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MLB hits foul ball on fair pay for minor leaguers

In February, three former minor league baseball players filed a federal lawsuit in San Francisco against Major League Baseball Commissioner Bud Selig and three MLB clubs. *Senne v. Office of the Commissioner of Baseball*, No. 3:14-cv-00608-JCS (N.D. Cal. 2014).

The plaintiffs' 20-count complaint (since amended to include 32 former minor league players as plaintiffs and all 30 MLB clubs as defendants) alleges that MLB teams have suppressed minor league player salaries and have failed to pay overtime wages in violation of federal and state labor laws.

The plaintiffs further claim that the current minor league salary system falls short of meeting federal minimum wage requirements and, therefore, violates the Fair Labor Standards Act of 1938.

The current minor league salary system dictates that the great majority of players, especially at the lower levels, receive a monthly salary in the neighborhood of \$1,100 to \$1,200.

That's before taxes are deducted. And housing costs are deducted. And food costs are deducted. And clubhouse dues are deducted.

After they pay cellphone bills and other ancillary expenses, minor league players are left with very little, if anything, on which to live. It's also important to note that players only receive salaries during the baseball season. Once the season ends, so too do the paychecks.

While most of the general public might scoff at this lawsuit and view it as simply a bunch of bitter ex-ballplayers who never fulfilled their big league dreams trying to seek revenge on the game that didn't love them back, the complaint does raise a valid concern that MLB and its clubs should seriously consider addressing.

As the lawsuit points out, the paltry wages that minor league players receive have not

increased much in the last 40 or so years, especially when compared to the salaries of their MLB brethren.

"[W]hile major leaguers' salaries have increased by more than 2,000 percent since 1976," the complaint states, "minor leaguers' salaries have, on average, increased only 75 percent since that time. Meanwhile inflation has risen by more than 400 percent over that same time period."

The low minor league salaries are especially eyebrow-raising when juxtaposed with the immense financial boom that MLB and its franchises have enjoyed over the past 20 years. In fact, as the plaintiffs' complaint correctly asserts, "[i]n 2012, revenue for MLB and its 30 teams reached \$7.5 billion, an increase of 257 percent since 1995. Annual revenue ... is expected to reach \$9 billion dollars by 2014."

The plaintiffs' point is well-taken. Salaries of minor league players, especially those at the lower levels, fall below the federal poverty level, which the U.S. Department of Health and Human Services indicates is \$11,670 per year for a single person in 2014.

Make no mistake, life as a minor league player is difficult at best and miserable at worst. It's a life of 60-hour-plus work weeks, 14-hour bus rides, sleeping quarters which may be nothing more than apartment floors or nasty couches and diets of peanut butter and jelly sandwiches washed down with warm Gatorade.

As an agent, I don't like hearing about my clients waking up with sore necks, backs and throwing arms because of where and how they had to sleep. I don't like hearing about clients missing meals because they can't afford to buy food. And I certainly don't want them stressing out about housing and food issues such that their performance on the diamond is negatively affected.

Still, players are well-informed about the minor league lifestyle

AGENT OF CHANGE



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before they enter it. They understand the sacrifices that need to be made, and they willingly choose this career in order to, hopefully, one day achieve their goal and dream of playing in the major leagues.

Experiencing the rough minor league life is part and parcel of becoming a MLB player. It's a long, arduous, seemingly endless hazing period to overcome in order to join the exclusive fraternity of MLB brotherhood. It's called "paying your dues."

As one MLB team official interviewed by Baseball America stated, "[e]verybody sees this role [of a minor league player] as a kind of apprenticeship. It's a great opportunity to become a major league player. ... It's opportunity. That's what they get."

The whole point of minor league life is not to be glamorous, luxurious or even comfortable. It's meant to be an environment in which players can develop and improve their skills, learn from professional coaching staffs, work hard and learn the tools of the trade to help reach the major leagues as quickly as possible.

However, players shouldn't have to sacrifice proper nutrition

and restful slumber for the sake of "paying their dues." More importantly, MLB and its clubs should not violate labor laws simply because players are going through a development phase.

In fact, I would think teams would have the complete opposite view on this issue. If you own a thoroughbred racehorse wouldn't you want to make sure it was fed properly, treated properly, trained properly and well-rested in order to compete at its very best?

If I'm a team owner, I want my minor league players — my future big league employees and the people who help put fans in the seats — to eat right, properly develop their bodies and skills and get plenty of rest so they can perform at their very best.

Whether it's in the form of a paying the players a signing bonus or simply having their scouts traverse across the country evaluating talent, MLB teams already make an investment in these players. Granted, not every investment will pan out, but why wouldn't you want to provide them with every opportunity to succeed?

How can MLB address this issue? First, and most obvious, is for MLB to raise salaries of minor league players to an amount equal to minimum wage, at the very least. MLB has enough money in its coffers to pay much more than minimum wage, but even achieving the minimum would be a great triumph.

Second, whether minor league salaries are increased or not, MLB and its clubs should pick up the tab on lodging and food costs for the players.

This in and of itself would be a huge concession by MLB to show that it does indeed care about the development and physical well-being of minor league players. Employing either of these two options, or even both, would in no way create a financial burden on MLB or its clubs.

They have enough money to do it. The question is, will they?