... 26
    The Strike of 1981: Strike 1! .......................................................................... 27
    The Labor Issue of 1985: Foul Ball! ................................................................. 28
    The Lockout of 1990: Another Foul Ball ......................................................... 30
    The Strike of 1994-95: Two Strikes, Two outs, Bottom of the Ninth ........... 32
    The Dispute of 2001-2002: If This is Strike Three, You’re Outta Here! ....... 36
IV Analysis of the Survey .................................................................40
   Description of the Survey .........................................................40
   Sample .................................................................................40
   Purpose of the Survey ..............................................................41
   Statement Breakdown ..............................................................41

V Results of the Survey ..................................................................49
   Analyzing the Results ...............................................................49
   Conclusions ...........................................................................58

VI Conclusions and Future Outlooks .................................................61

Bibliography ..................................................................................70

Appendices ....................................................................................75
   A-Survey .................................................................................76
   B-Graphs ...............................................................................78
Chapter I

Introduction

Major League Baseball and organized labor have been American institutions for generations. Baseball has been dubbed the "Great American Pastime" and for good reason. It has been in existence for over 150 years and has been the most popular game in America for a large portion of that time. As the decades have passed, the game and its status within American culture have undergone dramatic changes. It has become a multi-billion dollar industry. What began as a simple game has turned into a spectacle. Teams used to play games in small, intimate stadiums that were nestled within the friendly confines of local neighborhoods. It was possible for families to habitually afford to spend a day at ballparks such as Ebbets Field or the Polo Grounds. Now, they are lucky to be able to have one family outing per year at new, high-tech stadiums such as Safeco Field and Pacific Bell Ball Park. These bastions of corporate sponsorship represent what Major League Baseball has become: big business.

Baseball's emergence as a major industry has not come without its share of trials and tribulations. Over the years, it has weathered scandal stemming from rampant gambling allegations and it has endured periods of labor strife. In fact, baseball was interrupted by labor disputes a total of eight times between 1970-2002. The establishment of the Major League Baseball Players' Association was a significant step towards legitimizing organized labor in professional sports. Other attempts to organize players in the past never met the rate of success the MLBPA has enjoyed.
It was probably inevitable that professional baseball and organized labor would cross paths. Although it maintained a certain presence around the beginning of the twentieth century, organized labor in American industry did not gain momentum until the mid-1930's with the passage of the Wagner Act. It was shortly after this that the effort to organize professional baseball players began to take on a life of its own. Yet, it has not attained the historical credit for the growth of organized labor as "traditional" labor organizations such as the AFL-CIO, UAW, and the Teamsters' Union.

This study will examine the role organized labor has specifically played in professional baseball and American industry, in general. It will also appraise how each is perceived by society. Furthermore, the study will analyze the relationship that exists, if one indeed, between the strategies utilized by labor organizations associated with baseball and other American industries.

Research Question

Does the recent history of labor relations in professional baseball reflect strategies and perceptions about the current overall state of labor relations in American industry? This study will focus on the history of, both, organized labor in American industry and in professional baseball in an effort to answer this question. It will use examples from the past to help explain why certain ideals and philosophies exist in these separate forms of organized labor.
Subsidiary Questions

This study will also answer the following questions in an effort to provide a better understanding of the content of the research:

1. What is the role of organized labor in American industry?
2. What are the origins of organized labor in American industry?
3. What were contributing factors to the unionization of professional baseball?
4. What motivates people to join organized labor in American industry?
5. What pieces of legislation contributed to the growth of organized labor?
6. How does the public view labor organizations such as the Major League Baseball Players' Association?
7. What have been the most significant factors in the decline of organized labor in American industry?
8. Is the MLBPA still a relevant force during the era of free agency?
9. Will organized labor regain its strength or will it continue its decline in the future?
10. How would another work stoppage affect Major League Baseball?

Objectives of the Study

The intention of this study was to investigate whether or not recent events involving organized labor in professional baseball reflect strategies associated with labor organizations found within American industry. The author will focus on the perceptions that are attributed to each and how and why such assessments exist.

The history of each arena of organized labor discussed in the introduction will be investigated. An in depth analysis of the origins of labor organizations in professional
baseball will be done as well as a forecast of the future outlook for organized labor in professional baseball and how it may correlate with organized labor found in American industry.

Limitations of the Study

The study focuses mainly on the labor organization involved with Major League Baseball and provides a basic overview of the history of labor organizations in American industry. The current status of labor organizations of the National Football League, National Hockey League, and other professional sports will rarely be discussed. Individual labor organizations such as the AFL-CIO, UAW, and the International Longshoremen’s Association will not be studied. The Teamster's Union will only be mentioned briefly, as a complimentary subject to James “Jimmy” Hoffa. Other than Mr. Hoffa, there will not be much information on any influential members of organized labor in American industry, past or present.

Certain aspects of the survey will also cause limitations to the study. Some of the survey participants were members of organized labor; however, none were affiliated with Major League Baseball as a player or other employee. Most of the participants were also from the East Coast. Opinions of labor organizations may significantly vary by region.

Definition of Terms

1) Collective bargaining: Negotiations between organized workers and their employer or employers to determine wages, hours, rules and working conditions
2) **Free-agency:** The term used when professional athletes are free to sign a contract with any team.

3) **Labor:** Workers considered as a group, usually used to describe the trade union movement and its officials.

4) **Lockout:** The withholding of work from employees and closing down of a workplace by an employer during a labor dispute.

5) **Luxury tax:** Tax imposed on franchises, usually in large markets with large payrolls.

6) **Revenue sharing:** Distribution of a portion of revenue generated through television among professional baseball clubs.

7) **Salary cap:** A maximum dollar amount teams can spend on player contracts.

8) **Strike:** To undertake a work stoppage against an employer.

9) **Union:** An organization that represents employees’ interests to management on such issues as wages, work hours, and working conditions (Crampton, Hodge, & Mishra, 2002).

**Summary**

In essence, this study will examine the relationship between organized labor and Major League Baseball. It will also analyze the origins of organized labor in American industry and Major league Baseball’s evolution into a powerful American industry.

Through answering the research question and the subsidiary questions, the author hopes to provide a complete understanding as to how organized labor affects professional baseball and American industry.
Chapter II
The Unionization of American Industry

What is a Union?

Crampton, Hodge, and Mishra (2002) define a union as "an organization that represents employees’ interests to management on such issues as wages, work hours, and working conditions. Employees participate in and support union activities by paying certain dues and fees for the services provided by the union. Employers are required by various legislation, which will be discussed later in this article, to bargain with unions over employment issues that directly affect unionized employees’ working conditions (Crampton, Hodge, & Mishra, 2002).

Why Do Workers Join Unions?

There are many reasons why employees join unions. Employees will often seek representation when certain aspects of their work environment cause them to be disgruntled. This feeling may be engendered by the idea that they do not have any affect or influence with management to make changes that are perceived to be needed. Employees often view unionization as a means to solve their problems with the workplace. Bad management is usually a union’s best strategy to gain momentum. This description of management may not always be accurate. The term “bad management” may be derived from an employee who just may not agree with the work environment they are employed in. Others may believe the environment to be conducive to their needs as an employee. For the record, employers usually prefer a non-unionized work force.
Owners do not want a separate entity telling them how to run their company and often resent anyone attempts to unionize their company.

The Origins of Organized Labor in America:

The Sherman Anti-Trust Act

If one is to become familiar with the many issues and intricacies associated with the current climate of labor relations in America industry and decide whether certain strategies and perceptions are reflected by the recent history of labor relations in professional baseball, one must be first acquainted with a somewhat detailed account of the origins of organized labor in American society. Over the past one hundred years, the landscape of the American labor force has incurred many dramatic changes. These changes have been extremely influential to American industry and society as a whole.

Prior to the beginning of the 20th century, American industry was ruled by powerful trusts and monopolies. The trusts and monopolies virtually eliminated the idea of competition and gravely discouraged the notion of a free-trade market. The latter part of the 19th century saw a major public outcry against these trusts and monopolies. By 1888, both political parties, riding the wave of discontent amongst the public, used the anti-trust issue as the cornerstone of their respective Presidential platforms. John Sherman, a lawyer and senator from Ohio, was one of the first to introduce anti-trust legislation. With the support of President Benjamin Harrison, The Sherman Anti-Trust Act was passed by almost a unanimous vote by both the Senate and the House of Representatives in 1890. President Harrison signed the bill into law that same year.
The Sherman Act consists of two sections. Section 1 basically states that any contract written in the form of a trust or conspiracy, that restrains trade or commerce among states or foreign nations, is illegal. Furthermore, anyone who partakes in this illegal activity will be considered guilty of a felony. If convicted, each corporation would be fined, at most, ten million dollars, and three hundred and fifty thousand dollars for each individual. The court may also order the felon to be imprisoned for a term not in excess of three years, separate from, or included with the fines already levied (Poole, 1998). Section 2 states that any entity that monopolizes, or attempts to monopolize, conspires with any entity to monopolize any aspect of commerce or trade among several states or foreign nations will be subject to the same levy of fines and terms of incarceration stated in Section 1 (Poole, 1998).

The Sherman Anti-Trust Act was a popular piece of legislation. However, it was vague and poorly drafted (Poole, 1998). It failed to define such terms as “restraint of trade”, “combination”, or “monopolize” (Poole, 1998). The meaning of these terms may seem obvious to the author and the reader but the Courts of that time did not find this to be so and have been free to interpret the Act from its inception.

The Sherman Act did not completely eradicate the problems caused by the creation of trusts and monopolies. The American economy became increasingly industrialized in the early part of the 20th century. As a result, many employers created terrible working conditions for employees. Employers were able to do this because many workers were recent immigrants to the United States who had few skills, spoke limited English, and had no money. They had no choice but to work, without regard to the harsh conditions of their working environment. Other workers came from the rural regions of
the United States as the population began to shift to the cities. These workers were also, predominantly, unskilled with little financial resources (Crampton, Hodge, & Mishra 2002).

The Wagner Act of 1935

The onset of World War One and the continued industrialization of the economy “resulted in a basic shift in the power relationship between employers and employees” (Crampton, Hodge, & Mishra, 2002). The Great Depression was a catalyst for this shift to greatly increase momentum. Millions of people lost their jobs and were unable to provide for their families. This environment spawned the rise of union activity among the private sector and culminated in the creation of the National Labor Relations Act, also known as the Wagner Act of 1935.

The Wagner Act was passed by Congress in 1935 and was “designed to protect employees’ rights to form and join unions and to engage in such activities as strikes, picketing, and collective bargaining” (Crampton, Hodge, & Mishra, 2002). Employees were permitted to join unions without fear of reprisal from employer (Earthlink, 2002). Before the implementation of the Wagner Act, employers were able to terminate, spy on, question, and retaliate against any employee that attempted to organize a union. This led to violence between agents of the employers and union organizers in the early 1930’s. Some believe that the Wagner Act was created primarily in the hopes that future violence between the two parties would be averted.

There were five labor practices that were deemed to be illegal by the Act, if implemented by the employer: (1) employers were not permitted to interfere with union
activities; (2) could not discourage employees from joining unions through forms of
discrimination; (3) could not terminate or retaliate against employees who provided
testimony or filed charges under the guidelines of the Act; (4) were not allowed to
interfere, or coerce, with an employee's right to engage in union activities; or (5) refuse
to hold collective bargaining with a union that was chosen by an organization's
employees.

The most significant provision of the Wagner Act, however, was the creation of
the National Labor Relations Board. The NLRB was established as an independent
federal agency that oversees American labor laws (Crampton, Hodge, & Mishra, 2002).
The job of the NLRB is to prevent unfair labor practices by issuing cease and desist
orders, determine the proper constituents for collective bargaining in an organization, and
hold secret ballot elections, which will decide whether, or not, employees of an
organization will be represented by a union. Essentially, if there is a conflict that cannot
be resolved between the union or employees and the employer, both parties may call
upon the NLRB to act as a mediator or to make a ruling. In any given year, the NLRB
processes, approximately 25,000 cases, with over three-fourths of the cases brought forth
being against the employer (O'Connell, 2001).

The Taft-Hartley Act

The passage of the Wagner Act of 1935 stimulated the growth of union activity.
Union membership consisted of 35% of the American workforce by 1945 (Earthlink,
2002). Industrialists and other opponents of organized labor desired to weaken the power
of the Wagner Act in reaction to the staggering numbers displayed by union membership
growth. This led to the creation of the Taft-Hartley Act in 1947. Senator Alphonso Taft and Representative Fred Allen Hartley devised the Taft-Hartley Act, officially known as the Labor - Management Relations Act. It was passed even though President Truman vetoed the act. Taft - Hartley was meant to be an amendment to the Wagner Act. It was designed to protect the rights of, not only, employees, but management, as well. The Act also sought to limit the increasing power the unions had attained through the passage of the Wagner Act. The Taft-Hartley Act was geared towards creating a “level playing field” (Crampton, Hodge, & Mishra, 2002) for employees and management, however the overall belief is that it was more favorable to the interests of management. The Act provided the opportunity to control labor disputes by expanding the role of the National Labor Relations Board and providing that unions or employers must serve notice to the other party and on a government mediation service, before the termination of any collective bargaining agreements (www.infoplease.com, 2002). The government also had the authority to prohibit any strike that it felt would place national safety or health in peril, by obtaining an 80-day injunction.

The Taft-Hartley Act included guidelines for what were deemed unfair union labor practices. Not unlike employers, unions were not allowed to attempt to coerce employees in exercising their rights protected by the Act, nor could they influence or attempt to influence an employer to discriminate against employees who are not members of organized labor unions for reasons other than their failure to pay any dues associated with the requirements of union membership. Unions cannot refuse to bargain with employers after they have been elected by the majority to represent the employees of an organization, nor are they permitted to charge excessive or discriminatory dues” as a
condition of membership in a union under a shop clause, which requires employees to
join the union after being hired" (Crampton, Hodge, & Mishra, 2002). Finally, under the
Taft-Hartley Act, it is illegal for a union to require or ask its members to engage in
boycotts against products that are manufactured by companies engaged in a labor dispute
with other unions.

The Landrum-Griffin Act

In 1959, twelve years after the inception of the Taft-Hartley Act, the Landrum-
Griffin Act was passed. The Landrum-Griffin Act, officially known as the Labor-
Management Reporting and Disclosure Act, continued the shift in the legal environment
toward more restrictions on union activities (Crampton, Hodge, & Mishra, 2002). Its
passage resulted from Senate committee hearings on the subjects of labor and
management, which uncovered evidence of various indiscretions between dishonest
employers and union leaders. These transgressions ranged from the misuse of labor funds
by high-ranking union officials and the use of violence by certain parties of union
leadership. The Act basically regulates how unions are managed by protecting union
members and their activities and performance within the union.

There are three major components of the Landrum-Griffin Act. The first part
outlines a bill of rights for union members that include the guarantee of freedom of
speech and the right to hold secret elections. This portion also gives members the right to
sue their union if the union violates their rights. The second section calls for
comprehensive reports to be submitted to the Secretary of Labor regarding all financial
activities of the union. Finally, the third section of the Act regulates those individuals
who may aspire to become an officer of a labor organization. It restricts anyone that has a
criminal record or business interests that may conflict with the interests of the unions
from holding office. Even though the Landrum-Griffin Act, as stated before, was
designed to protect union members, organized labor has, in general, opposed the Act for
strengthening supposed anti-labor provisions of the Taft-Hartley Act
(www.infoplease.com, 2002).

The Rise of a Man Named “Jimmy”

James R. “Jimmy” Hoffa was one of the most powerful influences in the history
of organized labor in, not only, America, but also the world. An entire dissertation could
be presented based on this man’s life. However, for the purpose of this article, the author
will limit focus to the main points of his importance. In 1932, Hoffa organized a union
that would, in two years time, gain admission into the formidable Teamsters’ Union. He
moved quickly through the ranks of the organization. In 1952, Hoffa was named
International Vice President. Five years later, he became President.

Hoffa’s reign was as turbulent as it was controversial. In 1957, He came under
intense scrutiny by a senate investigating committee. The committee’s findings led to the
expulsion of the Teamsters from the American Federation of Labor-Congress of
industrial Organization (www.infoplease.com, 2002). Hoffa was subjected to the
appointment of a board of monitors whose job was to supervise all of his activities as
president of the Teamsters’ Union. However, he was still reelected president of the
Teamsters’ in 1961, despite outside efforts to oust him.
As Jimmy Hoffa's power and influence increased, so did his legal troubles. He engendered the trucking industry's first national contract in 1964, unfortunately the same year he was convicted of jury tampering and fraud (www.infoplease.com, 2002). He was, subsequently, sentenced to serve 13 years in prison. This incident came after a 1962 indictment for accepting illegal payments from a Detroit trucking company. Hoffa began his sentence in 1967 but was released in 1971, by order of President Nixon, on the condition that he refrain from any union activity until 1980. Surprisingly, Hoffa was allowed to maintain his role as president of the Teamsters until 1971, even though he was in prison for the previous for years.

Jimmy Hoffa made many enemies over his illustrious, and often infamous, career. In 1975, he disappeared without a trace from a restaurant parking lot, in suburban Detroit. There are many rumors that center on this mystery. However, it is widely alleged that Hoffa was murdered by members of organized crime.

The State of Labor Relations in American Industry Today:

The New Movement

Labor relations, in general, are undergoing major changes as American industry enters into the 21st century. Sectors that were previously without union representation are experiencing organization. The National Labor Relations Board has made numerous rulings that have affected the state of negotiations between employers and employees. The rise of information technology and the increase of union dues have brought into question the need for union representation in the future. Finally the relevance of the
NLRB, itself, has come under scrutiny. How will these changes affect the relationship between employers and employees? Will labor organizations and employers have the ability to adapt to a rapidly changing, industrial environment?

The New Unions

The existence of labor organizations within such arenas as the automobile industry, trade occupations, longshoremen, and civil service, amongst others, are widely familiar. However, in contrast, there have been significant movements to organize certain workers that, previously, operated without union representation. Physician and graduate student unionization efforts have increased dramatically, as the state of American industry heads into the 21st century. Historically, physicians have failed to be recognized as employees, under provisions of the Wagner Act. They have been categorized as “students, independent contractors, or supervisors”, and subsequently are “not entitled to protection under the act” (Keating, 1999). Physicians are seeking to gain union representation primarily because restrictions are being levied on their practices by healthcare organizations that are looking to control costs of care delivery (Keating, 1999). According to some physicians, these restrictions are negatively affecting the quality of patient care. Currently, there are about 35,000 physicians who are organized into unions in the United States (Keating, 1999). This only reflects approximately five percent of the total number of physicians in the country; however, the number of union members has increased by 10,000 since 1996 (Keating, 1999). The movement to classify attending physicians as employees as gained approval from the National Labor Relations Board but
questions on whether or not they should be allowed to be organized continue to be debated.

A new wave of unionization efforts has surfaced on college campuses around America, as well. Graduate students at several schools, including Tufts University, Columbia University, Brown University, New York University, and the University of Pennsylvania, have made attempts to unionize in an effort to receive employee status and receive similar benefits that other employees of universities receive. Attempts to accomplish this have been successful on certain campuses but some have met heavy opposition. At the University of Pennsylvania, GET-UP, or Graduate Employees Together-University of Pennsylvania, are, presently, waiting for a decision from the NLRB on whether they will be given the right to be recognized as employees and hold union elections (Haigh, 2002).

**Recent Significant Rulings of the NLRB**

The National Labor Relations Board has made some recent decisions that will have an immediate impact on the state of labor relations and union organization in American industry. The NLRB, reversing a decision made ten-years prior, ruled that temporary employees of an organization must be included in a collective bargaining component along with the "permanent" employees of an organization (Harrington, 2001). Through this ruling, temporary employees are also allowed to vote in elections for union representation (Harrington, 2001).

The NLRB, with support from a federal appellate court, ruled that employees known as "salts" may lie on their job application in regards to their union affiliation, as
long as workers do not fabricate their job qualifications. "Salts" are "paid union employees who seek employment at a company with the sole intent to organize its workers" (Ogletree, Deakins, Nash, Smoak, & Stewart, P.C., 2002). The court, in support of the NLRB'S decision, claimed that "a lie about an employee's union status or unionizing objective is not material, because... "An employer cannot turn down a job applicant just because they are a "salt" or other type of union organizer or supporter" (Ogletree, Deakins, Nash, Smoak, & Stewart, P.C., 2002). This ruling will have a major impact on employers of non-unionized organizations because it will be easier for unions to place paid organizers in their companies (Ogletree, Deakins, Nash, Smoak, & Stewart, P.C., 2002).

The NLRB does not always make rulings that favor labor organizations. In 1997 the Board ruled that employees who are forced to pay union dues are entitled to know how their money is being spent (Crampton, Hodge, & Mishra, 2002). Under this decision, labor organizations must also supply financial information to workers who did not elect to join the union but are still required to pay dues.

Obstacles to Future Unionization

Unions use information technology for a myriad of purposes. Labor organizations are enabled to supply members with vital information that can be easily, and expediently, obtained through the use of information technology. It also creates a voice for labor organizations. Information technology provides unions with the ability to reach many more members who would, otherwise, not have access to such information. IT is given an enthusiastic reception by labor organizers because it creates the potential
for an overall better and closer relationship between unions and their members. Unions have met the growing dependence on IT by creating a variety of web sites that create more accessibility for workers to acquire information pertaining to union activities. However, as beneficial as information technology may be for these constituents, it may lead to the future demise of unionization.

The same reasons that make information technology such an asset to labor organizations, may also contribute to their downfall. The various threats that unionization face presently, and in the future, primarily emanate from the one source that is believed to be its most formidable ally: information technology. Society's dependence on information technology has caused employees and unions to change their collective bargaining philosophies. It has become necessary for both parties to reorganize. Employers have used information technology as an excuse to consolidate the workplace by eliminating certain aspects that previously required manual or other forms of unskilled labor. They have, in turn, spent less money and generated more revenue.

Information technology is, not only, transforming the workplace. It is becoming an alternate source for employees to express their voice to employers and is creating a more impersonal relationship between unions and their members (Chaisson, 2002). Unions must now compete against workers advocacy groups and other workers' rights organizations that have created web pages. These agencies offer aid and benefits to employees without obligating them to join a union. “Union alternatives are flourishing precisely because they are not unions and can custom-tailor services and models or representation to fit the needs of their members” (Chaisson, 2002).
Along with the alternate voice opportunities these groups offer employees, employers have made use of the intranet by permitting employees to express grievances internally and directly, to company supervisors. These company intranets sometimes offer employees the chance to enroll in benefit plans, order supplies, or take courses (Chaison, 2002). This mechanism of voice substitution is most likely intended to dissuade employees from participating in labor organization activities.

Information technology was, and still by many, believed to be a significant conductor of the future, successful growth of the labor movement. However, it may have irreparably strained the relations between the union and current and potential members. It is fairly simple to obtain any information a union may provide to its members on the Internet. This is very convenient; however, it is also creating animosity towards unions. The movement was based on massive rallies, personal contact, and raw emotion. Members may begin to feel distanced from direct union participation. They will probably remain supportive of the union movement but may not be as passionate in their pursuit of union activities and ideals.
Chapter III

The History of Labor Organizations in Professional Baseball

Baseball is known as "America's National Pastime" and is the oldest professional sport played in America. There is much debate over the origins of the game of baseball and who actually invented it. Generally, it is believed that a former U.S. Army major general named Abner Doubleday invented the game and its rules, as they are known today, in Cooperstown, New York, in 1839. However, many historians argue that the actual inventor of the game was a man named Alexander Joy Cartwright, who created a set of rules a few years before Doubleday.

Organized labor has existed in professional baseball, in one form or another, for over 100 years. During the sport's fledgling stage, the players, not the owners, were the driving force behind the game's growth and development (Staudohar, 1996). An organization was formed in 1858 that was not a union in the traditional sense, but an organization of teams that took control of the game. The National Association of Base Ball Players was headed by the players and emphasized their financial interests, with the goal to "sell themselves on the open market to the highest bidder" (Staudohar, 1996). For all intensive purposes this was an early form of free agency. Players moved freely from team to team. This action was dubbed "revolving" by famed sportswriter Harry Chadwick (Staudohar, 1996).

In 1876, the National League was formed by a businessman from Chicago named William A. Hulbert. Control of the game was taken away from the players and dispersed amongst the owners of the clubs. For the first time, a regular schedule was created and in
1880, the owners established a reserve clause in players' contracts that unilaterally allowed a team to reserve a player's services for the following year (Staudohar, 1996). The reserve clause also permitted the selling and trading of players to other clubs. The practice if "revolving" was virtually eliminated and the players were no longer allowed to have freedom of contract and movement (Staudohar, 1996). The reserve clause is believed to have been the most influential aspect that eventually led to the formation of the first baseball unions.

**The Brotherhood of Professional Base Ball**

In 1885, John Montgomery Ward, a lawyer educated at Columbia University and a shortstop and pitcher for the New York Giants founded the Brotherhood of Professional Base Ball, with some of his teammates. This was the first attempt to organize professional baseball players. The Brotherhood had chapters in every city in the National League. Ward recognized that the reserve clause was not beneficial to the players. He attempted to gain free agency for players who had been with the same club for a number of years by negotiating his case with each club. Ward's attempt failed and this led to the so-called Brotherhood Revolt of 1890 (Staudohar, 1996). The revolt was led by approximately 200 major league players and, basically, caused the downfall of the Brotherhood of Professional Base Ball Players. Another cause of the revolt was the creation of The Player's League, which was comprised of the best players in the game at the time. However, this organization only lasted for about a year. It was largely brought down by a massive financial and verbal assault from Albert G. Spalding, who was
National League club owner, a former star player, and sporting goods entrepreneur who was later elected to the Hall of Fame (Staudohar, 1996).

The Brotherhood of Professional Base Ball Players was very short-lived but it began a movement. There were a few other significant attempts by players to form their own organization. Three of the most significant were the Players' Protective Association, the Baseball Players' Fraternity, and the American Baseball Guild.

The Players' Protective Association

The Players' Protective Association was founded in 1900. The formation of this organization was prompted by a reduction of teams in the National League and the subsequent termination of sixty ballplayers. The leadership of the PPA consisted of veteran players and a couple of future Hall of Fame players, Clark Griffith and Hughley Jennings. Griffith, along with Charles Comiskey, is also known for helping to establish the American League "by becoming its most dominant player in 1901" (Staudohar, 1996). Jennings had an extensive baseball background as well. He was a former coach of the Cornell baseball team, where he obtained a law degree, and of the Detroit Tigers.

Another former player, Harry Taylor, was named the chief strategist of the Players' Protective Association. He held meetings with the owners of the National League to urge the modification of the reserve clause and "reforms on the sale and trading of players and farming them out to the minor leagues (Staudohar, 1996). The organization lost its credibility as a bargaining agency and dissolved in 1903, mainly, because it could not prevent its members from defecting to the American League.
The Baseball Players' Fraternity

The Baseball Players' Fraternity, also known as the Fraternity of Professional Baseball Players of America (Staudohar, 1996), was founded in 1912. The creation of this organization was provoked by an incident involving one of the greatest, and most notorious, baseball players in history: Ty Cobb. During a game in New York in 1912, Cobb entered the stands and assaulted a heckler. He was, consequently, suspended for a period of ten days. The Detroit Tigers embarked on a one-day strike in protest of the ruling. This was the first ever strike in professional baseball. According to Staudohar (1996), this incident caused a wave of union sentiment across among players, which led to the formation of the Baseball Players Fraternity. The BPF, as it was called, was established by David Fultz, who was yet another ballplayer turned lawyer. The BPF strived to be more of a professional association instead of a labor union. It strongly opposed the formation of another league and viewed the tactic of using strikes as a weapon with disdain. The BPF pushed for higher salaries for all players, even minor leaguers. The organization eventually gained recognition from major league owners. In 1917, after a failure of a third league, the Federal League, which created competition that helped the BPF, the BPF dissolved after a sharp decline in membership.

The American Baseball Guild

Professional baseball players did not attempt to organize again until 1946. This organization was instituted because of low salaries that were causing players to switch to the Mexican League where they were, ironically, paid considerably more. One of the players who switched leagues, Danny Gardella of the New York Giants, was banned and
blacklisted from the majors for a period of five years for, supposedly, violating the reserve clause. He sued the commissioner and Major League Baseball, however, the case was settled upon (Staudohar, 1996).

In response to this action taken by the league, a lawyer and former examiner for the National Labor Relations Board, Robert Murphy, established the American Baseball Guild. Murphy called for much reform “including a minimum salary, salary arbitration, modification of the reserve clause, and a pension plan (Staudohar, 1996). The owners agreed to set the minimum salary at $5000 and fund a pension plan from revenue generated from national television and radio rights. However, the owners began to seize control of the ABG and it ultimately failed, as did every labor organization, associated with baseball, to this point.

**The Major League Baseball Players’ Association**

In 1952, the Major League Baseball Players’ Association was initiated. Team owners initially dominated the MLBPA. There were some agreements reached on issues such as insurance and pensions. However, in 1966, the players hired Marvin Miller as executive director of the MLBPA. Miller was not a former baseball player. Quite frankly, he did not have anything to do with baseball. He was a traditional unionist. Miller was the former economist for the powerful United Steel Workers of America. Miller educated the players in the fundamentals of organizing and convinced the player that they would have a greater bargaining position if they acted as a cohesive unit (www.bigleaguers.com, 2002). Miller negotiated the first ever collective bargaining agreement in professional sports in 1968. This agreement was one of the first steps toward giving players more of a
say in negotiations in the, often owner dominated, business of baseball

(www.bigleaguers.com, 2002).

The 1970’s represented a period of change for the MLBPA and its constituents. In 1970, the MLBPA successfully negotiated for a provision that replaced the system where the commissioner of baseball ruled upon the interpretation of collective bargaining agreements. Now, a grievance arbitration panel, consisting of a permanent impartial chairman, would decide such matters (Staudohar, 1996). The players demonstrated their new strength and solidarity in 1972 by going on strike for ten days. This led to an agreement in 1973 that called for neutral arbitrators to determine players’ salaries if the player and club were unable to agree with each other.

There was another major development at this time. Curt Flood, a long time outfielder for the St. Louis Cardinals, challenged the reserve clause over a proposed trade to the Philadelphia Phillies, in 1969. He filed a suit against Major League Baseball and his action was, actually, funded by some of his fellow players. The Supreme Court ruled against Flood in 1972. However, his suit opened the door for free agency in professional baseball, and all of sports for that matter.

After the expiration of the collective bargaining agreement of 1973 on December 31, 1975, a new agreement could not be reached until the summer of 1976. During this period, players Andy Messersmith and Dave McNally challenged the reserve clause and filed their own suit against Major League Baseball. However, their case was decided by an independent arbitrator. In December of 1975, they attained free agency when the arbitrator ruled that the reserve clause was in violation of a player’s right to sell the services to the highest bidder (www.bigleaguers.com, 2002).
Marvin Miller retired from his position as executive director of the Major League Players association in 1982. His replacement, Keith Moffett, was the acting director of the Federal Mediation and Conciliation Service and had played an important role in mediating the baseball strike of 1981, which will be discussed later in this article. However, his term only lasted about a year before he was fired by the executive board of the MLBPA. They claimed he was not militant enough towards management (Staudohar, 1996). After Moffett’s termination, Marvin Miller resumed leadership of the union on an interim basis. He was replaced by Donald Fehr, who was a lawyer employed by the firm that represented the Union. He, successfully, negotiated the, previously mentioned, Messersmith case and was named general counsel of the MLBPA in 1977 and became executive director in 1986. Fehr considers Miller his mentor (Staudohar, 1996) and, according to Staudohar (1996), he still keeps close contact and seeks advisement from him. Fehr’s accomplishments have included negotiation agreements with baseball card companies that “raised revenues for the union from $2 million in 1981 to $70 million in 1992” (Staudohar, 1996). However, he was severely criticized for his role in the long shutdown of baseball in 1994-1995, which resulted in the cancellation of the World Series and almost caused the total demise of the game.

Three Strikes, You’re Out!

Major League Baseball has had its fair share of labor issues over the last thirty years and the strike has provided the “ultimate weapon” (Staudohar, 1996) for the players’ to achieve their union objectives. Each dispute has left its mark on the game but not always in a positive manner. The disputes that will be discussed in this section are the

The Strike of 1981: Strike 1!

Before, the strike of 1981, the only two recent disputes took place in 1972 and 1976. As mentioned previously, the incident in 1972 only lasted for ten days. There was an owner-imposed lockout for seventeen days in 1976 because of a disagreement over free agency. However, the strike of 1981 saw the first significant work stoppage of the modern era.

Baseball avoided a strike prior to the beginning of the 1980 season but one was still imminent. Owners were attempting to regain some control over player mobility and to recoup some compensation for lost free agents. The players announced their intention to strike on May 29, 1981, when owners indicated their intentions to put their own free agent compensation plan into effect (Staudohar, 1996). The strike commenced on June 12 and it became a war of attrition. The owners hoped that the players' would prolong the strike and, ultimately, surrender after realizing how much salary they had lost. But the union held strong and the players stuck together. There was a very public feud between union leader Marvin Miller and Ray Grebey, who was the chief negotiator for the owners. This made compromise difficult and prolonged the strike (Staudohar, 1996). The only thing that caused them to start negotiating again was a strong fear that the entire season would be lost.

Both sides made major concessions and, after fifty days and 713 cancelled games, the strike ended. Compensation rules were tightened but players still could move freely.
without much market restraint and it is widely believed that the players won the strike because their salaries continued to rapidly increase (Staudohar, 1996). Fans interest waned at the end of the 1981 season, but attendance reached record numbers the following season. This strike did not seem to have a too negative affect on the game.

The Labor Issue of 1985: Foul Ball!

Since its inception, television has changed the face of the game. It has spurred baseball’s popularity and helped mold it into the billion-dollar it is today. Because of its large presence and importance to the game, it has been the focal point of many disputes. In 1985, it was the largest, but not the only, point of contention between the owners and the union.

Negotiations began in mid-November of 1985, after the expiration of the Basic Agreement between the leagues and players’ association on December 31, 1984 (Staudohar, 1996). The most prominent issue was a how a television package, worth six years and 1.125 billion, would be distributed. During a previous agreement, approximately one-third of the revenue was placed into the players' pension fund. However, this contract was worth substantially more than that one. The players’ association wanted a much greater cut this time, while the owners believed that current fund was already “quite generous” (Staudohar, 1996). The owners also intended to use this increase in revenue towards making their clubs more profitable.

There were other issues involved in the dispute. A disagreement over free agency still existed. Players did not believe the owners should receive compensation, even though the players were signing more lucrative contracts. Salary arbitration was another
issue. The union wanted the rule changed where players could receive salary arbitration after only one year instead of two. The owners wanted the eligibility increase to three years. The union also wanted an increase in the minimum salaries, while the owners fought for an extension of the number of playoff games from five to seven, the same as the World Series. However, the union demanded a larger share of the revenues that would result from the expanded number of games (Staudohar, 1996).

Each party waited for the other side to make its move. The fireworks began, however, when John McMullen, owner of the Houston Astros, publicly claimed that the “union had too much control over the player” (Staudohar, 1996). The rest of the owners had to claim that the rest of them did not share McMullen’s views, even though they probably were. However, such comments, if proven true, would only antagonize the union and make them more militant.

There was a problem in February when the owners claimed they were heading towards a financial crisis. This was a tactic that had been attempted before by the owners and the union knew it. The NLRB usually requires businesses to show proof of this, which the owners had never done in the past, but they managed their way around it. Peter Ueberroth, the commissioner of baseball, stepped in and urged the owner to make their books accessible to the unions. The owners provided the financial data but a dispute ensued over the interpretation of the records. An outside consulted was hired to review the financial records. The review showed that losses were not nearly as high as the owners had claimed and that most teams were profitable. However, it was quite clear that the teams would lose money due to the high expenses, unless some kind of limit was
instituted. This limit was found in the proposal of a salary cap, which was dropped when Ueberroth voiced his opposition to the idea (Staudohar, 1996).

The MLBPA executive board set a strike date for August 6, 1985. This decision was supported by the players. The players did walk out, but only for a couple of days and most games were made up at a later date. It was apparent that neither side really wanted the strike and baseball was, pretty much, able to maintain its public image.

Again, it seemed that the union got the best of the owners. The players received a greater contribution to their benefit plan and a larger share of the revenue from television. Players with over ten years of service were awarded an annual pension of $90,000 until the age of sixty-two and the minimum salary was increased, by $20,000, to $60,000 (Staudohar, 1996). However, the owners did win one battle. Players were made to wait three years instead of two before being eligible to file for salary arbitration. Another aid to owners was the establishment of a fund from network television revenues that would smaller market clubs.

The Lockout of 1990: Another Foul Ball

The act was beginning to get old and tired. Fans were beginning to lose their patience with the game. The lockout of 1990 was the third work stoppage in less than ten years. This dispute, which would last thirty-two days centered around the owners' desire to radically change the Basic Agreement, revenue sharing, and a proposed salary cap.

The owners' proposed a guaranteed 48 percent share of revenue from ticket shares and national and local radio and television contracts for the players. They also proposed a pay-for-performance system, where players with between zero and six years experience
would be paid based on seniority and performance derived from statistical formulas (Staudohar, 1996), and a salary cap.

The players had their own set of proposals. They wanted salary arbitration restored to players with only two years experience, a raise in the Minimum salary from $68,000 to $125,000, an increase in protection from collusion by the owners, and an increase in roster size to twenty-five players from twenty-four. They also wanted the formula for owners’ contributions for the benefit plan to remain the same, which was equal to about one-third of the total television revenue generated from the All-Star Game, playoffs, and the World Series.

The pay-for-performance proposal by the owners had virtually no chance of gaining acceptance from the players’ association. It was really a way of creating a wage scale by eliminating the possibility of salary arbitration. Salaries were going to be determined through a series of complicated statistical formulas that were very difficult for anyone to comprehend, including the author. The salary cap was proposed as a means to protect smaller market teams from losing their free agents bought by large market teams with deep pockets. It would also discourage free agency and allow teams to retain most of their quality players, “thus yielding a greater return on investment” (Staudohar, 1996).

Negotiations began on November 29, 1989. Talks went very slow and it appeared as if each side was procrastinating until the very last minute. Because of this delay, Commissioner Fay Vincent sat in on the negotiations in February, two weeks before the beginning of spring training. Vincent was in a difficult position because he is paid by the owners, but responsible to act within the game’s best interests (Staudohar, 1996). However, he made some proposals in an effort to help the negotiations. He proposed that
minimum salaries he scaled for players within their first three years in the league. The range of scale was $75,000 for the first year, $125,000 for the second, and $200,000 for the third. He included a 75 percent cap on increases in salary arbitration. Vincent also called for a two-year study on revenue sharing, and no increase in the players' benefits plan. These proposals prompted the owners to drop their demands for revenue sharing, pay-for-performance, and salary cap (Staudohar, 1996).

The owners instituted a lockout on February 15, as a tactic to force the players into an early settlement. This also protected the owners from a later strike. Owners receive most of their revenue late in the season from television and post-season play.

This dispute was basically a draw. The owners really did not give up too much but the players were relatively happy. Salary arbitration was given to about 17 percent of the league's best players that had two to three years tenure, the minimum salary was raised to $100,000, and the players' benefit plan received an increase to $55 million by the owners annually. Furthermore, the roster size was increased to twenty-five, and the players were given protection from collusion. However, a stipulation was included that made it possible for either side to "reopen" the contract after three years, on any major economic issues (Staudohar, 1996). The season started a few days late, but again, the games were made up later in the season and the post-season began a little later than usual.

The Strike of 1994-95: Two Strikes, Two Outs, Bottom of the Ninth

The strike of 1994-95 almost ruined baseball in America. It lasted 232 days, ending one season, and running into another. The World Series was even cancelled in 1994.
The stipulation to "reopen" the negotiations of 1990 came back to haunt both parties. The author likes to compare this action with the opening of Pandora's Box. The owner's voted to invoke the clause in 1992 and restart contract negotiations. It was fairly simple math for the owners. Salaries were beginning to reach outrageous levels and networks such as ESPN and CBS had lost a lot of money. This meant that there would probably be a shortfall from television revenues for the owners (Staudohar, 1996).

The owners actually agreed to revenue sharing among themselves in the early part of 1994 but it would only happen if the players accepted a salary cap. This was not likely to happen any time soon. The players were a bit alarmed at the radical proposals that the owner were making. The owners proposed an even split of total revenues with players and they were agreeable to the liberalization of free agency, but wanted salary arbitration eradicated. Players wanted revenue sharing but they did not want it linked to a salary cap that would potentially cost them $1.7 billion over a seven-year period (Staudohar, 1996). As for the remainder of the issues, the players were, as stated before, alarmed at their radical nature, and they came too late for the players to really feel they could consider them.

The owners still claimed that they were continuing to lose money so they were more committed than ever to achieving victory during this dispute. Due to the nonexistence of serious negotiations, the inevitable occurred on August 12, 1994. The players went on strike. The players had a very distinct advantage at the time of the strike. They had already received most of salary for the season. However, the owners faced a huge dilemma because most of their revenue was generated from this time of year and the upcoming post-season. At this rate, it appeared that the post-season would not happen
and this theory was proven to be correct and, as previously mentioned, the World Series was cancelled for the first time in over ninety years.

After more pointless negotiations, the owners came up with a new proposal. They offered to institute a luxury tax that would penalize teams that spent more than a certain amount on salaries (Staudohar, 1996). Clubs would be taxed one percent of its total payroll for every $500,000 spent on salaries. This was not really a salary cap but it would deter overspending on payrolls. The shares of the taxes would go on to be dispersed evenly among smaller market teams that had lower payrolls.

The talks were not gaining momentum. So President Bill Clinton took it upon himself to get involved with the negotiations. In early 1995, Clinton implored the owners and players to settle their differences. He convinced both sides to allow an independent mediator named William J. Usery, Jr. to help end the strike. Usery helped mediate disputes between unions and Eastern Airlines, and Pittston Coal and the United Mine Workers and was considered the “top labor troubleshooter in the nation” (Staudohar, 1996). The owners responed to this effort by attempting to break the strike by hiring replacement players for the 1995 season. The players’ union budged a little by accepting the owners’ revenue-sharing formula. They made a counter proposal pertaining to the luxury tax, consisting of a 25 percent tax on teams with payrolls exceeding over $54 million. However, the owners wanted a 50 percent tax on teams that only had a payroll of $40.7 million. Again, Clinton felt the need to intervene by inviting representatives of both sides to the White House, where he established a settlement deadline for February 7. However, Congress refused to take any form of action in regards to the baseball strike. Senate majority leader Bob Dole and Speaker of the House Newt Gingrich claimed that
the strike was a private labor dispute and that Congress should not get involved
(Staudohar, 1996).

The strike was beginning to come to a close due to a flurry of legal action. The
MLBPA filed unfair labor practice charges with the NLRB on a number of grounds.
When the owners discovered that the NLRB was prepared issue a formal complaint
against the owners on the salary cap proposal, the owners withdrew the salary cap offer
from the table. The NLRB also sought a court injunction with the purpose of forcing the
owners to restore salary arbitration and an open market for free agent players, which the
owners, allegedly, illegally blocked (Staudohar, 1996). If the injunction was issued,
Union leader Donald Fehr claimed he would recommend that the players end the strike.
Judge Sonya Sotomayor issued the injunction in New York. She reasoned “failure to do
so would irreparably harm players...that the restrictions imposed by the owners on the
free agency system should not have been unilaterally imposed until there was a good faith
impasse reached at the bargaining table” (Staudohar, 1996). Thankfully, the owners
decided not to impose a lockout in response to the players ending the strike. Even though
the strike was over, negotiations continued and it was widely believed that it was just a
matter of time before another work stoppage, even worse that this one, occurred.

Neither side could really claim victory, even if it appeared that the players
received the better end of the quasi-settlement. Financially, the owners took a major hit
from the dissolution of the NBC-ABC baseball agreement. Revenue fell way short of the
minimum of $330 million that each side had to produce to keep the pact from being
voided (Staudohar, 1996). Baseball refused to restructure the deal, so the networks
decided to back out of it, effective at the end of the 1995 season. However, both sides
were obliterated in the eyes of the public. The game was affected by the resentment the fans felt over this overdrawn dispute. Many fans perceived the players in a negative light, for going on strike when they make a lot more money than the average person. Though, this was only the beginning of what was to come. This was, by far, the longest interruption any sport had ever endured in America. The only consolation was that, in 1995, it was announced that the league would add two teams in 1998, the Arizona Diamondbacks and the Tampa Bay Devil Rays. Furthermore, the season would begin with the "welcomed" return of major league players and not replacements. However, it was very obvious that every fan did not share this sentiment.

The Dispute of 2001-2002: If This is Strike Three, You're Outta' Here!

Baseball has had its share of labor disagreements over the past thirty years. In fact their had been eight work stoppages since 1972, and the ninth was rapidly approaching. This dispute came almost seven years after the last strike, continuing the pattern where a dispute seems to take place approximately every five years between Major League Baseball and its union.

Some of the issues of labor disputes past were revisited during this one. An impasse continued to exist over the issues of revenue sharing and a proposed luxury tax. There were also the issues of drug testing and salary arbitration. However, a new issue that was a major point of contention was something known as contraction. Contraction was the term given to the proposed elimination of one or more of the existing baseball franchises before the beginning of the 2002 season. This was because they were not deemed profitable, nor had any hopes of becoming so. The teams that were facing
contraction were the Florida Marlins, Tampa Bay Devil Rays, Minnesota Twins, and the Montreal Expos, whose attendance is so sparse, it makes any event on the pro bowlers' tour look like the Super Bowl.

The owners wanted to impose a luxury tax with the main purpose of restoring competitive balance to the game. The player's union was basically opposed to a luxury tax. However, they were willing to accept one as long as they could be convinced that tax rates and increased sharing of revenues would not significantly limit spending on players' salaries. On January 9, the owners proposed a luxury tax on payrolls that exceeded $98 million and increased the percentage of shared locally generated revenue from 20 percent to 50 percent.

The owners also wanted to decrease revenue disparity by instituting an increase in the amount of revenue sharing. At the time of the dispute, each team contributed 20 percent of its local net revenues, after deductions for ballpark expenses to a pool (The Newark Star-Ledger, August 28, 2002). The new proposal called for the revenue sharing to be increased from $166 million to an average of $240-$250 million a year, for an average of four years (The Newark Star-Ledger, August 28, 2002). On March 13, 2001, the union responded to a proposal that was issued by the owners on January 9, 2001, by offering to increase revenue sharing by 22.5 percent. However, they declined to offer a luxury tax.

The other major issue up for discussion was contraction. On November 6, 2002, the owners voted 28-2 to eliminate two teams prior to the 2002 season, with all indications pointing towards Montreal and Minnesota as the victims of this edict. The Players' union was staunchly opposed to contraction, primarily, because of the number of
jobs that would be lost, and the fact that Acting Commissioner Bud Selig was the owner of the Milwaukee brewers, another small market team that could benefit from contraction, as well as revenue sharing. His role was often ridiculed because it was seen as a conflict of interest. Another twist to the contraction proposal was that a District Court judge in Minnesota issued an injunction preventing the Twins from being contracted because it would be a violation of the team’s lease with the company that owns the Metrodome, where they play their home games. However, this issue was settled for the time being on February 5, 2002. Owners elected to postpone contraction until the 2003 season, in part because the Minnesota Supreme Court refused to hear an appeal from Major League Baseball and forced the Twins to honor the lease through the 2002 season (The Newark Star-Ledger, August, 28, 2002).

If this strike occurred it probably would have caused more of a public relations nightmare than it already was. During past work stoppages, it was widely believed that wealthy owners were attempting to take advantage of the players. However, this attitude has changed. Even though one would be hard-pressed to feel sympathy for owners that were billionaires, it would even be more difficult to find someone who felt sympathy for someone who went on strike, yet made millions of dollars, and even the lowest-paid players earned $300,000 a year. It would be especially difficult to find anyone who felt sympathy for a player such as Texas Rangers shortstop Alex Rodriguez, who would stand to lose $114,754 per day if there was a strike, which is more than most people make in a year (The Newark Star-Ledger, August 30, 2002). The one-year memorial for the September 11th attacks was also approaching and it would look horrible if the “American
Pastime” was interrupted by a demoralizing strike. According to White House spokesman Scott McClellan (2002), after talking with President George Bush about a potential strike:

“ The owners and players need to keep in mind not only what a strike would do to the future of baseball, but also what it would do to America during a time of national unity and national spirit” (as cited by The Newark Star-Ledger, August 30,2002).

However, unlike the last labor dispute involving Major League Baseball, The President decided to stay out of the conflict directly

A possibly catastrophic strike was averted when an eleventh hour deal was made on August 31, 2002. There was a settlement on the two most important remaining issues. A luxury tax would be imposed on any team that exceeds payroll of $117 million and any team that spent over that amount must pay a 17.5 percent tax on any dollar over the luxury tax limit. Furthermore, it was agreed that each team would contribute 34 percent of its net local revenue, after deductions for ballpark expenses, to a pool that would be split equally among the 30 franchises (The Newark Star-Ledger, August 31, 2002). Many large market teams, such as the New York Yankees, were dealt a harsh blow by the new revenue sharing and luxury tax agreement. Now, smaller market teams will be given a portion of any revenue contract these large market teams possess.
Chapter IV

Analysis of the Survey

Description of the Survey

The survey for this thesis article was comprised of ten statements that were measured using a Likert Scale. The rating system ranged in answers from "strongly disagree" to "strongly agree". A participant was required to answer "neutral" if they had no opinion regarding the statements or if they are not knowledgeable of the subject. Each statement was designed to have a general stance pertaining to labor activity in professional baseball, specifically, and labor organizations, in general. It was the author's desire to elicit a definitive reaction to the survey. The statements were intended to evoke an increase in emotion from top to bottom.

Sample

The goal of this survey was to obtain at least 100 responses in order to develop a credible sample that would result in an accurate assessment of the literature. Each survey participant was required to be a supporter, non-supporter, or member of a labor organization, a baseball fan or non-baseball fan, or both. It was deemed necessary for a participant to be educated in at least one field of this study that included, both, knowledge of labor organizations and professional baseball.

The second page of the sample presented very general questions which were optional for the participant to answer. The participants were asked to specify gender, age, status within organized labor, their affection for baseball, and what team they were partial
to. The author believes that each question could, in some way or another, help establish a psychological overview of the survey participants. Each statement's answers could be greatly influenced by what gender, age group, or affiliation each respective participant represented. The author intends to breakdown each answer to examine what each category submitted as a response to this research.

Purpose of the Survey

The intent of the survey was to assess the level of familiarity the public had with issues concerning labor organizations in professional sport, particularly baseball, and the validity of labor organizations, in general, within American industry. Are they perceived as relevant in an age where the pay scale and income have increased and great strides in workers' rights legislation have been made? Do these perceptions reflect certain current trends that have been evident, and found through extensive research, within the study of labor organizations in, both, professional sports and American industry? It was the author's desire to receive a preliminary answer to the thesis question while confirming or refuting his own assertions.

Statement Breakdown

The following is a dissection of each statement presented in the survey. The author wishes to identify the individual purpose that each statement possessed, as well as the knowledge that was hoped to be received by them. The relevance of each statement is also explained to the best of the author's ability.
The breakdown of the statements is as follows:

**Statement 1**: For the most part, I consider myself a supporter or advocate of labor organizations.

The first statement of the survey was intended to be very direct. The author was attempting to determine whether or not the survey participant was in favor of the existence of labor organizations. This statement was limited to the advocacy of only one kind of labor organization. The participant may be a supporter of any union that exists in any industry that is unionized.

**Statement 2**: I generally oppose stances and tactics taken by labor organizations during negotiations and strikes.

The second statement of the survey had a few different purposes. Obviously, the primary purpose was to decipher if the participant was sympathetic to certain activities unions might partake in during negotiations and strikes. These stances and tactics may include demonstrations, picket lines, leaflets and other forms of propaganda, and, unfortunately, a past history of violence.

The second purpose of this statement was intended to be a little more inconspicuous. The author was not trying to intentionally deceive the participant. However, for the response to be considered credible research by the author, it had to match the participant's answer to the initial statement presented in the survey. The author had developed the preconceived notion that if one supports a labor organization, the person in question tends to at least support certain tactics, even if they do not directly
participate in them. If the survey participant submitted an opposite response for the first two statements, it would be considered inherently contradictory.

The third purpose the author intended for the second statement involved the measurement of the level of support one may or may not have for labor organizations. The fervor for which an individual advocates labor organizations may be measured by whether the participant chooses “agree” or “strongly agree”. Conversely, the author will be able to determine how passionately the participant opposes labor organization tactics during strikes and negotiations by analyzing their choice of either “disagree” or “strongly disagree”.

Statement 3: If there is another work stoppage for Major Labor Baseball, I will still attend baseball games when the players return.

The author begins to explore the relationship between the survey participant and the sport of professional baseball. This statement may not reveal who is a fan of the game and who is not. However, it will provide some insight as to who supports union activities and who does not. The statement was not intended to be clandestine but it was by nature. The author was truly attempting to discover if fans would indeed continue to attend professional baseball games after yet another work stoppage. History has proven that the number of fans attending these events have decreased after previous work stoppages. In essence, the author had two purposes in mind when constructing this statement: to discover if participants would attend professional baseball games after a work stoppage and to find who supported union activities and who does not. The author was assuming that those participants who tend to answer “disagree” or “strongly disagree” are not in
favor of labor organizations. Those who still attend could also not favor labor organizations but this may be attributed to their, respective, love of the game. It is presumed that those who support union activities would support the stance taken by the Players' Union and still attend after the disputes were resolved.

Statement 4: Generally, the desire for profit and the rising costs of players' salaries are the greatest contributors to the rise in costs of attending professional sporting events.

The fourth statement of the survey is another statement that was intended to be straightforward. It has become increasingly difficult for a family to attend a professional sporting event because of the rising costs of tickets and concessions. This may or may not be caused by a desire for profit and the rise of players' salaries. However, once again a slight, underlying purpose can be found in this statement. This statement holds both sides of a labor dispute accountable for rising costs. The players represent the rise in salaries while owners have the desire for profit. This statement brings into discussion the relevance of labor organizations in professional sports.

Statement 5: Labor organizations in professional sports, by and large, do not maintain a high level of regard for the mentality of the fans.

Statement five was geared mainly to the thought process of the purist of professional baseball fans. This statement attempted to explore the average fans' perception of labor organizations by appealing to their emotions and overall love of the game. Fans are comprised of, both, members of labor organizations and non-supporters of unions alike. One would think that if a participant submitted a response that agreed
with this statement, they are against labor organizations and those who disagree support them. However, the author believes that members of labor organizations, within American industry, may harbor ill feelings and resentment against labor organizations in professional sports. They may not recognize these unions because most of their members are millionaires while many members of labor organizations in American industry, are middle-class, blue-collar workers. Professional athletes may not be perceived as sharing the same struggle that these workers feel that they must endure.

Statement 6: Considering the history of work stoppages and strained labor relations associated with Major League Baseball, it is only a matter of time before another stoppage takes place.

This statement is one of the only, if not the only, statements where it may be discovered that supporters of unions and non-union supporters of unions may provide the same answers. It may be acknowledged by either side that yet another work stoppage is imminent. Past labor disputes and work stoppages have proven this belief to be valid. It is the author’s hope that this statement will give an accurate forecast of the likelihood of another strike or lockout involving Major League Baseball.

Statement 7: For the most part, I believe the issues in dispute between the Players’ Association and the owners of baseball were properly and clearly conveyed to the public by the media.

The media often plays a vital role in labor negotiations, especially when they are of the high-profile variety. Major League Baseball is part of the American culture.
Therefore, it falls into the high-profile category. The survey’s seventh statement explored whether or not the public, baseball aficionados and those that do not enjoy the sport, were properly informed about many of the important issues examined during the labor dispute of 2002. However, this statement was believed by the author to be relevant over the course of all disputes within the past thirty years. It was hoped that the participants of the survey were erudite in the subjects of, both, the game of baseball, and labor organizations. This statement may tell the author if this is, indeed, the case.

Statement 8: Considering both parties involved are represented by millionaires, it is difficult to relate with either argument of the labor dispute.

Most baseball fans and members of organized labor are not millionaires. Due to this fact, the author expected most participants to agree with this statement. It is believed to be fairly certain that none of the survey participants are millionaires. This is another statement that appeared to be straightforward. However, the perceived credibility of the Players’ Union to the general public may be measured by this statement most of all. The author assumed that if this statement is determined to be valid, a majority of the public, union members, and non-union members, alike, do not recognize the Major League Baseball Players’ Association, or other unions involving professional sports, are “true” unions in the traditional sense.

Statement 9: In general, labor organizations usually represent a small group of workers rather than the whole of an organization.
The declaration brought forth in the ninth statement was designed to measure the level of familiarity the participants had, in regard to the unionization of the workplace. The responses to this statement will be based on individual perceptions, even more so than the previous statements on this survey. Each participant may work in an environment where the level of unionization varied from workplace to workplace. Some organizations are entirely comprised of unionized labor while some only have certain departments that are unionized. Based on each, individual experience, the author expects the responses to this statement, in general, to have a broad range. However, the deciding factor, which it is believed will sway the outcome of this statement, lies with those who are employed in an environment where unionization fails to exist. This outside perception will conclude who agreed or disagrees most with this statement.

Statement 10: Given the shifts of pay scale, income, and workers’ rights legislation, labor organizations should be a necessary element of most industries.

The final statement of the survey simply measured the perception of the relevance of labor organizations in American industry. This is the statement that the other statements have led up to. This statement presented the fact that many of the traditional issues that were fought for during earlier labor movements have dramatically changed. Due to the reasons stated, working conditions and the overall employee environment have drastically improved. Statement ten directed a not-so-subtle question to the survey participants: If many of the past issues of the workplace have been relatively resolved, what is the future of labor organizations in American industry? These organizations may not be considered necessary anymore. However, to many, they are extremely necessary.
The question is, are labor organizations truly necessary, or are they so ingrained as an institution of the American workplace, that emotion overcomes reason?
Chapter V
Results of the Survey

Analyzing the Results

The results of the survey reflect the opinions and attitudes the participants have towards current labor issues existing within professional baseball and towards labor organizations, in general. The participants of the survey were comprised from a diverse group consisting of professionals from the world of finance, educators, members of labor organizations, a prominent organization for the empowerment of women, healthcare workers, members of an adult baseball league in Northern New Jersey, and fellow graduate students.

Responses were collected via email, personal interview, and by approaching random groups of people and asking for their cooperation with the survey. Each of the 100 participants answered the ten-question survey in its entirety and provided vital demographic information that was optional for them to divulge. After gathering the completed surveys, the author tallied the answers and was able to calculate an accurate percentage for each answer based upon a 100-point scale, with each answer representing one percentage point. The statistics for each answer are as follows:

Statement 1: For the most part, I consider myself a supporter or advocate of labor organizations.

SA=17%  A=35%  N=29%  D=11%  SD=8%
Statement 1 found that 17 percent of the participants are strong supporters or advocates of labor organizations while an additional 35 percent agree with this statement. In other words, 52 percent of the people surveyed for this article feel some kind of sympathy for organized labor. Twenty-nine participants took a neutral stance. However, there were eleven participants who disagreed and eight additional participants that strongly disagreed with this statement, for a total of 19 percent who oppose labor organizations.

This statement provided the straightforward results the author was anticipating. It may be concluded that the majority of the participants of this survey are supporters or advocates of labor relations by a very large margin. This may be attributed to the combined number of union members and professionals, who may have relatives in organized labor that provided data for this survey.

Statement 2: I generally oppose stances and tactics taken by labor organizations during negotiations and strikes.

SA=9%  A=23%  N=29%  D=35%  SD=4%

When evaluating the data compiled from Statement 2, some interesting facts were discovered. A total of 32 percent of those surveyed “agreed” with this statement to a certain extant. Nine percent of the respondents “strongly agreed” with this statement and an additional 23 percent “agree”, in principle. Out of the 39 percent of participants that “disagreed” with this statement, only four of them “strongly agreed”. Twenty-nine percent of the respondents opted to take a neutral stance regarding this statement.
The responses to this statement were fairly even. This is very surprising considering Statement 1 expressed a large, favorable attitude towards labor organizations. This data seems to contradict the information collected from Statement 1. Statement 1 showed that there was significant support for labor organizations. However, in Statement 2, there is not the same disparity between those that agree and those that disagree. This may have occurred because some who support labor organizations, in fact, may not support certain tactics taken by said organizations. These people suffer from a major conflict: support the union in its efforts to attain its goals at any cost or support it but be unwilling to take “necessary” action to achieve these goals. If they are unwilling to support these tactics, some may subsequently consider the union to be “weak” and they will be able to accomplish nothing.

Statement 3: If there is another work stoppage for Major League Baseball, I will still attend baseball games when the players return.

SA=17%  A=44%  N=15%  D=13%  SD=12%

The relationship between the sport of professional baseball and the survey participant was explored in Statement 3. It did not actually reveal who is a fan of the game and who is not. It merely stated who would attend baseball games after a strike. However, keep in mind that not many non-baseball fans attend baseball games anyway. It was discovered that 51 percent of the participants supported this statement to a degree. Seventeen percent “strongly agreed” while 44 percent “agreed”. On the other hand, a total of 25 percent of those surveyed gave a negative response; thirteen percent
“disagreed” while twelve percent “strongly disagreed”. A total of fifteen percent took a neutral position.

This statement shows an attitude of loyalty by participants who are fans of the game. However, this is surprising considering many of these same fans are probably affiliated with various labor organizations, as implied by the responses in Statement 1. One would seem to believe they would sympathize with the Major League Baseball Players’ Association and would continue to attend games after disputes in a sign of solidarity. This belief seems to have been inaccurate and leads the author to assess that members of labor organizations in American industry may not recognize the MLBPA as a “true” union.

Statement 4: Generally, the desire for profit and the rising costs of players’ salaries are the greatest contributors to the rise in costs of attending professional sporting events.

SA=47%  A=45%  N=1%  D=6%  SD=1%

The author was in search of straightforward, conclusive data for Statement 4 and it is the safe belief that that goal was attained. A staggering 92 percent of the participants “agreed” or “strongly disagreed” with this statement. Those that “agreed” with this statement represented 45 percent of the total while those that “strongly disagreed” represented 47 percent of said total. Only six people “disagreed” with this statement and one person “strongly disagreed”, for a total of seven. Furthermore, there was only a solitary, “neutral” answer.
Statement 4 holds the owners of professional teams, as well as players, responsible for the rising costs of attending professional sporting events. An overwhelming majority of the survey participants validate this remark. Although the owners can be directly responsible for the rising costs due to their immense desire for profit (which is any business persons’ right), players are just as responsible because their own desire for exorbitant salaries drives the costs of ticket and concession sales even higher. The owners must charge these outrageous amounts in order to cover their respective payrolls. Salary increases and player benefits are two of the major issues involved during labor negotiations, past and present, in professional sports. It may be viewed that these labor organizations are hurting the industry more than helping. Ironically, many of the same participants that support unions may have cast an unintentional vote against labor organizations in professional sports. However, maybe they were not inadvertent at all.

Statement 5: Labor organizations in professional sports, by and large, do not maintain a high level of regard for the fans.

SA=28% A=36% N=19% D=14% SD=3%

This statement was an emotional question meant to appeal to the purist of baseball fans. Consequently, another overwhelming response was received. A combined total of 64 percent “agreed” with this statement and only seventeen percent “disagreed. An additional nineteen percent did not have an opinion either way.
Two things may explain the reason for the wide margin between those that “agree” and those that “disagree”. The first reason may be the resentment a fan may feel when professional athletes go on strike. It is very difficult for the average fan to comprehend why a millionaire would go on strike. Furthermore, strikes affect the fans by taking away a vital source of entertainment.

A second reason for such a schism may be that members of labor organizations within American industry do not recognize the MLBPA. This reflects an implication previously derived from the analysis of Statement 2.

Statement 6: Considering the history of work stoppages and strained labor relations associated with Major League Baseball, it is only a matter of time before another stoppage takes place.

SA=24%  A=52%  N=11%  D=13%  SD=0%

It was thought that there was a possibility that both sides of the labor issue might actually provide similar answers in Statement 6. This was indeed the case. A total of 76 percent “agreed” or “strongly agreed” with this statement while only thirteen “disagreed”. However, no respondents “strongly disagreed” with the statement and an additional eleven percent remained “neutral”.

The answers submitted for Statement 6 reflect the belief that another work stoppage is imminent. Both unionists and non-unionists seem to agree for a change. They may have been influenced by the fact that some sort of dispute occurs almost every five years.
Statement 7: For the most part, I believe the issues in dispute between the Players’ Association and the owners of baseball were properly and clearly conveyed to the public by the media.

SA=5%  A=23%  N=27%  D=36%  SD=9%

Did the media do an adequate job informing the public about both sides of the labor issue pertaining to Major League Baseball in 2002? The goal of Statement 7 was to accurately assess this question. Unfortunately, the results were quite muddled. The survey participants did not seem to favor one side over the other, nor did they seem to care. Even though a total of 45 percent of those surveyed “disagreed” and only 28 percent “agreed”, 27 percent did not have an opinion on the subject. That is a very high number of neutral responses. It was definitely a greater number than the author anticipated.

It is believed that, to most baseball fans and those interested in the labor issues surrounding the game, the media’s portrayal of the events were insufficient, at best. However, those who are not baseball fans and did not follow the media coverage surrounding the dispute may have given the large number of “neutral” responses.

Statement 8: Considering both parties involved are represented by millionaires, it is difficult to relate with either argument of the labor dispute.

SA=22%  A=46%  N=11%  D=18%  SD=3%
When analyzing the survey in the previous section of this article, the author stated that he believed that most of the participants would agree with this statement. After tallying the data, that assumption was proven to be correct. Only 21 percent of the respondents “disagreed”. However, 68 percent “agreed”, 22 “strongly”. This total more than triples that of those who “disagreed”. There were also a minimal amount of “neutral” responses: eleven percent.

The author also believed that this statement would aid with assessing the validity and credibility of the Players’ Union in the eyes of the general public. The general public includes union members and non-union members, as well as, baseball and non-baseball fans. As expressed by the responses given, it may be concluded by the author that most people do not recognize the MLBPA, or other unions involving professional sports as “true” unions in the traditional sense. The traditional union, consisting of middle-class, blue-collar workers, has very little in common with an organization that consists of millionaires that are represented by agents, as well as, union representatives.

**Statement 9:** In general, labor organizations usually represent a small group of workers rather than the whole of the organization.

<table>
<thead>
<tr>
<th>SA</th>
<th>A</th>
<th>N</th>
<th>D</th>
<th>SD</th>
</tr>
</thead>
<tbody>
<tr>
<td>7%</td>
<td>30%</td>
<td>19%</td>
<td>33%</td>
<td>11%</td>
</tr>
</tbody>
</table>

As stated in the previous section, the intent of Statement 9 was to measure the level of familiarity the participants had with the unionization of the workplace. It was also unknown how the majority would respond because the levels of unionization vary between workplaces. A total 37 percent of the participants “agreed” that “In general,
labor organizations usually represent a small group of workers rather than the whole of the organization” while a total of 44 percent “disagreed” with the statement. A “neutral” answer was submitted by nineteen percent of the participants.

The answers for this were almost identical. A mere seven percent separated those that “disagreed” and those that “agreed”. There was also a lack of passionate answers. A scarce number of participants felt strongly regarding the statement. There may be a couple of reasons for these answers. The lack of passion may actually be a sign of ignorance. Many participants were not part of organized labor, nor were they employed in a work environment where a union existed. Union activity may also be represented on different levels in each workplace. The amount of organized workers in a given environment depends on the overall size of said environment. Some workplaces are completely “organized” while others only have a small number of “organized” workers.

Statement 10: Given the shifts of pay scale, income, and workers’ rights legislation, labor should be a necessary element of most industries.

SA=11%  A=34%  N=22%  D=19%  SD=14%

The final statement represented the culmination of the survey. Statement 10 is directly questioning the relevance of the labor organization in American industry. If these issues have improved over the years, are unions still needed? 36 percent of the survey participants did not believe so, while 45 percent did. An additional 22 percent either did not have an opinion or did not wish to share it.
Through the results demonstrated by Statement 10, it is apparent that there may have been some confusion. If you may recall from Statement 1, 62 percent of the participants considered themselves advocates of labor organizations. How is it possible then that only 45 percent of the same participants believe labor organizations should be a necessary element of most industries? It may be possible that many respondents misunderstood the statement. However, the responses given may also be an indication that many members of the general public, unionists and non-unionists included, do not understand the present role of, or need for, labor organizations in America today.

Conclusion

This survey seemed to be well received by most of the one hundred participants. Overall, 59 percent of the respondents were men and 41 percent were women. A total of 82 percent were fans of the game of baseball. Of those participants that were baseball fans, most were partial to the New York Yankees and the New York Mets. This was an expected result since most of the respondents were from the New York Metropolitan Area.

Some important conclusions were drawn from this survey. The first is that many traditional unionists do not, nor will they ever recognize the legitimacy of labor organizations within professional sports. There was some interesting feedback from respondents that can help validate this claim. One participant stated, “Labor organizations were meant for laborers, not people who play a game for a living” (Anonymous Survey Participant, 2002).
The same participant (2002) added:

“I support labor organizations where the possibility exists for workers to be taken advantage of. When people are being paid millions of dollars to play a game, I do not support protests or strikes. Baseball and other professional sports are no place for labor organizations.”

Another participant who supported the rights of workers to join unions and bargain collectively claimed that they do support the baseball union in any of its positions. They stated that the union is “out of touch with the public” (Anonymous Survey Participant, 2002). Another respondent posed a very good question: “What benefit is a labor union to people who have agents that negotiate their contracts?” (Anonymous Survey Participant, 2002).

However, there was a rare offering of support for unionization within professional sports. One respondent claimed that they would rather see the players get the money than the owners. They further explained their point by stating that they do not blame the players who have, for the most part taken a substantial risk in trying to become Major Leaguers in the first place. The respondent said, “I the typical athlete earns their money more than a $20 million per film movie star” (Anonymous Survey Participant, 2002).

The opposition to unionization may have been the minority. However, the respondents with these opinions seem to be the most fervent. The number of “neutral” responses was minimal compared to the answers of those who favor unionization. One anti-union respondent stated, “For the most part, unions are antiquated and outdated institutions which tend to cause more harm than good. It seems as though unions now
hold a disproportionate share of the negotiating power and as such have taken on a role as unfair and overpowering as those of the industrialists that led to unionization”

(Anonymous Survey Participant, 2002). From these answers, the author was led to conclude that it is a known fact that unionization has dramatically decreased over recent history, and that although the majority still favor unionization, the gap has drastically decreased as well. It is without much doubt that the results of this survey would have been very different if conducted ten or more years prior.
Chapter VI

Conclusions and Future Outlooks

As we approach the spring of 2003, there is a new baseball season upon us. Spring training has begun in Florida and Arizona, and one would believe that any labor dispute would have been a distant memory by now. However, new issues have arisen with the sudden death of Baltimore Orioles pitcher Steve Bechler, which was allegedly linked to ephedra, a component found in various performance enhancing supplements used by professional athletes. The major league baseball players’ association has been staunchly opposed to any form of ban on performance enhancing supplements other than illegal steroids. This was one of the issues that was not as publicized as others during the labor dispute of 2001-2002. However, it was one that the players’ association was not willing to concede. Why would players want to concede this issue to the owners? Performance enhancing substances have done just that – enhanced the performance of athletes. Natural ability only goes so far in today’s day and age. Performance enhancers are partially responsible for the extraordinary increases in expenditures associated with professional baseball. Salaries have reached an all-time high, and continue to climb. In turn, the price of tickets, concessions and souvenirs have soared. The owners have increased these prices because they want to receive the same percentage of profit that they enjoyed before salaries reached atmospheric proportions.

Only after the death of Steve Bechler has the MLBPA began to reconsider their stance on ephedra. However, it declines to renegotiate its stance until it has been absolutely proven that ephedra is harmful. Bechler’s death does not represent the first
time that ephedra has been implicated in the death of a professional athlete. Korey
Stringer, of the Minnesota Vikings, died during training camp two summers ago. His
death has also been connected to ephedra. Consequently, the National Football League
has imposed a ban on the substance that was agreed upon by their players union.

With the steps taken by the NFL, NHL and NBA to put a halt to the use of
performance enhancing supplements that may be harmful to its athletes, why does Major
League Baseball continue to drag its feet on the issue? The answer to this question is a
fairly simple one to explain. The Major League Baseball Players’ Association is the most
powerful professional sports union in existence. It will lose much of its bargaining power
if it gives any ground whatsoever. Not all professional baseball players use performance
enhancers. However, it has been speculated that a large portion of them do. The owners
have wanted certain legal substances banned and random steroid testing, and have been
harshly opposed by the players’ association. If the NLBPA was to succumb to such a
demand, it would be viewed as weak. As it is, the union relented slightly by offering a
token settlement on the random steroid testing issue. Some testing will be implemented,
but players will be notified when the testing will take place. This ostensibly defeats the
purpose of random testing.

The MLBPA cannot afford to lose any of its clout if it wishes to retain its position
as the “heavy hitter of sports” (Timmerman, 2002). It has maintained this reputation by
consisting of an extremely unified work force, and a clever and shrewd leadership.
“[They are more than an equal partner at the bargaining table and historically they have
cleaned up on the owners, time after time]“ (Staudohar, 2002). However, is the baseball
union really that powerful, or are the owners that divided? Historically, the players have
had the upper hand because, as previously stated, they are the epitome of solidarity, while the owners are rarely on the same page. An owner such as George Steinbrenner, of the New York Yankees, does not have much in common with his counterpart from the Montreal Expos, who are actually currently owned by Major League Baseball. Even though there is a great amount of animosity between the owners and the union, there is possibly even more enmity amongst the owners themselves. If the owners cannot act as one, they will never be successful against the MLBPA. It would seem to be wishful thinking to believe this may happen. However, it may not be such a far-fetched idea to believe that the tides could turn on the Major League Baseball Players' Association.

According to the research conducted during this survey, the union does not possess a favorable image in the eyes of the public. The research supports the assumption that the majority of fans do not support the baseball union. In fact, many of those same people are unionists and do not recognize the baseball union as a legitimate labor organization. The author agrees with assertions made earlier in the article which stated that the traditional unionist has little in common with the millionaires that represent the membership of the MLBPA and question why there is a need for labor organizations in professional sports when each athlete is represented by an agent. These agents negotiate salaries, benefits and other perks for their respective clients while earning about five to ten percent of the contract for themselves.

The players and owners associated with Major League Baseball seem to not realize that they are not the only game in town anymore. Over the past decade, the National Basketball Association and the National Hockey League have made great strides with their marketing capabilities and have vaulted to new levels of popularity within
American culture. Professional soccer has also come to America, and has gained popularity with the Latino community, who used to favor baseball. As the audience for these three entities has increased, the interest in Major League Baseball has waned. This viewer apathy can be directly attributed to the Strike of 1994-1995. The strike was a major blow to baseball’s fan base. It alienated younger fans, which were unable to attend games during the labor dispute (Greenwood, 1995).

Will the situation with Major League Baseball get any better in the future? As a fan of the game, one would hope so. However, the future does look bleak, especially if there is no attempt to improve the current system. The baseball union’s strength is demonstrated by its history of winning favorable decisions over the ownership of Major League Baseball. Is this perceived power real, or just an illusion that is engendered by the weakness of the owners and other members that comprise the hierarchy of baseball? The owners are crippled by not having an independent commissioner since Fay Vincent. The current acting commissioner, Bud Selig, is the owner of the Milwaukee Brewers. This is a gross conflict of interest. Having an owner as a commissioner fosters bad relations between the two sides. Neither the union nor the owners can expect Selig to be completely impartial. Furthermore, Milwaukee’s status as a small market team renders Selig incapable of making unbiased decisions that are fair to both small and large market teams alike. This was evident when the owners conceded, at Selig’s impetus, on the issue of revenue sharing and the imposition of a luxury tax during this past labor settlement. This resolution dramatically favors small market franchises.

Loyalty does not exist among the game anymore. Free agency has made sure of that. The NFL and NHL have restricted free agency, which limits the status to those who
have spent a certain amount of time in their respective leagues. Teams have the right to
match any offer a player receives or they will be compensated if the player leaves.
However, MLB is dominated by unrestricted free agency. Players have the ability to test
the market at will, and it is common to see many star players change teams. How can the
fan be as fervent a supporter of a franchise as fans of the fifties and sixties and other
bygone eras?

It is impossible. During those periods, teams stayed together for ten years. They
built dynasties. Today, we are lucky if a team stays completely intact for two seasons.
People are reluctant to purchase team apparel because the new jersey they just spent $200
for will be outdated at the end of the season. Baseball will continue its downward spiral
of popularity if the fans continually take a backseat to the politics of the game. If the
game is not loyal to the fans, it cannot expect the fans to remain loyal to the game.
Michael Wilbon (2002) of the Washington Post put it best when he wrote that in 1994
people were angry at the game for canceling the World Series, but at least by showing
anger, it proved fans still cared. He added (2002) that if a strike did occur, fans may not
care about the game anymore. Throughout the research discovered in this article, that
feeling seemed to resonate the most.

Many members of organized labor who were interviewed for this article do not
perceive the labor unions associated with professional sports to be true labor
organizations. In their eyes, million-dollar athletes do not have the same needs, nor are
they fighting the same cause. This belief presents a rare instance where the author finds
himself in agreement with organized labor. The proverbial playing field is completely
different. Labor organizations in American industry are not comprised of members who
have personal agents. For the most part, they are blue-collar, middle-class workers, not millionaires.

Regardless of how one may feel or what difference exists between the two forms of organized labor, in question, it cannot be denied that there has been a significant decrease in the unionization movement in American industry over the last decade. There have been various reasons for this decline but one of the most prevalent is the progress of information technology. Ironically, some unionists have designated information technology as an essential tool for union revitalization (Chaison, 2002). The Internet has been an aide to the movement to some extent but this perceived benefit is clearly overshadowed by the way information technology has caused the decimation of organized labor. The Internet has virtually eliminated the need to consult union representation when certain questions arise. This information can be easily obtained by remaining at home. One does not have to look much further than the labor organizations, themselves, if they wish to find the responsible party for this shift. Unions have grown so dependent upon information technology that they risked laying the groundwork for their own demise. They have strayed from their past principles that were so successful for them. For the most part, the Internet has replaced massive rallies, personal contact, and the raw emotion that was inspirational to many unionists.

One cannot also help but question the relevance of the National Labor Relations Board. Its decisions are no longer highly publicized events and it is often criticized for resting on its past laurels (Leroy, 2001). Even recent decisions that have been cited within this article cannot outweigh the belief that the NLRB has begun a decline to coincide with that of organized labor in America. At the beginning of 2002, the NLRB started with
just two out of five members in place, leaving it unable to issue decisions or take any 
other official action (MacDougall, 2002).

The NLRB and its decisions are only a product of which political party controls 
Congress and/or the White House. It maintained an extremely biased pro-union tilt from 
1993 to the recent past, under control of the Clinton administration. However, with new 
Republican appointees under the current Bush administration, the NLRB has a 
Republican majority in place for the first time in ten years that could prove favorable to 
employers. How can one have confidence in the decision-making ability of the NLRB if 
it is so defined by partisan politics? It may as well be abolished and disputes between 
employees and employers can be settled in the courts just the same, without the 
interference of the NLRB.

Organized labor stands to lose much of its clout in the post-September 11th 
American economy. Many of its negotiation tactics and terms are crippled by the fact 
that employers do not have the financial resources to accommodate them, even if they 
were deemed the victors during the labor dispute. Labor organizations can fight for 
whatever terms of settlement they desire, but its members are never guaranteed 
employment. Unfortunately, there have been massive layoffs and many businesses have 
filed for bankruptcy. The forecasted economic recovery has yet to come. Consequently, 
many unionists are less concerned with paying union dues, and more concerned with 
paying their bills.

The main question asked at the beginning of this article was, “Does the recent 
history of labor relations in professional baseball reflect strategies and perceptions about 
the current overall state of labor relations in American industry?” While organized labor
in American industry is in a decline from which it may not recover, labor relations in general are improving in some instances and will continue to do so out of necessity.

There is no organized labor without the existence of a job market. Both sides need the other during these economic times. They must learn to co-exist. Hopefully, the relationship does not revert to its previous ways after the economy makes a comeback. Regretfully it probably will, and labor unions will continue their decline as a consequence.

The Major League Baseball Players' Association is strong, and will continue to increase its strength as long as the owners remain divided. This will be to the detriment of some of the franchises. Thirty owners will rarely, if ever, find themselves in agreement. This indecision will allow the MLBPA to gain concession after concession. Salaries will keep increasing, ultimately leading to contraction and to the demotion of players to the minor leagues. It will take this to happen for the MLBPA and the owners to put a halt to their adversarial relationship. We may be hoping for too much.

The author has been involved with the game of baseball for practically his entire life. He has competed at every level except for the Major Leagues and has had experience coaching Little League and High School. His love for the game can rival any purists'. However, he has grown extremely weary and disheartened over the recent events attributed to professional baseball stemming from organized labor. An attempt has been made to relate with the "plight" of the Major League Players' Association but it is difficult to identify with its beliefs and perceptions when some would feel beyond fortunate to play for a mere fraction of what current members receive.
Furthermore, the author has a predisposed view against organized labor, in general. This stance has been cultivated through years of being raised among members of organized labor and gaining first hand knowledge of the problems and corruption that may ensue from such organizations. The author is saddened to see how organized labor is negatively affecting the sanctity of the game he loves and the refusal of ownership to create a united front to save the game. The author will remain addicted to the game as long as its essence pulses through his bloodstream. He will find it extremely difficult to ever give up on it. However, if organized labor continues its infiltration of the game, it will already have given up on its followers.
Bibliography


http://bigleaguers.yahoo.com/mlbpa/history.html

http://home.earthlink.net/~local1613/nlra.html

http://voteview.uh.edu/antitrust.htm


http://www.infoplease.com/ce6/people/A0823904.html

http://www.snc.edu/sossci/chair/336/becky1.htm


Shaikin, B. (2002, August 18). Quo is All They Want, But They’ll Have to Accept Concessions. The Los Angeles Times, P.7.


Appendices
Appendix A

Survey Questions

SA=Strongly Agree  A=Agree  N=Neutral  D=Disagree  SD=Strongly Disagree

1) For the most part, I consider myself a supporter or advocate of labor organizations.

SA  A  N  D  SD

2) I generally oppose stances and tactics taken by labor organizations during negotiations and strikes.

SA  A  N  D  SD

3) If there is another work stoppage for Major League Baseball, I will still attend baseball games when the players return.

SA  A  N  D  SD

4) Generally, the desire for profit and the rising costs of players' salaries are the greatest contributors to the rise in costs of attending professional sporting events.

SA  A  N  D  SD

5) Labor organizations in professional sports, by and large, do not maintain a high level of regard for the mentality of the fans.

SA  A  N  D  SD

6) Considering the history of work stoppages and strained labor relations associated with Major League Baseball, it is only a matter of time before another stoppage takes place.

SA  A  N  D  SD

7) For the most part, you believe the issues in dispute between the Players' Association and the owners in baseball were properly and clearly conveyed to the public by the media.

SA  A  N  D  SD

8) Considering both parties involved are represented by millionaires, it is difficult to relate with either argument of the labor dispute.

SA  A  N  D  SD

9) In general, labor organizations usually represent a small group of workers rather than the whole of an organization.

SA  A  N  D  SD

10) Given the shifts of pay scale, income and workers' rights legislation, labor organizations should be a necessary element of most industries.

SA  A  N  D  SD

Additional thoughts, insights and comments:
General Information

The following questions are optional. Please answer any, all or none of the below. Circle answers.

1) Gender:
   Male       Female

2) Age:
   18-30      31-45   46-65   65+

3) Are you an employee or member of a labor organization?
   Yes       No

4) Are you a baseball fan?
   Yes       No

   If yes, who is your favorite team?________________
Appendix B

<table>
<thead>
<tr>
<th></th>
<th>Fan</th>
<th>Non-Fan</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Male</td>
<td>56</td>
<td>3</td>
<td>59</td>
</tr>
<tr>
<td>Female</td>
<td>26</td>
<td>15</td>
<td>41</td>
</tr>
<tr>
<td>Total</td>
<td>82</td>
<td>18</td>
<td>100</td>
</tr>
</tbody>
</table>

![Survey Respondent Composition Diagram]

MLB Attendance
1970 - 1995
(in millions)

![MLB Attendance Graph]