



## Chronological History of the Major League Baseball Players Association

### The 2000's

#### 2000

**March 2000.** Commissioner Selig proposes a complicated realignment scheme, resulting in a 16-team NL with four four-team divisions and no wild card and a 14-team AL with two four-team divisions, one six-team division and one wild-card.

**June 2000.** The MLBPA counters with a much simpler realignment proposal: shift Houston to the AL West, creating two 15-team leagues, each with three five-team divisions.

**July 14, 2000.** The owners table realignment until at least 2002.

**July 14, 2000.** MLB releases the report of The Blue Ribbon Panel on Baseball Economics. The study contends that a competitive imbalance exists between high and low payroll teams and that baseball needs drastic remedies to address the disparities among the franchises. Don Fehr: "We always get some report like this before a negotiation."

**August 28, 2000.** The MLBPA exercises its option to extend the existing basic agreement through 2001.

**December 2000.** Major league teams hand out record-breaking free agent contracts. The signing spree is capped on December 11 when Texas signs Alex Rodriguez to a 10-year, \$252 million deal.

#### 2001

**September 11, 2001.** Terrorists fly planes into New York's Twin Towers and the Pentagon, and an attempt to crash a plane into the White House is foiled over Pennsylvania. Six days worth of games are postponed before the schedule resumes on Monday, September 17. The owners and players jointly contribute \$5 million to an MLB-MLBPA Disaster Relief Fund.

**September 19, 2001.** In the aftermath of 9/11 MLB CEO Paul Beeston tells Don Fehr that the owners are no longer going to push contraction.<sup>1</sup>

**October 31, 2001.** Basic agreement (CBA-8) expires.

**November 4, 2001.** Before Game 7 of the World Series, Paul Beeston tells Fehr that, in fact, contraction will be a point of discussion in the upcoming labor negotiations.

**November 6, 2001.** Selig announces that MLB voted 28-2 to contract two franchises [widely believed to be the Minnesota Twins and Montreal Expos] for 2002. Don Fehr: "Over the last season, and especially over the last several weeks, we have been reminded, vividly, of the special place baseball holds in America. This makes it all the more unfortunate that the clubs would choose this moment to dash the hopes of so many of its fans."<sup>ii</sup>

**November 7, 2001.** The Association files a grievance, maintaining that contraction needs to be collectively bargained.

**November 2001.** Montreal and Minnesota are believed to be the two franchises targeted for contraction, with Florida and Tampa Bay as possible backups. Various governmental actions to block the scheme are quick and wide-ranging.

**November 16, 2001.** Judge Harry Crump issues a temporary restraining order in Hennepin County District Court requiring the Twins to play in the Metrodome in 2002, temporarily at least halting the contraction of the team.

**December 3, 2001.** Selig and Beeston meet with Don Fehr and Steve Fehr to jump-start negotiations. Selig proposes 50 percent sharing on local revenue and a 50 percent competitive balance tax on payrolls above \$98 million. Don Fehr makes it clear this proposal is not close to acceptable.<sup>iii</sup>

**December 4, 2001.** Arbitration hearings on the contraction grievance begin before arbitrator Shyam Das.

**December 6, 2001.** Congressional hearings are held to consider the contraction proposal, and both Selig and Steve Fehr testify. In response to the contraction plan, the legislators are considering removing baseball's antitrust exemption as it relates to teams moving or contracting.

**December 7, 2001.** MLB and the association begin negotiations over contraction, temporarily tabling the grievance hearing.

**December 13, 2001.** MLB and the Association call off negotiations over contraction and the grievance hearings are continued. If the arbitrator finds for the union, damages could include monetary compensation for an impaired free agent market.

## **2002**

**January 9, 2002.** New basic agreement negotiations begin. Commissioner Selig makes a four-hour presentation to the Association bargaining team: The owners' key demands include a 50% competitive balance tax on payrolls over \$98 million, an increase in revenue sharing to 50 percent (from 20 percent), and a world-wide amateur draft (all amateurs would be subject to the draft, not just those from the US, Puerto Rico and Canada).

**January 17, 2002.** Don Fehr addresses an owners meeting in Phoenix and answers questions. Don Fehr, Steve Fehr, Orza, and players Tony Clark (Red Sox), Rich Aurilia (Giants), and Mark Loretta (Brewers) meet with some owners to hash over differences.

**January 22, 2002.** The Minnesota Court of Appeals upholds Judge Harry Crump's injunction, requiring that the Minnesota Twins play the 2002 season in the Metrodome. MLB and Twins appeal to the Minnesota Supreme Court.

**February 4, 2002.** The Minnesota Supreme Court declines to hear an appeal, eliminating the spectre of contraction for 2002.

**March 4, 2002.** CBA negotiations resume with Rob Manfred taking over as lead negotiator for the owners.

**March 13, 2002.** The MLBPA submits a counterproposal, proposing no competitive balance tax and local revenue sharing of 22.5 percent (including a slightly different formula for calculating the pool to be reallocated).

**March 26, 2002.** Commissioner Selig announces that there will be no lockout during the 2002 season.

**June 6, 2002.** Closing arguments are heard in union's contraction arbitration grievance. Shyam Das announces he could render a decision as soon as July 15. Eventually the arbitration issues are subsumed in the overall CBA talks.

**June 18, 2002.** Don Fehr and Rob Manfred testify before the US Senate Commerce Committee on performance enhancing drug use in baseball. Senators inform parties that they must implement a drug-testing plan.

**July 8, 2002.** At an executive board meeting in Chicago the MLBPA does not rule out a strike but decides not to issue a strike date deadline.

**July 9, 2002.** Association and MLB negotiators (Steve Fehr and Michael Weiner for the players, Rob Manfred and Bob DuPuy for the owners) meet before the All-Star Game to resume negotiations.

**August 7, 2002.** As part of the on-going negotiations, the Association agrees that it will agree to include some sort of mandatory performance enhancing drug testing in the CBA.

**August 16, 2002.** The MLBPA sets a strike date of August 30.

**August 30, 2002.** Owners and players reach a new basic agreement (**CBA-9**) without a work stoppage, running through December 19, 2006. Terms include: An increase in revenue sharing to 34 percent of net local revenue, now calculated on a straight pool approach; a sliding-scale competitive balance tax, with a threshold starting in 2003 at \$117 million and increasing over the life of the agreement. The first time over the threshold will result in a tax of 17.5 percent; confidential performance enhancing drug testing (for survey purposes only) will begin in 2003. If more than five percent of the players test positive then mandatory random testing will kick in the next year, and a minimum salary of \$200,000 in 2002, increasing to \$300,000 in 2003.

**September 5, 2002.** The owners ratify the agreement, 29-1, with only the Yankees (who will play most of the competitive balance tax) in opposition.

**October 1, 2002.** The players ratify the agreement.

## **2003**

**January 2003.** The Association begins looking into possible possible collusion relative to the most recent free agent market.

**March 1, 2003.** Confidential, survey-purpose drug testing begins.

**November 11, 2003.** MLB and the union learn that 104 of the 1,438 players tested anonymously test positive for anabolic steroids, above the five percent threshold that will trigger mandatory, random testing in 2004.

**October 30, 2003.** MLB and the MLBPA agree to add THG to their list of prohibited performance enhancing substances.

**November 14, 2003.** MLB announces results of PED testing, and the details of the random testing that will begin. The first positive test will result in treatment and counseling; the second, a 15-day suspension or a \$10,000 fine; up to a fifth positive test, which will result in a one-year suspension or a \$100,000 fine.

## **2004**

**February 17, 2004.** The Senate again holds hearings on performance enhancing substances in baseball, and both Selig and Fehr testify. Senator John McCain tells them that if baseball doesn't do more on the issue very soon, they risk motivating Congress to undertake a "search for legislative remedies."<sup>iv</sup>

**February 25, 2004.** Gene Orza is promoted from associate general counsel to chief operating officer.

**March 10, 2004.** Don Fehr appears before the Senate Commerce Committee on performance enhancing drug use in baseball.

**April 7, 2004.** The government receives a warrant to seize the confidential drug testing records of the eleven players linked to the Balco case. In their raid of CDT, the federal agents carry off on computer disks the results for all the players tested plus some on athletes in other sports. The Association and CDT immediately ask for the return of data not related to the eleven players. The government fights to get a search warrant for the remainder of the downloaded information. The random testing program is put on hiatus until July 8 as MLB and the MLBPA put additional confidentiality safeguards in place.

**September 2004.** MLBPA lawyers Michael Weiner, Steve Fehr, and Gene Orza inform each of the 104 players who failed their 2003 drug tests that the government now has their results. Both Don Fehr and Selig have elected not to know who is on the list.

**October 2004.** A third judge orders the government to return the confidential list of positive tests, saying that the information seized went beyond the scope of the search warrant. The government appeals.

## **2005**

**January 2005.** Players and owners again agree to revise the PED portion of the basic agreement. Random, year-round testing is introduced with increased penalties: an unpaid 10-game suspension for the first offense, 30 for the second, 60 for the third, and one year for the fourth, and at the commissioner's discretion for a fifth.

**March 17, 2005.** The US Congress again holds hearings on performance enhancing drug use in baseball. One panel includes players Jose Canseco (retired), Mark McGwire (retired), Sammy Sosa (Orioles), and Rafael Palmeiro (Orioles); another includes Don Fehr and Commissioner Selig.

**April 25, 2005.** Bud Selig sends Don Fehr a letter arguing for stronger PED-related penalties: a 50-day suspension for a first offense, a 100-day suspension for a second, and a lifetime ban for the third. To increase the pressure on the union, Selig releases the letter publicly.

**May 18, 2005.** Another US House subcommittee brings in Don Fehr, Bud Selig and the commissioners from the other three major sports for hearings on performance enhancing substances.

**September 26, 2005.** Don Fehr offers a proposal in response to Selig's demand (again) for increased PED penalties. Fehr proposes a 20-game suspension for first time offenders, with the commissioner being able increase it to 30 or an arbitrator reducing it to 10; 75 games for a second offense, again with the ability for the commissioner to increase it and an arbitrator to reduce it; and a penalty at the commissioner's discretion, subject also to an arbitrator appeal, for a third. Fehr also agrees to random testing for amphetamines.

**September 28, 2005.** Fehr once again appears before a Senate committee hearing on PED use in baseball.

**November 15, 2005.** Owners and players agree on a new performance-enhancing drug policy. A first offense results in a 50-day suspension, a second offense in a 100-day suspension, and a third offence results in a lifetime ban, with the right to appeal for reinstatement after two years.

## **2006**

**March 2006.** Bud Selig hires former US Senator George Mitchell to head up an investigation of performance enhancing substances in baseball.

**May 5, 2006.** MLBPA attorney Michael Weiner notifies the players by email that the Mitchell investigation is trampling on their rights: "The scope of the investigation to date is plainly inconsistent with the provisions of the basic agreement."<sup>v</sup>

**October 24, 2006.** During the World Series in St. Louis, the owners and players announce a new Basic Agreement (**CBA-10**) through December 11, 2011. The new agreement is settled, for the first time, before the expiration of the existing one. Key provisions include: increases in the

Competitive Balance Tax over the term of the agreement; increases in the minimum salary to \$380,000 in 2007, \$390,000 in 2008, and \$400,000 in 2009.

## **2007**

**December 13, 2007.** Senator Mitchell releases the results of his investigation, commonly known as the Mitchell Report. Most of the 80-plus players named in the report are either previously suspected or admitted users of performance enhancing substances. The biggest stars to be newly alleged to be associated with performance enhancing substances are veteran Yankee pitching stars Roger Clemens and Andy Pettitte. Pettitte admits he took PEDs for a very short period of time to help recover from an injury. Clemens vehemently denies it, and assails Mitchell's uncorroborated source, Clemens' long-time personal trainer Brian McNamee.

## **2008**

**January 15, 2008.** In the aftermath of the release of the Mitchell report, Don Fehr and Commissioner Selig are once again called before Congress to answer questions on the use of PEDs in baseball.

**February 13, 2008.** Roger Clemens and his former trainer Brian McNamee testify before Congress. McNamee claims he regularly injected Clemens with performance enhancing drugs; Clemens denies it.

**April 11, 2008.** The owners and players once again revise the Joint Drug Agreement, principally in response to recommendations from the Mitchell Report. Provisions include: the program will now be administered by an Independent Program Administrator; the IPA will issue an annual report summarizing the results of the tests; the program will add 600 tests per year, bringing the total to 3600, an average of roughly three per player per year

**August 26, 2008.** Owners and players agree to the use of instant replay for home runs for the remainder of the 2008 season, including the postseason.

**December 9, 2008.** Owners and players agree to implement nine recommendations proposed by the Safety and Health Advisory Committee to reduce bats breaking into multiple pieces. All bat manufacturers will be certified and held to specific physical standards, and models will be tracked to monitor breakage rates.

**December 18, 2008.** The Ninth Circuit Court agrees to hear the appeal regarding the federal government's seizure of the 2003 survey drug test results.

## **2009**

**January 12, 2009.** The MLBPA, the Florida Marlins, and MLB announce an agreement regarding the Marlins compliance with revenue sharing provisions of the basic agreement.

**March 17, 2009.** Former major leaguers Rick Helling and Mike Myers are named special assistants to the MLBPA executive director, joining ex-players Bobby Bonilla, Phil Bradley, Stan Javier, and Steve Rogers in this role.

**June 22, 2009.** Don Fehr announces his intention to step down as executive director.

**July 7, 2009.** Michael Weiner receives the preliminary endorsement from the Executive Board to become the next executive director.

**November 2009.** Although not using the term “collusion”, Michael Weiner expresses concern over the operation of the current free agent market: “I don’t think it’s an accident that in recent weeks, management officials, without attribution, have been making predictions about what’s going to happen in this year’s free agent market.”

**November 30, 2009.** Don Fehr’s final day as MLBPA executive director, after nearly 24 years at the helm.

**December 2, 2009.** Michael Weiner is formally voted executive director by the Executive Board.

---

<sup>i</sup> Pessah, 333.

<sup>ii</sup> *Houston Chronicle*, November 7, 2001.

<sup>iii</sup> Pessah 333-34.

<sup>iv</sup> Pessah, 412.

<sup>v</sup> Pessah, 473-74.