PART III

Professional Sport Industry

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CHAPTER 10

Professional Sport

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LEARNING OBJECTIVES

Upon completion of this chapter, students should be able to:

1. Compare and contrast the league structure and philosophy of the five major North American professional team sport leagues: NFL, MLB, NBA, NHL, and MLS.
2. Identify the primary sources of revenues for professional sport organizations: gate receipts, media rights fees, licensed product sales, and stadium revenues.
3. Describe the history of professional sport leagues in the United States, and explain how the leagues organized themselves using a system of self-governance rather than a corporate governance model.
4. Appraise the ownership rules of each league, and understand basic concepts such as franchise rights, territorial rights, and revenue sharing.
5. Analyze the role of the league commissioner in team sports and individual sports.
6. Identify the operational and philosophical differences between individual professional sports and team sports.
7. Examine the role that labor relations have played in the development and relative welfare of owners and players in North American professional sport leagues.
8. Describe the legal issues that are an important part of the professional sport industry, particularly contract, antitrust, labor, and intellectual property law.
9. Identify the various career opportunities available in professional sport and the key managerial skills needed for success.
10. Debate current issues in professional sport such as salary caps; racial diversity among players, coaches, and administrators; globalization; concussion litigation; drug testing; and analytics.

Introduction

The professional sport industry creates events and exhibitions in which athletes compete individually or on teams and are paid for their performance. The events and exhibitions are live, include a paying audience, and are sponsored by a professional league or tour. The professional sport industry is a major international business, grossing billions of U.S. dollars each year. Although leagues and events derive revenues from **gate receipts** (ticket sales) and **premium seating** (personal seat licenses, luxury suites, club seating) sales, the bulk of their revenues come from the sale of media rights. Professional sport has moved into new markets with the Internet and increased demand for televised sports programming. By drafting more international players, North American sport leagues have increased their social media opportunities, and professional sport has sought new international markets. International sales of professional sport teams' licensed products (e.g., apparel, videos, books, memorabilia) and the worldwide availability of online services have also added to the industry's international growth.

North America is home to five preeminent professional leagues: Major League Baseball (MLB), the National Basketball Association (NBA), the National Football League (NFL), the National Hockey League (NHL), and Major League Soccer (MLS). As of 2022, those five leagues included 146 franchises. Each year new leagues emerge, such as the Premier Hockey Federation (PHF, formerly the National Women's Hockey League [NWHL]), the XFL (football), the United States Football League (USFL), the Premier Lacrosse League (PLL), the National Lacrosse League (NLL), the Women's National Basketball Association (WNBA), and the National Women's Soccer League (NWSL). Some survive; others do not. The **minor leagues** in baseball, basketball, soccer, and hockey are far too numerous to list here. **Table 10-1** gives a breakdown of the number of major and minor league professional sport franchises operating in North America as of 2022. Numerous professional leagues also operate throughout South America, Europe, the Middle East, Asia, Australia, and Africa in rugby and rugby union, cricket, baseball, basketball, Australian Rules and American football, soccer, hockey, and volleyball.

Professional athletes in leagues are salaried employees whose bargaining power and ability to negotiate salaries vary. In some cases, athletes are unionized, enabling them to negotiate collectively for better wages, benefits, and conditions of employment. In other cases, professional players may have little bargaining power. For instance, in the (MLB-affiliated) baseball minor leagues, unless the player has prior major league experience, the player has little leverage to negotiate. Minor league baseball salaries are relatively uniform across the league, and for many players wages fall below what would be considered a living wage. In response to widespread criticism of these low wages, MLB recently raised the pay of players in the minor leagues. In rookie and short-season leagues, the pay for minor leaguers is now $400 per week, with those salaries being paid only during the season. In Single-A leagues, it is $500 weekly; in Double-A leagues, $600 weekly; and in Triple-A leagues, $700 weekly—and all of these salaries are paid only during the season (Anderson, 2022).

In November 2021, MLB announced teams would pay for housing for most minor league players (MLB, 2021). To cover these additional salaries and housing costs, MLB announced that 42 minor league

Table 10-1 Number of Professional Sport Teams in North America, 2022

Sport	League	Number of Teams
Baseball	Major league (MLB) Minor league affiliates Minor league independents	30 120 76
Men's basketball	Major league (NBA) Minor leagues (G-League)	30 30
Women's basketball	Major league (WNBA)	12
Men's football	Major league (NFL)	32
Men's ice hockey	Major league (NHL) Minor leagues	32 76
Women's ice hockey	Major league (PHF)	6
Men's soccer	Major league outdoor (MLS) Minor leagues (NASL, USL Pro)	22 41
Women's soccer	Major league outdoor (NWSL)	10
Men's lacrosse	Outdoor (MLL) Indoor (NLL)	9 9
Tennis	World Team Tennis	5
NASCAR	NASCAR Cup Xfinity Cup Camping World Trucks Cup	36 full-time; 9 part-time 37 full-time; 11 part-time 32 full-time; 27 part-time

teams would be cut, thereby eliminating at least 1,050 minor league positions. Each MLB team can currently have a maximum of 180 minor league players under contract (Gartland, 2022).

By comparison, minor league hockey players in the American Hockey League (AHL) and the ECHL (formerly the East Coast Hockey League) have far more favorable conditions because the leagues are subject to antitrust laws and the players are unionized. Through their collective bargaining agreements (CBAs), the minimum salaries (in U.S. dollars) for players signed to an AHL standard player's contract are as follows:

- 2019–2020: $50,000
- 2020–2021: $51,000
- 2021–2022: $52,000
- 2022–2023: $52,500
- 2023–2024: $52,725

AHL players also received an $81 daily per diem for the 2021–2022 season. This amount was set to increase to $84 in 2023 and 2024 (Professional Hockey Players' Association [PHPA], 2022a).

The ECHL has a minimum weekly salary due to its frequent player movements. The 2021–2022 weekly minimum salary, depending on the player's experience, was between $500 and $545; in 2022–2023, it was between $510 and $555. The daily per diem was $48 in 2021–2022 (PHPA, 2020b). However, teams were also held to a weekly salary floor of $10,600 for the 2021–2022 season. If a team did not spend a minimum of $10,600 weekly on player salaries, the difference was paid by the club in equal allotments to all players on its roster. As you can see, through their unionization in the AHL and ECHL, hockey's minor leaguers have achieved very different working conditions than those available for baseball's minor leaguers.

By comparison, on the women's side, the Premier Hockey Federation (PHF) announced in early 2022 that it would more than double its team salary caps from $300,000 to $750,000 for teams with rosters of 20 to 25 players, plus provide better insurance and maternity leave. Average salaries would equate to $30,000 to $37,500 per player based on rosters of 20 to 25 players. This is an increase from their predecessors' NWHL salaries, which ranged from $10,000 to $26,000, with most players' salaries averaging $15,000 annually. All top players, including U.S. and Canadian Olympians, had boycotted the NWHL in the past, citing the league's low salaries, lack of insurance and maternity benefits, and poor working conditions. These elite athletes founded the Professional Women Hockey Players Association in a bid to improve their salaries and working conditions—a move that seems to have paid off given not only the changes just cited, but also the league's promise to improve facilities and working conditions, plus an offer of a 10% ownership stake in the league for the players (Caron, 2022).

Countless professional sport events are also staged around the world in individual sports, including action sports, boxing, fencing, figure skating, golf, tennis, racquetball, running, and track and field. Individual sports are generally organized around a tour, such as the NASCAR (National Association of Sports Car Auto Racing) Sprint Cup Series, the Professional Golfers' Association (PGA) Tour (golf), and the Ladies Professional Golf Association (LPGA) Tour. An athlete on a professional tour earns prize money, and a top (seeded) player considered a "draw" might earn an appearance fee.

Athletes on some tours are also required to play in professional–amateur pair events held the day before the tournament. For some tours, like the LPGA, the pro-ams are the lifeblood of the sport, because they are a place where players cater to their sponsors, and players may be disqualified for failing to participate or for showing up late (Crouse, 2010). Sponsorship provides income and the products necessary for individual athletes to compete (e.g., golf clubs, tennis rackets, and shoes). The value of sponsorship to athletes is easily apparent with just a quick look at a NASCAR vehicle or the apparel worn by a tennis player such as Naomi Osaka. A tour stops at various sites for events and exhibitions that are usually sponsored by one named corporation (the title sponsor) and a number of other sponsors. Some tours also have television, cable, and/or radio contracts.

Tours or exhibitions have also been created for athletes by sport agencies in sports such as tennis, golf, and figure skating. These events serve many purposes, such as generating revenue for the athletes and their agencies as well as satisfying fan interest. For instance, the 2022 "Stars on Ice" annual tour began shortly after the Beijing Olympic Games, and the U.S. tour only featured Olympians to capitalize on their Olympic achievements and name recognition. The 2022 Stars on Ice program also ran tours in Canada and Japan, integrating some of the U.S. medalists, such as Nathan Chen, while featuring medalists and stars from Canada and Japan. Television and cable networks have also created exhibitions for programming purposes in action sports (ESPN/ABC's X Games and NBC's Dew Tour), golf (ABC's Skins Game, which was replaced by Turner Sports Networks' The Match), and other sports (ESPN's

Outdoor Games). These tours and exhibitions generate income for athletes, sport management firms, and the broadcasting industry primarily from sponsorship, media, and ticket sales. Occasionally, some of the income generated from these events is donated to charity. For example, in its first year (2018), the purse for *The Match: Tiger (Woods) vs. Phil (Mickelson),* a staged television competition, was $9 million. By 2020, with a name change and a new purpose, *The Match: Champions for Charity* was staged as a charitable endeavor and shown on TNT, TBS, HLN, and truTV, drawing 2.8 million viewers (Bamberger, 2020).

History

Professional Sport Leagues

In 1869, the first professional team, baseball's Cincinnati Red Stockings, paid players to barnstorm the United States. The 10-player team's payroll totaled $9,300. At the time, the average annual salary in the United States was $170—so as early as 1869 the average player's salary of $930 showed that a professional athlete's income could significantly exceed an average worker's wages (Jennings, 1989).

In 1876, North America's first professional sport league, baseball's National League, was organized (Jennings, 1989). Among the principles from the National League's constitution and bylaws that continue as models for professional sports today are limits on franchise movement, club territorial rights, and a mechanism for expulsion of a club. Interestingly, these rules also allowed a player to contract with a club for his future services (Berry et al., 1986). It did not take long—just 3 years—for owners to change that rule.

Following the National League's lead, other professional leagues have organized into a system of **self-governance**, as opposed to a **corporate governance model** (Lentze, 1995). Under a corporate governance model, owners act as the board of directors, and the **commissioner** acts as the chief executive officer (CEO). Although it might appear that leagues have adopted a corporate governance model, Lentze (1995) argues that the commissioner's power over the owners does not place the commissioner under the direct supervision and control of the owners in the same manner that a CEO is under the direct supervision and control of a corporate board. This distinction is made because the commissioner in a professional sport possesses decision-making power, disciplinary power, and dispute resolution authority (Lentze, 1995). The commissioner's role is discussed in greater detail later in this chapter.

In view of the fiscal challenges facing a new sport league, MLS was structured as a limited liability company, with the owners initially investing $50 million in the league as a single entity to avoid financial and antitrust liability (Garber, 2004). Other leagues—the WNBA, Arena Football League (AFL), Major League Lacrosse (MLL), and NLL, to name a few—have followed this trend of establishing themselves as single entities to avoid antitrust liability and to create centralized fiscal control. The legal definition of a single entity is governed by substance, not form. In other words, to determine whether a league operates as a single entity, and thus is not subject to Section 1 Sherman Antitrust Act liability, one must evaluate whether the league joins together separate economic factors that would be actual or potential competitors (*American Needle v. NFL*, 2010).

Soon after MLS was established, the **single-entity structure** was scrutinized in court. The structure withstood an antitrust challenge from MLS players who argued that it was a sham created for the purpose of restraining competition and depressing player salaries (*Fraser v. Major League Soccer*, 2002). Although the First Circuit Court of Appeals disagreed with the players' allegations, it did not conclusively find that MLS was a single entity, instead construing it as a hybrid that settled somewhere between a traditional sports league and a single company (*Fraser v. Major League Soccer*, 2002). As a strategy, the MLS players chose not to unionize because doing so and negotiating a CBA would allow the league access to the labor exemption defense in an antitrust suit. After losing the lawsuit, the players established the Major League Soccer Players Union (MLSPU). Interestingly, while the WNBA maintained a similar structure, its players chose to unionize rather than pursue an antitrust challenge. Shortly after the union negotiated its second CBA with the league, the WNBA abandoned the single-entity league structure in favor of a traditional team ownership model. In 2010, the U.S. Supreme Court ruled that traditionally structured leagues with separate owners having individual control of their teams are not single entities for antitrust purposes (*American Needle v. NFL*, 2010).

Discussion

What do you think about the difference in strategy taken by the MLS players to sue to achieve better pay, benefits, and working conditions, whereas the WNBA players chose to unionize? Discuss the reasons why they chose different routes to accomplish the same goal.

Franchise Ownership

Historically, sport team ownership was a hobby for the wealthy, with many teams being family-owned "mom and pop" businesses. While no longer operated as "mom and pop" businesses, family ownership continues. The owners of NFL clubs are listed in **Table 10-2**. For these owners, the investment is not simply a hobby, but a profitable business venture and status symbol. In the NFL, family or individual ownership is still the norm, but the focus of these owners is on running the team like a business rather than a hobby.

Table 10-2 NFL Ownership

NFL Team	Ownership	Year Ownership Began
Arizona Cardinals	Bidwell family	1972
Atlanta Falcons	Arthur Blank	2004
Baltimore Ravens	Steven Bisciotti, Jr.	2004
Buffalo Bills	Terry and Kim Pegula	2014
Carolina Panthers	David Tepper	2018
Chicago Bears	McCaskey (Halas) family*	1983
Cincinnati Bengals	Mike Brown*	1991
Cleveland Browns	Jimmy and Dee Haslam	2012
Dallas Cowboys	Jerry Jones	1989
Denver Broncos	Ron Walton	2022
Detroit Lions	Sheila Ford Hamp	2014
Green Bay Packers	Publicly owned	1923
Houston Texans	Bob McNair*	1999
Indianapolis Colts	James Irsay	1997
Jacksonville Jaguars	Shahid Kahn	2012
Kansas City Chiefs	Hunt Family	1960*
Las Vegas Raiders	Carol and Mark Davis	2011
Los Angeles Chargers	Dean Spanos	1984
Los Angeles Rams	Stan Kroenke	2010
Miami Dolphins	Steven M. Ross	2008
Minnesota Vikings	Zygi Wilf/Wilf family	2005
New England Patriots	Bob Kraft/Kraft family	1994
New Orleans Saints	Tom Benson	1985
New York Giants	Mara family* and Tisch family	1925, 1991
New York Jets	Robert Wood "Woody" Johnson	2000
Philadelphia Eagles	Jeffrey Lurie	1994
Pittsburgh Steelers	Rooney family*	1933
San Francisco 49ers	Denise York	2009
Seattle Seahawks	Jodi Allen Trust	1997

(continues)

Table 10-2 NFL Ownership *(continued)*

NFL Team	Ownership	Year Ownership Began
Tampa Bay Buccaneers	Glazer family	1995
Tennessee Titans	Amy Adams Strunk	2015
Washington Commanders	Daniel Snyder	1999

* Denotes original owner or descendant of original owner.
Data from http://www.nfl.com and team websites.

Family or individual ownership is successful in the NFL because of its high degree of revenue sharing. Teams in other leagues with less revenue sharing are more dependent on groups of potential owners coming together to fund the purchase and operations of a team. That system of "haves" and "have-nots," however, has been under fire as more of the newer owners who have paid hundreds of millions of dollars for their teams are seeking to maximize their local revenues to make a return on their investments (Foldesy, 2004). Jerry Jones, who paid $140 million for the Dallas Cowboys, began the challenge to this system by entering into marketing deals through his stadium, some of which ambushed the league's exclusive deals and led to a legal battle with the NFL (*National Football League Properties, Inc. v. Dallas Cowboys Football Club, Ltd.*, 1996). A chasm between owners exists in the NFL because recent owners have paid billions to purchase their teams. For instance, the top five prices paid for NFL franchises are as follows (Hulse, 2022; Legwold, 2022):

1. Denver Broncos: $4.65 billion, Walton-Penner family (2022)
2. Carolina Panthers: $2.2 billion, David Tepper (2018)
3. Buffalo Bills: $1.4 billion, Terry and Kim Pegula (2014)
4. Miami Dolphins: $1.1 billion, Stephen Ross (2008)
5. Cleveland Browns: $1 billion, Jimmy Haslam (2012)

Incidentally, the $4.65 billion sale of the Broncos was a record price for a sale of a North American sport franchise (Legwold, 2022). In contrast, other NFL owners inherited their franchises and have no acquisition costs to recover (Brown family, Cincinnati Bengals; Halas–McCaskey family, Chicago Bears; Mara family, New York Giants; Rooney family, Pittsburgh Steelers).

The NFL's Trust owns all team logos and trademarks, oversees and administers the league properties rights, and distributes revenues for those rights to each club, despite a growing number of owners clamoring for more local control over the potential marketing revenues from using team logos, trademarks, and sponsorships. While not the sole factor in determining the NFL was not a single entity for purposes of licensing, the battle for local control of licensing revenues undermined the NFL's argument that it was a single entity with licensed properties controlled at the league level in *American Needle v. NFL* (2010). Evidence presented showed the Dallas Cowboys, Miami Dolphins, and Oakland Raiders had different arrangements for their licensed properties than the other teams in the NFL, undermining the argument that the league was a single entity.

Ownership Rules

Not just anyone can become a sports franchise owner. It takes a great deal of money, of course—but even with the financial capacity and desire to purchase a team, ownership can be evasive. Permission to own a sports franchise must be granted by a league's ownership committee. Each league imposes restrictions on ownership, including a limit on the number of franchise rights granted and restrictions on franchise location. **Franchise rights**, which comprise the privileges afforded to owners, are granted with ownership. They include **territorial rights**, which limit a competitor franchise from moving into another team's territory without league permission and providing compensation to the rightsholder, as well as **revenue sharing**, which gives a team a portion of various league-wide revenues (e.g., expansion fees, national television revenues, gate receipts, and licensing revenues). Owners also receive the right to serve on ownership committees. Ownership committees exist for such areas as rules (competition/rules of play), franchise ownership, finance, labor relations/negotiations, television, and expansion. Ownership committees make decisions and set policies for implementation by the commissioner's office.

Leagues may also impose eligibility criteria for franchise ownership. For instance, MLB has no formal ownership criteria, but it does have key characteristics it looks for when granting ownership rights, such as substantial financial resources, a commitment to the local area of the franchise, a commitment to baseball, local government support, and an ownership structure that does not conflict with MLB's interests (Friedman & Much, 1997).

The NFL has the strictest ownership rules. It is the only league to prohibit **corporate ownership** of its franchises, which it has done since 1970. The NFL has made one exception to its rule for the San Francisco 49ers. In 1986, then-owner Eddie DeBartolo, Jr., transferred ownership of the team to the Edward J. DeBartolo Co., a shopping mall development corporation. Although the NFL fined DeBartolo $500,000 in 1990, it let the corporate ownership remain (Friedman & Much, 1997). The team is currently operated by DeBartolo's nephew, Jed York. The NFL also bans **public ownership** with one exception—the Green Bay Packers, which were publicly owned prior to the creation of the 1970 rule and thus were exempted from it.

Until March 1997, the NFL strictly banned **cross-ownership**—that is, ownership of more than one sport franchise (Friedman & Much, 1997). The NFL then softened, but reaffirmed, its rule on cross-ownership to allow Wayne Huizenga, then-majority owner of MLB's Florida Marlins and the NHL's Florida Panthers, to purchase the Miami Dolphins, and Paul Allen, majority owner of the NBA's Portland Trailblazers, to purchase the Seattle Seahawks. The rule allows an NFL owner to own other sports franchises in the same market or own an NFL franchise in one market and another franchise in another market, provided that market has no NFL team (Friedman & Much, 1997). This change paved the way for NFL owners to become investors in multiple MLS teams. Although some clubs are located in NFL markets, soccer club ownership does not violate the rule because investors in MLS invest in the league as a single entity, not in individual teams. The investors then operate the club locally and retain a percentage of local revenue.

The Commissioner

The role of the league commissioner has evolved over time. Until 1921, a three-member board, the National Commission, governed professional baseball. In September 1920, an indictment was issued charging eight Chicago White Sox players with attempting to fix World Series games, an incident commonly known as the Black Sox scandal (*Finley v. Kuhn*, 1978). To squelch public discontent, baseball owners appointed Judge Kenesaw Mountain Landis as the first professional sport league commissioner in November 1920. Landis was signed to a 7-year contract and received an annual salary of $50,000 (Graffis, 1975). Landis agreed to take the position on the condition that he was granted exclusive authority to act in the best interests of baseball; in his first act, he issued lifetime bans to the eight "Black Sox" players for their involvement in the scandal. In his first decade in office, Landis banned 11 additional players, suspended Babe Ruth, and thwarted attempts to change the game by introducing marketing strategies and opening baseball to Black players (Helyar, 1994).

Leagues' constitutions and bylaws set forth their commissioners' powers. Players associations have used collective bargaining to limit the commissioner's powers by negotiating for grievance arbitration provisions that invoke a neutral arbitrator and for procedures to govern disputes between the league or club and a player. As a general rule, courts will push cases back to arbitration.

In recent years, some NFL players, such as Tom Brady, have unsuccessfully challenged in court the broad sweeping power of the commissioner. The players have lost these challenges largely because the NFL's constitution gives a great deal of power to the commissioner, which until recently has been unchecked by the CBA. It is a power that Jerry Jones, owner of the Dallas Cowboys, has sought to limit through changes in current NFL Commissioner Roger Goodell's contract and further threats to changes in the NFL's constitution. Specifically, Jones has pushed to make Goodell's contract incentive laden, such that only 10% of his salary is guaranteed and the rest must be earned by proving his value to the owners. Jones continues to work to convince his fellow owners to limit the power the commissioner has over player discipline and the business side of the game, by wresting some of the power back to the commissioner's employers, the billionaire owners (Robinson, 2017).

In the most recent collective bargaining negotiations, the National Football League Players Association (NFLPA) limited the NFL commissioner's power over violations of the personal conduct policy. In one notable case illustrating this policy, Deshaun Watson, a highly skilled NFL quarterback, was accused of sexual misconduct by 24 women. Although two separate grand juries declined to criminally indict him, Watson still received a suspension of 11 games for violating the NFL's personal conduct policy (NFL, n.d.). Articles 16 and 46 of the current NFL CBA provide that a neutral third party rather than the commissioner makes such decisions (NFL & NFLPA, 2020). Therefore, per the agreement, a neutral third party, former U.S. District Court Judge Sue Robinson, acted as an impartial arbitrator and decided to suspend Watson for 11 games in accordance with the personal conduct policy (Robinson, 2022). In past years, this would have been the NFL commissioner's call.

Another example of a commissioner suspending a player occurred in 2022, when MLB Commissioner Rob Manfred suspended Los Angeles Dodgers pitcher Trevor Bauer for 324 games, or the equivalent of two full seasons, for violating MLB's policy against domestic violence (MLB, 2016). Bauer's Dodgers contract called for him to be paid an average annual value of $30 million per year, so this suspension will cost Bauer an enormous amount of money in lost salary (Lacques, 2022). Bauer immediately appealed his suspension to an arbitrator, in accordance with the domestic violence policy (Hoynes, 2022). The arbitrator, Martin F. Scheinman, reduced Bauer's unpaid suspension to 194 games, permitting his return to baseball in the 2023 season. Bauer was also docked pay for the first 50 games of the 2023 season. In a statement, MLB said that the neutral arbitrator "affirmed that Trevor Bauer violated Major League Baseball's Joint Domestic Violence, Sexual Assault and Child Abuse Policy" (Martin & Sottile, 2022). Regardless, the suspension was reduced.

Players view the commissioner as an employee of the owners and believe that the commissioner will usually rule in the owners' favor for fear of damaging their standing with those owners. For example, many people cite former MLB Commissioner Fay Vincent's intervention in the lockout of 1990—a step Vincent took because of his belief that it was in the best interest of baseball and the best interest of the fans—as the beginning of the end of his term as commissioner.

Team owners have tried to limit the power of the commissioner in court. Three cases have upheld the baseball commissioner's right to act within the best interests of the game, provided that the commissioner follows league rules and policies when levying sanctions. In *Milwaukee American Association v. Landis* (1931), Commissioner Landis's disapproval of an assignment of a player contract from the major league St. Louis Browns to a minor league Milwaukee team was upheld. In *Atlanta National League Baseball Club, Inc. v. Kuhn* (1977), the court upheld Commissioner Bowie Kuhn's suspension of owner Ted Turner for tampering with player contracts but found that the commissioner's removal of the Braves' first-round draft choice exceeded his authority because the MLB rules did not allow for such a penalty. In *Finley v. Kuhn* (1978), the court upheld Commissioner Kuhn's disapproval of the Oakland A's sales of Vida Blue to the New York Yankees and of Rollie Fingers and Joe Rudi to the Boston Red Sox for $1.5 million and $2 million, respectively, as being against the best interests of baseball.

Finley v. Kuhn (1978) is particularly interesting when viewed against some recent moves made by team management to liquidate talent and shed high salaries—for example, the Oakland A's current owner John Fisher ordered his "overachieving front office to deal away star first baseman Matt Olson and third baseman Matt Chapman, as well as starting pitchers Sean Manaea and Chris Bassitt" (Biderman, 2022). At the same time, the A's were expected to receive $9 million from MLB's revenue-sharing plan and $20 million in 2023. Fellow owners have stressed that the purpose of revenue sharing is to help the A's build a competitive team, not line the owner's pocket (Heyman, 2022). To date, MLB Commissioner Rob Manfred has not intervened.

Discussion

Do you think Commissioner Manfred should step in, as former Commissioner Kuhn did? What is different in this recent case of Fisher selling off assets versus the action taken by Finley? Oakland is facing attendance challenges because fans are angry at the dismantling of the team; would that give the commissioner the right to intervene? Is this a good strategy for Fisher, who has reduced his payroll to $35 million (down from $86 million five years earlier, at a time when he received $34 million in revenue sharing)?

To this day, commissioners maintain some of the original authority granted by baseball, particularly the authority to investigate and impose penalties when individuals involved with the sport are suspected of acting against the best interests of the game. The commissioner generally relies on this clause to penalize players or owners who gamble, use drugs, or engage in behavior that might tarnish the league's image. The commissioner no longer has the power to hear disputes regarding player compensation, except in MLS, where compensation is determined at the league level by the commissioner's staff. Because MLS is a single entity, compensation and personnel decisions are made centrally. Commissioners possess discretionary powers in the following areas:

- Approval of player contracts
- Resolution of disputes between players and clubs
- Resolution of disputes between clubs
- Resolution of disputes between players or clubs and the league
- Disciplinary matters involving owners, clubs, players, and other personnel
- Rule-making authority (Yasser et al., 2003, p. 381)

The role of commissioner in all other leagues has been modeled after baseball's commissioner, but not all of the individuals filling this role have embraced the role of disciplinarian as did Landis. Modern-day sport commissioners are as concerned with marketing as they are with discipline. For example, in the 1960s, NFL Commissioner Pete Rozelle took the league to new levels of stability with his revenue-sharing plans. Rozelle introduced NFL Properties, an NFL division that markets property rights for the entire NFL instead of allowing each team to market its own property rights. This idea was consistent with the **league think** philosophy he introduced to the NFL. As part of league think, Rozelle preached that owners needed to think about what was best for the NFL as a whole, as opposed to what was best for their individual franchises (Helyar, 1994).

Labor Relations

John Montgomery Ward, a Hall of Fame infielder/pitcher and lawyer, established the Brotherhood of Professional Baseball Players as the first players association in 1885 (Staudohar, 1996). Although the Brotherhood had chapters on all teams (Staudohar, 1996), it became the first of four failed labor-organizing attempts. Ward fought the reserve system, salary caps of between $1,500 and $2,500 per team (depending on the team's classification), and the practice of selling players without the players' receiving a share of the profits (Jennings, 1989). Under the reserve system, players were bound perpetually to their teams, allowing owners to retain player rights and depress players' salaries.

When owners ignored Ward's attempts to negotiate, 200 players organized a revolt, which led to the organization of the Players League in 1889. This rival league attracted investors and was run like a corporation, with players sharing in the profits. The Players League offered players 3-year contracts under which their salary could be increased but not decreased. The Players League folded after its first year (1890), but only after the National League spent nearly $4 million to bankrupt it and the media turned on the Brotherhood. Most players returned to their National League teams, and collective player actions were nonexistent for about 10 years (Jennings, 1989).

In the six decades following the rise and fall of the Players League, three organizing attempts in professional sport were unsuccessful largely due to the owners' ability to defeat the labor movement or the players' own sense that they did not belong to a union. Players were somewhat naive in their thinking and viewed the associations more as fraternal organizations than as trade unions (Cruise & Griffiths, 1991). Cruise and Griffiths (1991) noted that NHL players started their own players organizations to acquire information and improve working conditions, but feared that if they positioned themselves as a trade union their relationship with the owners would be so adversarial it would damage their sport.

Formed in 1952, the Major League Baseball Players Association (MLBPA) was initially dominated by management, with negotiations being limited to pensions and insurance (Staudohar, 1996). In 1966, things changed when Marvin Miller, an executive director with a trade union background, took over leadership of the MLBPA. Miller's great success is attributed to, among other things, his ability to convince all players that each of them (regardless of star status) was essential to game revenues and his tactic of bargaining for provisions that affected most players (e.g., minimum salary, per diem, pensions, insurance, salary, and grievance arbitration) (Miller, 1991).

Miller also convinced the players to develop a group promotional campaign in an effort to raise funds for the players association. Players authorized the association to enter into a group licensing program with Coca-Cola in 1966, which provided $60,000 in licensing fees. Miller also encouraged the players to hold out with Topps Trading Card Company. By holding out, the players association doubled the fees for trading cards from $125 to $250 per player; they contributed a percentage of the royalties from the cards to the union (8% on sales up to $4 million and 10% thereafter). Twenty-five years later, the players association brought in approximately $57 million in licensing fees and $50 million in trading card royalties from five card companies (Miller, 1991).

The National Basketball Players Association (NBPA) was established in 1954, but it took 10 years for the NBA to recognize it as the players' exclusive labor union. In 1964, the average annual salary of an NBA player was $8,000 and there was no minimum salary. Players did not receive pensions, per diems, or healthcare benefits. The 1964 All-Star team, led by union leaders and future Hall of Famers Bob Cousy, Tommy Heinsohn, and Oscar Robertson, threatened not to play in the NBA's first televised All-Star Game, resulting in a players association victory when the NBA capitulated to its demands for recognition of the union (NBPA, 2022).

NHL players first attempted to unionize in 1957, when star Ted Lindsay and other stars sought to protect the average player and establish a strong pension plan. They received authorization from every NHL player but one. After the owners publicly humiliated players, fed false salary information to the press, and traded or demoted players (including Lindsay) in retaliation for their involvement with the union, the NHL finally broke the players association. Many average players feared for what might happen to them if the NHL owners had no problem humiliating, threatening, trading, and/or releasing superstars such as Lindsay for their involvement in the players association (Cruise & Griffiths, 1991).

The Professional Hockey Players Association (PHPA), established in 1967, is the oldest union for minor league players. It represents minor league hockey players in the AHL and ECHL. More recently, newer leagues' unions were created as divisions of more established unions. For example, the Women's National Basketball Players Association (WNBPA) became part of the NBPA in 1998, and the Arena Football League Players Union (AFLPU) became part of the American Federation of Labor and Congress of Industrial Organizations (AFL-CIO) labor group in 2014 (Jamieson, 2014).

In sum, labor relations did not play a major role in professional sports until the late 1960s, but has become a more dominant force in recent times. By the early 1970s, the professional sport industry had begun its transformation to a more traditional business model. Growing fan interest and increased revenues from television and sponsorship transformed leagues into lucrative business enterprises that lured additional wealthy business owners looking for tax shelters and ego boosters. New leagues and expansion provided more playing opportunities and, therefore, gave more bargaining power to the players. The increased bargaining power and financial rewards led players to turn increasingly to agents and players associations (Staudohar, 1996). Players associations, once "weak or nonexistent, became a countervailing power to the owners' exclusive interests" (Staudohar, 1996, p. 4).

Under labor law, once players have unionized, professional sport league management cannot make unilateral changes to their hours, wages, or terms and conditions of employment. These items are mandatory subjects for bargaining and must be negotiated between the league and the players association. The contract that results from these negotiations is called a **collective bargaining agreement (CBA)**. Collective bargaining in professional sports is far messier than in other industries. Players are impatient in negotiating provisions in the CBA. They have short careers and need to earn as much as possible in a short period of time, so their priorities tend to be the wage provisions; therefore, more is financially at stake for both sides. The owners seek cost containment through restrictions on free agency, salary caps, and other wage restrictions, whereas players seek payment and player movement through a free market.

Strikes and lockouts are also far more disruptive in professional sport than in other industries because players possess unique talents and cannot be replaced. Thus, a **strike** (workers refuse to work) or **lockout** (management does not allow the employees to work) effectively shuts the business down. In other industries, managers can likely do the work and the company can hire replacement workers. In contrast, it would be very difficult to find a replacement for an Aaron Judge, LeBron James, Candace Parker, Patrick Mahomes, or Cale Makar. Fans will not pay to see unknown players on the field, and television networks and sponsors would pull their financial support from the league. In the 1995 MLB strike, the owners' attempt to use replacement players failed. The one time that replacement players did make an impact was during the NFL strike of 1987, which occurred shortly after the United States Football League (USFL) disbanded. The owners were able to break the strike by using replacement players from the available labor pool of marquee, unemployed, talented USFL players.

The NFL owners began a lockout of the referees after contract negotiations failed prior to the 2012 season; that season began with the league using replacement referees. The three weeks of replacement referees had players, coaches, and even fans outraged over missed and incorrect calls.

When the collective bargaining process reaches an **impasse** (a breakdown in negotiations), the players can opt to strike or the owners can opt to lock out the players to spur the process along. Over the three-decade history of labor relations in professional sports, there have been numerous strikes (involving the MLB, NFL, and NHL) and lockouts (involving the MLB, NBA, NFL, and NHL). One development unique to sport is that prior to negotiating to an impasse, owners will often announce an inevitable lockout or players will announce a strike. In other industries, the lockout or strike is an economic weapon of last resort after bargaining to an impasse.

Another aspect unique to professional sport is the leagues' interest in players unionizing. In other industries, management prefers workplaces to be free from unions. In contrast, in professional sport, with a union in place, the league can negotiate with the players associations for acceptance of restrictive practices through the collective bargaining process. Under antitrust law, any restrictive practices that primarily injure union members and that are negotiated in a CBA are exempt from antitrust laws. All of the restrictive practices in professional sport included in the CBA—the draft, salary cap, restrictions on free agency, and the like—are therefore immune from antitrust lawsuits, saving the owners millions of dollars in potential antitrust damages.

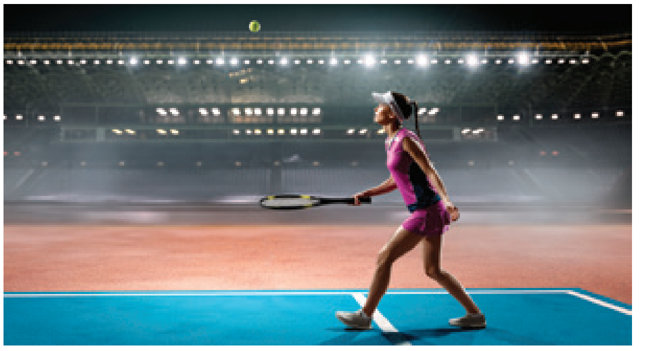
Individual Professional Sports

Individual professional sports generally exist around a tour of events, meets, or matches. This chapter discusses the history of just one professional tour, the PGA Tour, as a case study of the different structures possible and challenges facing individual sport governance and tours.

The first U.S. Open was held in 1895, but the PGA was not born until January 1916, when a New York department store magnate called together golf professionals and amateurs to create a national organization to promote the game and to improve the golf professional's vocation (World Golf, n.d.b). Its constitution, bylaws, and rules were modeled after those of the British PGA and were completed in April 1916 (Graffis, 1975). The PGA's objectives were as follows:

- To promote interest in the game of golf
- To elevate the standards of the golf professional's vocation
- To protect the mutual interests of PGA members
- To hold meetings and tournaments for the benefit of members
- To establish a Benevolent Relief Fund for PGA members
- To accomplish any other objective determined by the PGA (World Golf, n.d.a, para. 4)

During the PGA's formative years (1916–1930), much of its energy focused on developing rules of play, establishing policies, cleaning up jurisdictional problems with manufacturers and the U.S. Golf Association, standardizing golf equipment, and learning its own administrative needs. In 1921, the PGA hired



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an administrative assistant and began a search for a commissioner. Unlike MLB, the PGA was not looking for a disciplinarian, but rather an individual with strong administrative capabilities to conduct its daily operations. Nine years later, the PGA hired Chicago lawyer and four-time president of the Western Golf Association Albert R. Gates as commissioner for a salary of $20,000. Gates's guiding principle in making decisions was to ask the question, "What good will it do golf?" (Graffis, 1975).

The practice of charging spectators began at fundraisers by top male and female golfers to benefit the Red Cross during World War I. The PGA later adopted the practice for its tournaments to raise money for the PGA's Benevolent Fund. Soon golfer Walter Hagen began to charge for his performances (Graffis, 1975). Today, each PGA Tour event is linked to a charity (Antolini, 2014). In its history, the PGA Tour has contributed more than $3.37 billion to charity (PGA Tour, 2022b).

When the PGA was founded, there was no distinction between club and touring professionals. Tournaments remained small and manageable until television began paying for golf programming. The influence of television made golf more of a business. In the early to mid-1960s, a growing tension between the PGA tournament professionals and country club professionals emerged, because the two groups' interests clashed. Questions arose over the mission of the PGA: Was it to operate PGA Business Schools for local club professionals, who were primarily given the task of promoting interest in golf and golf-related products locally? Or was it to work with professionals coming through the Qualifying School (Q-School) for the PGA Tour circuit?

At annual meetings held from 1961 to 1966, the PGA became a house divided over control and power. At the 1966 meeting, the PGA identified two constituencies in professional golf: (1) the club professionals who served the amateur players and (2) the showcase professionals who provided the

Table 10-3 Purses for Selected 2021–2022 PGA Tour Events

Name	Total Purse	First Place/Winner
Tour Championship	$75,000,000	$17,500,000
The Players Championship	$20,000,000	$3,600,000
FedEx St. Jude Championship	$15,000,000	$2,700,000
BMW Championship	$15,000,000	$2,700,000
U.S. Open	$12,500,000	$2,250,000

Data from *Ranking PGA Tour tournament purses from biggest to smallest for 2021-2022.* Golf New Net. https://thegolfnewsnet.com/golfnewsnetteam/2022/02/05/ranking-pga-tour-tournament-purses-from-biggest-to-smallest-for-2021-2022-124875/

entertainment for golf's spectators (Graffis, 1975). Two years later, the PGA tournament players broke away to form a Tournament Players Division, which in 1975 was renamed the PGA Tour (World Golf, n.d.a). The PGA Tour, headquartered in Florida, operates six tours: the PGA Tour, the Champions (Senior) Tour, PGA Tour Canada, PGA Tour Latinoamérica, PGA Tour University, and the Korn Ferry Tour (PGA Tour, 2022a). Television revenues and corporate sponsorship have greatly increased the purses for players on the PGA Tour (World Golf, n.d.b), and events are scheduled year-round. **Table 10-3** lists purses for some of the 2021–2022 PGA Tour events.

For six decades, players had to qualify annually for the PGA Tour through a grueling qualifying tournament known as Q-School, unless they earned an exemption by winning a tournament or one of the four majors. After the 2012 Q-School, the top 25 finishers have no longer moved directly to the PGA Tour, but instead go to the developmental Korn Ferry Tour (Ferguson, 2012; PGA Tour, 2022a). Players now qualify based on their prior year's performance on the PGA Tour or by moving up through the ranks on the Korn Ferry Tour. This change was made as a result of the PGA Tour studying data on the comparative performance of players coming off the developmental tour versus from Q-School from 1990 to 2012. The data showed that the developmental tour better prepared players for the competitive challenges in playing on the PGA Tour, including the toll that travel takes on players. Making the developmental tour the primary path to the PGA Tour results in better branding between the two tours, plus more excitement for the Korn Ferry Tour (PGA Tour, 2022a).

In 2022, for the first time in its history, the PGA Tour faced a challenge from a rival golf tour (Pennington, 2022). The LIV Golf circuit, which is backed by the government of the Kingdom of Saudi Arabia, is enticing golfers to leave the PGA by running golf tournaments with the biggest prizes in the history of golf. The first LIV tournament's total purse was $25 million, and the winner's share was $4 million. Even the last-place finisher was guaranteed $120,000. To fight back against LIV Golf, PGA Commissioner Jay Monahan announced an increase of $54 million in PGA prize money and suspended golfers who agreed to play in LIV Golf events. It is clear that the future of professional golf will be changed by this conflict and the competition for the best golf talent between the PGA and LIV Golf tours (Pennington, 2022).

Individual sports tours have their own rules and regulations. In tennis, the 50 top-ranked players are required to submit their tournament schedules for the following year to their respective governing bodies by the conclusion of the U.S. Open "so decisions can be made on designations and fields can be balanced to meet the commitments the WTA [Women's Tennis Association] and ATP [Association of Tennis Professionals] have made to their tournaments" (Feinstein, 1992, p. 392). During the Wimbledon tournament and the U.S. Open, players' agents and tournament directors negotiate appearance fees and set schedules for the top-ranked players' upcoming seasons, while the other players are left to make decisions about whether to return to the tour the following year.

Key Concepts

League Revenues

Leagues obtain their revenues from national television and radio contracts, league-wide licensing, and league-wide sponsorship programs. They do not receive revenues from local broadcasting, gate receipts, preferred seating sales, or any of the stadium revenues. All of those forms of revenues go to the specific teams, and disparities in local markets have caused competitive balance problems among teams. These problems are most pronounced in MLB, which has the least amount of national revenue sharing and no salary cap. However, MLB does have a **competitive balance tax**, which taxes teams that exceed a preset threshold on team salary spending for a given year.

In 2022, a new CBA in MLB was agreed to by the league and the MLBPA. This agreement contained a tiered competitive balance tax with increasing penalties for teams that exceed the assigned levels. The first level is \$230 million—a team that exceeds this level is taxed at 20%. The next levels are \$250 million and 32%, \$270 million and 62.5%, and \$290 million and 90%. New York Mets owner Steve Cohen said in March 2022 that the Mets would "probably" exceed the highest threshold. Thus, if the Mets have a \$290 million payroll, they will also have to pay MLB a luxury tax of \$261 million (Anderson, 2022).

Franchise Values and Revenue Generation

In recent years, sports franchise values have soared into the billions of dollars. The Dallas Cowboys (valued at \$5.5 billion) and the New York Yankees (valued at \$5.25 billion) are the world's two most valuable franchises, often dueling year to year. The baseball team, however, is not the Yankees' only asset. The Yankees Global Enterprises (YGE) is the parent organization of a group of properties owned by the Yankees, which collectively increase the value of YGE to \$6.81 billion. Those properties include the MLS team New York FC, an equity stake in the MMA Professional Fighter's League, Legends Hospitality, and the YES Network (Ozanian, 2022). Investing in multiple franchises is a key trend in sports ownership, increasing the value of the ventures.

According to Much and Gotto (1997), the two most important factors in determining a franchise's value are the degree of revenue sharing and the stability of the league's labor situation. Revenue sharing is a factor in creating competitive balance among the teams in the league. The NFL shares virtually all national revenues. Since it does not share stadium revenues, teams have used their leverage to negotiate favorable lease agreements that provide teams with revenues from luxury boxes, personal seat licenses, club seating, and other revenues generated by the facility, including facility sponsorship (e.g., signage and naming rights), concessions, and parking.

As part of the race to claim these revenues, a strategy called **franchise free agency** emerged in the 1990s. Under this strategy, team owners threaten to move their teams if their demands for new stadiums, renovations to existing stadiums, or better lease agreements are not met. In other sports, such as hockey and basketball, teams have moved after being lured with better facilities and local deals by their suitors. As a result, the NHL now has a very strict franchise relocation policy that outlines numerous factors that must be satisfied before a team can move, including evidence of a lack of fan support over three seasons prior to the request to move. Baseball has experienced fewer relocations due to its exemption from antitrust regulations, which enables MLB to restrict team relocation. Without antitrust liability, owners interested in moving their team do not have the leverage to threaten a treble-damage antitrust suit in response to a "no" vote on a relocation request. At the same time, this exemption from antitrust regulations has allowed MLB teams leverage over their home cities, from which they can demand stadium renovations at their current sites (knowing the cities cannot sue on antitrust grounds, either).

The NFL has recently seen a number of franchise relocations in which teams moved to cities offering them new stadiums. In 2016, the Rams paid the NFL a \$550 million relocation fee to move back to Los Angeles from St. Louis. The Rams were in Los Angeles from 1946 to 1994, then moved to St. Louis in 1995 (Caron, 2019). The Chargers moved from San Diego, where they had played for 56 years, to Los Angeles in 2017 (Judge, 2021). Both the Rams and the Chargers began playing at SoFi Stadium, a state-of-the-art, \$4.4 billion facility, in 2020 (Stadiums of Pro Football, 2022). The Raiders also moved from Oakland to Las Vegas in 2020. There, the team plays in Allegiant Stadium, which cost \$1.9 billion to build (Greer, 2020; Stadiums of Pro Football, 2022).

Discussion

As commissioner of the NFL, should Roger Goodell work to limit franchise relocation?

Today, like never before, sport managers are hard at work to maximize their organizations' revenue streams. A case study of the strategy of the Boston Red Sox to maximize the revenue potential from every inch of Fenway Park while adding to the fans' Fenway experience illustrates the various measures that can be implemented. Since taking over the Red Sox in 2002, the management team has turned Jersey Street (formerly called Yawkey Way) into a fan-friendly concourse where it markets the club and sells a variety of concessions and licensed products. Because demand exceeds supply for tickets, the club has built additional seating in box seats near the dugout, on top of the Green Monster (left field wall) section of the park, on the rooftop, and in front of the grandstand. After adding the seats, the Red Sox discovered "dead space" used for media parking and laundry. Those functions were moved off-site to create more concourse space for revenue-generating opportunities, plus an improved fan experience, as there is now less congestion around the concourse and restrooms ("Fenway Park Improvements," 2022). To fill its schedule over the year, Fenway Park is also used for events other than baseball. In the summer, when the Red Sox are on the road, the stadium hosts concerts by major stars such as Bruce Springsteen, Zac Brown Band, Foo Fighters, Lady Gaga, Sheryl Crow, and Billy Joel. The venue also hosts outdoor events such as international soccer matches, college football, and outdoor ice hockey games ranging from the NHL's Outdoor Classic to collegiate games and local high school rivalries. All of these events help the Red Sox maximize their profits.

The Red Sox have implemented other innovations in an attempt to garner more revenues. The team has worked to stretch its market by hosting "state" (e.g., Vermont, New Hampshire, Maine, Rhode Island) days at Fenway Park and taking the Sox players and World Series trophies on tour throughout New England. The team has spent years pitching itself as New England's team and the past decade battling the New York Yankees for territory in the state of Connecticut.

Another marketing innovation involves the Fenway Sports Group (FSG), which works from the built-in Red Sox Nation fan base. FSG is a venture of New England Sports Ventures (NESV), the holding company that also owns and operates the Red Sox, Fenway Park, and NESN (the broadcast network for both the Red Sox and the Boston Bruins) (FSG, 2018). FSG is a sport agency created with the twin goals to diversify the interests of the parent company and to drive more revenues into the venture. Its pioneers were Red Sox staff moonlighting at FSG (Donnelly & Leccese, 2007). In addition to working with the Red Sox, FSG represents sport properties such as Boston College, MLB Advanced Media, Liverpool Football Club, and the LeBron James brand. Additionally, it acts as a corporate consulting and event business for clients such as Stop and Shop, Dunkin, Cumberland Farms, and Gulf Oil (FSG, 2018). The organization also owns entrepreneurial ventures, operating FSG sport-related properties such as the Salem (Virginia) Red Sox (minor league baseball team), Fanfoto (a fan-centric sports photography business), Red Sox Destinations (travel agency), and NASCAR's Roush Fenway Keselowski Racing (FSG, 2018). As part of its quest to maximize revenues, FSG has a goal of leveraging the audience of 12 million Red Sox fans for crossover marketing, while reaching beyond that with new properties, new ventures, and ultimately new revenue streams. In 2021, FSG bought the NHL's Pittsburgh Penguins for $900 million, continuing its plan to be associated with premier and lucrative sports franchises (O'Brien, 2021).

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One issue affecting franchise values is unique to MLB—namely, the large-market to small-market dichotomy created by the disparity in local broadcast revenues. MLB does not share local broadcast revenues. As a consequence, a team in a large media market, such as the New York Yankees, derives far more broadcast revenues than does a small-market team, such as the Kansas City Royals. This disparity results in an unfair advantage for large-market teams in terms of operating revenue and franchise valuation. Due to this disparity, small-market teams, such as the Pittsburgh Pirates, are constantly building from their farm systems and often losing franchise players to the free market because they lack sufficient revenues to meet players' salary demands.

To meet the challenge of competitively operating a small-market club, teams such as the Oakland A's, under the leadership of Executive Vice President Billy Beane, focus on efficiency and a value system termed *moneyball* (after the book by that name). In a nutshell, the concept is to win games with a small budget. This system involves focusing on less commonly used statistics, drafting wisely, and drafting players who are "signable" in an effort to take away some of the uncertainty of drafting and developing players. According to Lewis (2003), Beane did not create the theories underlying the moneyball concept, but effectively collected and used the ideas of the baseball statistical wizard Bill James and those of some of today's best baseball writers and websites. Despite much vocal opposition from the establishment in the baseball fraternity (long-time general managers, scouts, and baseball writers), a significant number of general managers have since adopted these theories in building their teams. In fact, James worked for the Red Sox for 17 years as a consultant before retiring. His work led to that team using more quantitative analysis of player performance and evaluation alongside its traditional qualitative observations of players (Neyer, 2002). One thing is certain, though: The *Moneyball* book (Lewis, 2003) inspired innovative teams in other professional sports to try out new statistical theories and, in the process, created new jobs in player development, investment, and acquisition.

Labor stability contributes to enhanced franchise values. A long-term CBA creates cost stability for teams. The combination of strong leadership from commissioners, shared revenue, and cost stability has enabled a league like the NFL to market what is arguably the strongest brand in North American professional sports. A quality product and the knowledge of long-term labor peace (and thus a lack of interruption in games) can translate into media revenues in the billions.

Legal Issues

Almost all areas of law are relevant to the professional sport industry, but those most prevalent are contracts, antitrust, labor, and intellectual property (trademark and licensing). Historically, many high-profile cases have developed either when players and owners (current and prospective) have challenged league rules or when rival leagues have tried to compete against the dominant established league that possesses market power.

Over time many contract issues have been resolved, and all team-sport athletes now sign a standard player contract particular to each league. This does not mean that contract disputes are eliminated. Occasionally, the commissioner may refuse to approve a player's contract if it violates a league rule or policy. For instance, sometimes player contracts contain provisions that the commissioner perceives as trying to circumvent the salary cap. In that case, the team and player may either renegotiate the contract or challenge the commissioner's finding. A good example is the rejection of the New Jersey Devils' 17-year contract with star left winger Ilya Kovalchuk. The NHL rejected the $102 million deal, which would have been the longest contract in its history. The NHL's rejection of the contract was upheld by an arbitrator who found many problems with the contract, particularly the significant frontloading of salary and the 17-year length, which would have had Kovalchuk playing until he was 44 (Hughes, 2010). The Devils and Kovalchuk then submitted a new 15-year, $100 million contract, which the NHL approved. In the process, the NHL allegedly issued the NHLPA an ultimatum on long-term deals, conditioning them on changing the salary cap hit for contracts that end with the player older than 40 years of age and adopting a new formula in which the five highest years of salary in long-term (more than 5 years) deals carry additional weight in the cap calculation (Bamford, 2010). Such a change in the salary cap during the term of the CBA is unusual and shows the depth of the commitment by the NHL to the cap and actions it perceives will harm competitive balance.

In a global market, contract disputes may also arise over which team retains the rights to a particular player who is attempting to move from one league to another. Such disputes may lead to legal battles between teams and players from different countries. To avoid these types of disputes, North American leagues and their counterparts elsewhere in the world are continually evaluating their player transfer agreements.

Antitrust law is another area where disputes may arise. Antitrust laws regulate anticompetitive business practices. MLB is exempt from antitrust laws. All professional sport leagues adopt restrictive practices to provide financial stability and competitive balance between their teams. The game would not be appealing to fans if the same teams dominated the league year after year because they had the money to consistently purchase the best players. Similarly, fans and front office staff would not like to see their teams change players year after year. It is the nature of sport that teams must be built and that players and coaches must develop strong working relationships. However, restrictive practices such as drafts, reserve systems, salary caps, free agent restrictions, and free agent compensation, which may have been developed to maintain competitive balance, can have ripple effects, such as depressing salaries or keeping competitor leagues from signing marquee players. In turn, players and rival leagues have used antitrust laws to challenge such practices as anticompetitive, arguing that they restrain trade or monopolize the market for professional team sports. Additionally, in the past decade, some owners have sued their own leagues on antitrust grounds to challenge restrictive practices. Antitrust laws carry with them a treble damages provision; thus, if a league loses an antitrust case and the court triples the amount of damages, the league could effectively pay millions or billions of dollars in damages.

Race and Gender in the Professional Sport Industry

In his book *In Black and White: Race and Sport in America*, Shropshire (1996) stresses that integration of more diverse employees into management positions will not happen without a concerted effort by owners, commissioners, and those in positions of power. He suggests that to combat racism in professional sport, there must be recognition of what "both America and sport in reality look and act like" as well as what both "should look and act like in that ideal moment in the future [when racism is eliminated]" (p. 144). Between these two phases, Shropshire (1996) suggests an intermediate period of transition in which (1) Black youth alter their focus from athletic success being a substitute for other forms of success, (2) athletes use their platforms to take a stronger united stand against racism, and (3) there is a concerted effort toward civil rights political action plus legal action to combat racism through lawsuits and government intervention by organizations such as the Department of Justice and the Equal Employment Opportunity Commission.

The NFL presents strong evidence that we are still in the intermediate phase of Shropshire's model, with a lot of work to be done to combat racism. For instance, San Francisco 49ers quarterback Colin Kaepernick's peaceful protests, in which he took a knee at the start of NFL football games, became a powerful force for political mobilization targeting police brutality against Black people and a call for racial justice (Jude, 2020). Eric Reid, as a teammate, was the second player to join Kaepernick. Both alleged their playing careers were negatively impacted in retaliation. Kaepernick filed a grievance alleging collusion by the NFL teams, as he did not have any further opportunities to play in the NFL after his contract with the 49ers ended in March 2017. Reid alleged that he was targeted with seven random drug tests over 16 games and had other difficulties, but eventually signed with the Carolina Panthers three games into the 2018 season, where he continued to kneel at games without incident. Both players eventually settled their grievances against the NFL (ESPN Staff, 2019).

The NFL's **Rooney Rule** (named for Steelers owner Dan Rooney) was adopted in 2003 to require NFL teams with coaching and general manager openings to interview at least one Black candidate as part of the search process. Before the Rooney Rule was implemented, coaches of color were hired about 2% of the time; shortly after it took effect, that rate rose to 20% (Ortiz, 2022). However, in 2022, Brian Flores, former head coach of the Miami Dolphins, filed a class-action complaint on behalf of himself and other similarly situated Black candidates, claiming that the NFL, Miami Dolphins, New York Giants, and Denver Broncos engaged in racial discrimination with regard to his employment and the hiring process. Flores claims that he was subjected to two "sham" interviews with the Giants and Broncos as those teams attempted to show they were complying with the Rooney Rule, but in fact had already chosen to hire White head coaches (Coleman, 2022). Flores's complaint stated, in part, "The Rooney Rule is also not working because management is not doing the interviews in good-faith, and it therefore creates a stigma that interviews of Black candidates are only being done to comply with the Rooney Rule rather than in recognition of the talents that the Black candidates possess" (*Flores v. NFL*, 2022). Flores's complaint noted that more than 70% of the players in the NFL are Black, yet of the 32 teams, only the following staff members are underrepresented minorities (*Flores v. NFL*, 2022):

- General manager: 6 of 32 (18.75%)
- Head coach: 1 of 32 (3.125%)
- Quarterbacks coach: 3 of 32 (9.375%)
- Offensive coordinator: 4 of 32 (12.5%)
- Defensive coordinator: 11 of 32 (34.37%)
- Special teams coach: 8 of 32 (25%)

Flores also claimed that Dolphins owner Stephen Ross encouraged him to fail at his head coaching job by offering him $100,000 for each loss during the 2019 season in an attempt to secure the NFL's worst record and the number 1 pick in the 2020 NFL draft. Flores did not comply with this request and Ross denied he made it, calling the allegations "false, malicious, and defamatory" (Coleman, 2022).

Table 10-4 provides more information on employment in U.S. professional sport leagues. Note that the NFL data in the table differ from those cited in Flores's lawsuit because the data in Table 10-4 are from 2021 and the lawsuit data were from 2022.

Discussion

Critics have argued that management positions and ownership in sport should mirror the percentages of minorities on the field. Imagine that you work in a league office or own a sports team, and conduct some research on what strategies and best practices you should adopt to further increase diversity in recruitment, hiring, and retention in professional sport.

There have been recent high-profile hires of women across the professional leagues, including Sandra Douglass Morgan, the first Black female hired as president of the NFL's Las Vegas Raiders. She joins

Table 10-4 Racial Diversity in Professional Sports (as a Percentage) as of 2021 Reports

Segment	NBA	NFL	MLB	MLS	WNBA
Player	83.2	70.4	38.0	60.7	80.1
League office	41.6	31.1	28.7	40.3	42.3
Head coach	30	15.6	20.00	42.9	41.7
Assistant coach	52.7	40.9	40.4	34.2	61.3
Owners	10	3.1	13.3	9.4	33.3
Vice president	19.5	15.9	16.1	19.4	21.9
General manager	40.0	15.6	13.3	18.8	25.0

Jason Wright of the Washington Commanders and Sashi Brown of the Baltimore Ravens as Black presidents of NFL teams. The Raiders have long supported diverse hires: This club hired the first Black head coach in the NFL, Art Shell, in 1989 and elevated its longtime legal counsel Amy Trask to be the first female chief executive in 1997 (Lev, 2022). The Raiders aside, Morgan's hiring comes at a time when the NFL is pursuing intentional practices geared toward supporting women to land jobs in the NFL. In the first 5 years of its existence, the Women's Careers in Football Forum has helped 181 women obtain jobs in football, 100 of which were in the NFL (Ayala, 2021). The Forum, which is run by the NFL's Senior Director of Diversity, Equity, and Inclusion, aims to get more women to be considered by hiring managers.

While there has not yet been a female NFL head coach, some candidates are coming up in the ranks in the league. Even across women's pro leagues, there is a dearth of women in head coaching, with only 10 now occupying these positions across the WNBA, NWSL, and PHF (Ayala, 2021). That said, all leagues have shown increases in the number of women hired in management positions, so it appears some positive forward movement is occurring—yet more is needed. For current data on racial and gender representation by league, see Table 10-4 and **Table 10-5**. To see which programs exist to promote women's (nonplaying) careers in professional sport, perform an online search for Women's Careers in Football Forum and then research similar programs in other sports.

To achieve both diversity and inclusion in the realm of professional sport, all professional sport leagues must work to create an environment where all are included for what they bring to the job by ensuring

Table 10-5 Gender Diversity in Professional Sports (as a Percentage) as of 2021 Reports

Segment	NBA	NFL	MLB	MLS	WNBA
Player	0	0	0	0	100
League office	42.0	38.8	29.1	40.7	65.4
Head coach	0	0	0	0	41.7
Assistant coach	2.9	1.5	1.3	0	64.5
Chief executive officer	8.7	3.1	0	0	66.7
Owner	0	0	0	0	54.5
Vice president	27.8	25.1	22.0	27.8	45.3
General manager	0	0	3.3	0	33.3
Referees	23.5	2.9	0	0	

Data from Lapchick, R. (n.d.). *The Institute for Diversity and Ethics in Sport, TIDES Making Waves of Change*. https://www.tidesport.org/complete-sport that people feel a sense of belonging and that they are valued, respected, and retained. We look forward to the day when people are hired and we do not have to draw attention to them for being the “first” hire in their chosen position and field.

Figure 10-1 Sample Professional League

Career Opportunities

Commissioner

The roles and responsibilities of a league commissioner were detailed earlier in this chapter. A wide variety of skills are required to be an effective commissioner: an understanding of the sport and the various league documents (league constitution, bylaws, rules and regulations, standard player contract, and CBA); negotiating skills; diplomacy; the ability to work well with a variety of people; an ability to delegate; a good public image; an ability to handle pressure, crises, and the media; an ability to make sound decisions; and, in general, a vision for the league. These are skills learned over time through a combination of education and life experience.

Other League Office Personnel

Each league has an office staff, with these personnel filling a wide variety of positions. Leagues have literally hundreds of employees in a range of areas, from the commissioner's staff to the legal department to properties and marketing divisions to entertainment to communications to research and development. For instance, departments in the NBA Commissioner's Office include administration, broadcasting, corporate affairs, editorial, finance, legal, operations, player programs, public relations, security, and special events (**Figure 10-1**). Departments in the NBA Properties Division include business development, finance, international offices, legal, licensing, marketing, media and sponsor programs, and team services. Departments in NBA Entertainment include administration, accounting, legal, licensing, operations, photography, production, and programming. Thus, a wide variety of opportunities in league offices are available for individuals with degrees in sport management and business and for those who couple their initial degrees with a graduate degree in a field such as law, sport management, or business administration. Skills necessary for working in a league office vary with the position, but a few universally needed skills include having a working knowledge of the sport, the teams in the league, and the professional sport industry in general; good customer relations skills; and a willingness to work long hours (especially during the season and postseason).

Team General Manager

A team's general manager is in charge of all player personnel decisions, including overseeing scouting and drafting players, signing free agents, trading players, and negotiating contracts with players and their agents. The general manager must understand the sport and be able to assess talent. They must also possess a working knowledge of all league documents (constitution, bylaws, rules and regulations, CBA, standard player contract).

For years, the path to general manager traditionally involved someone making a move from the playing or coaching ranks. However, as the position has become more complex, individuals with graduate degrees in sport management, business administration, law, analytics, or a combination of these have become desirable hires. Some teams may have a general manager who has risen from the playing or coaching ranks, and then hire one or more assistant general managers to deal with complex contract negotiations and to decipher league rules and policies, such as salary caps, as well as to interpret and develop statistical models that have become important sources of competitive advantages.

Other Team Front Office Personnel

Like league offices, team front offices offer a wide variety of staff positions. In the past decade, the number of positions and specialization of jobs has increased greatly (**Figure 10-2** and **Figure 10-3**). As an example, the NBA's Miami Heat listed 122 employees and other personnel in its directory (Miami Heat, 2022). The Philadelphia 76ers website listed dozens of front office employees in 2022, including the following positions (NBA, 2022):

- An ownership group
- 12 in basketball operations
- 20 in basketball coaching
- 5 in team services
- 13 in athlete care
- 4 in culinary
- 4 in scouting
- 4 in research and development
- 15 in business operations
- 4 in broadcasting
- 8 in business development and brand marketing
- 5 in communications
- 18 in content and media production
- 18 in corporate partnerships
- 11 in digital product and marketing
- 3 in diversity and impact
- 21 in finance and accounting
- 6 in game presentation
- 10 in human resources
- 7 in information technology
- 8 in legal and government relations
- 12 in member services
- 10 in security
- 2 in the Sixers Youth Foundation
- 9 in strategy and analytics
- 6 in ticket operations
- 43 in ticket sales

Comparing Figure 10-2 and Figure 10-3, it is noteworthy that the basketball operations staff is considerably smaller than the business operations side. The business side drives the revenue into the operation and, therefore, there tends to be more opportunities for employment on that side of the "house."

Front office entry-level positions can often be found in the sales, marketing, community relations, and media/public relations departments. Salaries are typically low, because many people would love to work for a professional team; therefore, the supply

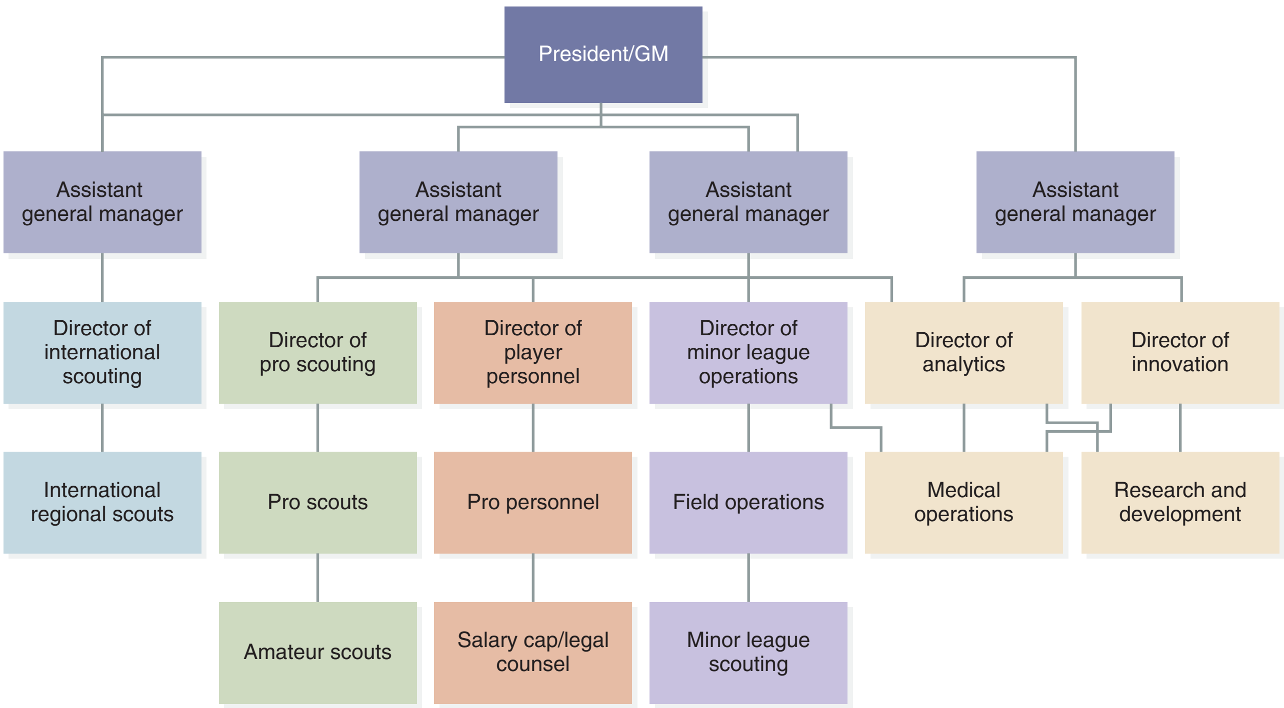

Figure 10-2 Sample Professional Team Player Development Side

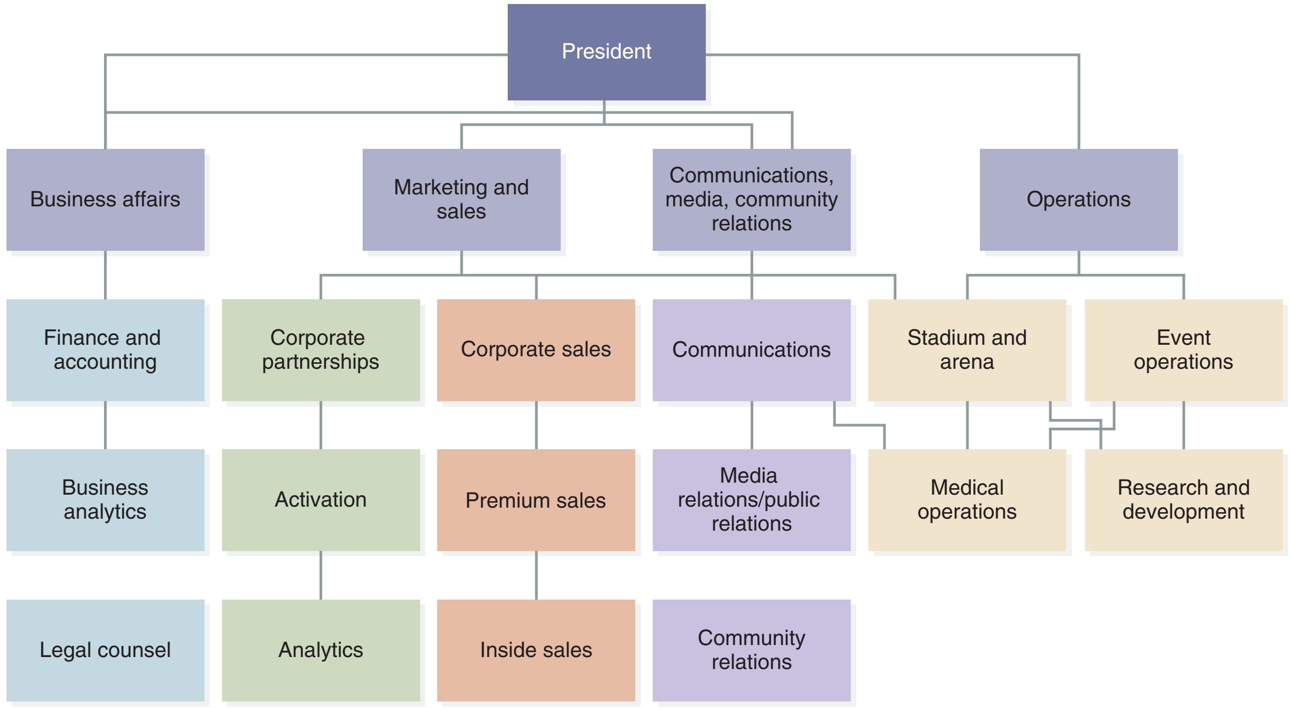

Figure 10-3 Sample Professional Business Operations Side

of would-be employees always exceeds the demand. Salaries are often higher in the sales department because employees earn a base salary plus commissions for ticket, corporate, or group sales productivity. As with the league office positions, the skills necessary for working in a team's front office include knowledge of the sport and the professional sport industry, good customer relations abilities, and a willingness to work long hours (particularly during the season and postseason). As for educational requirements, a sport management degree and, depending on the position, possibly an advanced degree, such as a JD or an MBA, are appropriate for someone looking to break into a front office position.

Tour Personnel

Tours such as the PGA Tour and the Association of Tennis Professionals (ATP) Tour employ many sport managers. The Dew Tour, which debuted in June 2005, consists of major multisport events with a cumulative points system, a $2.5 million competitive purse (the largest in action sports), and an additional $1 million bonus pool based on participants' year-end standings. The Dew Tour in 2022 was held at Lauridsen Skatepark in Des Moines, Iowa. As with league sports, the positions on such tours vary from commissioner to marketer to special events coordinator.

For example, in 2017 the ATP Tour held 62 tournaments in 31 countries and was organized into three main offices: Player Council, Board of Directors, and Tournament Council. Each office is led by an executive and has a number of staff positions available. The ATP has offices located in several countries, including Monaco, Australia, the United Kingdom (London), and the United States (Florida) (ATP Tour, 2022). **Figure 10-4** shows the executive organizational chart for the ATP.

As with league sports, employment positions for tours vary from commissioner to marketer to special events coordinator. Much of the event management work for the actual site operations for the tour is, however, often left to an outside sports agency. Tours and sites contract with event marketing and management agencies to take care of all of the details of putting on the event at a particular country club or other event location.

Agents

Almost all team and individual athletes in the professional sport industry have sport agents representing them and coordinating their business and financial affairs. In addition, a growing number of professional coaches rely on sport agents. This text devotes an entire chapter to sports agency, so you should turn to Chapter 11 to learn more.

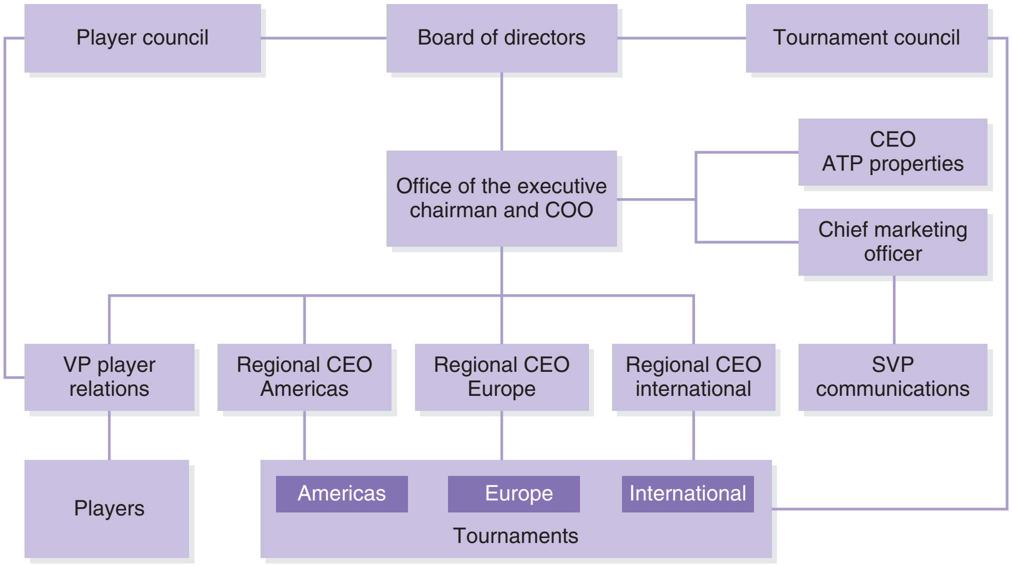

Figure 10-4 ATP Executive Organizational Chart

Current Issues

Salary Caps

In an effort to contain player personnel costs, salary caps continue to be the rage in professional sport. They are used in most leagues except MLB. Salary caps are intended to create parity among teams by capping how much a team can spend on its players' salaries. Salary caps are adjusted annually to account for changes in revenue.

To impose a salary cap in a league in which a union exists, owners must negotiate with the players (because the cap impacts wages). In the negotiation process, the union will inevitably advocate for some exceptions to the salary cap. In reality, these exceptions create loopholes for creative general managers and agents representing players. For instance, in the NFL, signing bonuses are applied to the cap by prorating them across the life of the contract. Another problem with the caps is that they routinely force teams to cut established players or renegotiate their contracts to make room under the cap to sign another player. A third problem is that the caps provide a team with spending minimums, so low-revenue teams are prevented from cutting their payrolls to stay competitive (Fatsis, 1997).

Globalization

All major leagues are drafting and signing players from nations other than the United States. In recent years, the desire of the major sport leagues in the United States to do business and play games in Europe and Asia has been complicated by the COVID-19 pandemic and rising diplomatic tensions. These factors made doing business in foreign countries significantly more complicated.

Over the last 30 years, MLB has played more than 200 international games in 11 different countries and territories ("MLB International Events," 2022). MLB has an office in Tokyo to oversee its efforts in Japan, Taiwan, and China, and the league has been playing one game to open the season in Japan over the last decade. However, MLB paused its international games because of the COVID-19 pandemic, which first reached the United States in 2020. Opening-day games in Japan and regular-season games in London, Mexico, or Puerto Rico have not taken place since 2019. MLB planned to resume its international games in 2023 with both the World Baseball Classic and regular-season games in Mexico City and London (Harris, 2022).

The NFL no longer operates NFL Europe, but has begun playing several regular-season games in Europe, most recently in the United Kingdom, with additional games being scheduled in Germany and Mexico. In the month of October 2023, the NFL planned to play three games in London. The 2022 London Games series will feature the Minnesota Vikings versus the New Orleans Saints, the New York Giants versus the Green Bay Packers, and the Denver Broncos versus the Jacksonville Jaguars. NFL international games will now occur yearly because when the season was expanded to 17 games, the league decided that as many as four teams would be designated to play a neutral-site international game (instead of a home game) each season (NFL, 2022).

The NBA planned to play its first regular-season game in Europe since 2020 in Paris, with the Chicago Bulls slated to face the Detroit Pistons on January 19, 2023. This event would be the league's 12th game in France since 1991 (NBA Communications, 2022). In its history, the NBA has played 76 preseason games and 33 regular-season games outside of North America (Irving, 2022).

The NBA's efforts in China are more extensive and complicated. ESPN investigative reporters Mark Fainaru-Wada and Steve Fainaru have detailed that NBA owners have collectively invested more than $10 billion in China. Regardless of these investments, the NBA playoffs were not televised in China for 3 years because of a government ban. The playoffs returned to state-run TV for the 2022 playoffs. The ban cost NBA owners "hundreds of millions of dollars" and illustrated the problems of doing business in a totalitarian communist regime. The ban and the problems began when former Houston Rockets General Manager Daryl Morey tweeted his support for Hong Kong protesters, who were voicing their opposition to the Chinese government, in October 2019 (Fainaru-Wada & Fainaru, 2022). The NBA's owners face significant monetary risks if they run afoul of the Chinese government, which exercises total control over the state-run media and can potentially harm their business in China, the second largest economy in the world. Generally speaking, the COVID-19 pandemic, the war in Ukraine, and tensions between the People's Republic of China (mainland China) and the Republic of China (Taiwan) have made global expansion of U.S. sports leagues more difficult and complicated in recent years. Issues such as security, safety of the players, safe travel, and protecting the investments of U.S. teams in foreign countries that have totalitarian governments with no real rules can all hinder global expansion efforts.

Concussion Litigation

Among the most hotly debated current issues in professional sport is how professional leagues have managed players' concussions and how they will address player safety in the future. Retired NFL and NHL players have filed suit against both of these leagues. The retired players and their families allege that they have developed chronic traumatic encephalopathy (CTE) and other brain diseases, such as Alzheimer's disease and dementia, due to head trauma they received while playing professional football and ice hockey.

To date, the NFL has settled concussion cases for players who retired prior to July 7, 2014. The settlement set aside up to $1 billion for players with CTE injuries (NFL Concussion Settlement, 2017).

The NHL players' lawsuit involves 75 plaintiffs, but is complicated by the role of fighting as a cause of their head trauma. Tied to the issue of whether head trauma occurs to players while playing the sport of hockey are the questions of (1) whether fighting causes more head trauma, and thus more brain damage, and (2) whether by having fighting as part of the professional game the NHL is condoning these injuries. NHL Commissioner Gary Bettman has denied that a link exists between concussions and CTE; as a result, the NHL's response to concussions has been widely compared to the cigarette industry's responses after the discovery of a potential link between smoking and cancer (Kugler, 2016; Macur, 2017). Bettman's position is that science has not discovered a definitive link—a position that may align with the NHL's defense in the pending litigation involving former players. Nevertheless, it is not a popular stance, especially when compared to the NFL's decisions to settle its lawsuit and donate to research on brain trauma and ways to eliminate it in the NFL (Armour, 2017).

Drug Testing and Human Growth Hormone

The four major U.S. leagues have adopted drug testing policies that include the penalties noted in **Table 10-6**. In MLB, testing for human growth hormone (HGH), a performance-enhancing agent, started in 2012. In 2020, 412 samples were collected from MLB players and tested for HGH with no positive results. During the COVID-19 pandemic, MLB suspended its HGH testing program because such a test requires drawing blood. This is obviously more invasive than urine testing and requires the services of additional collectors. Thus, the HGH test would have caused additional people to come into contact with players and decreased social distancing. Testing for HGH was expected to resume when the pandemic waned (Associated Press, 2021).

In MLB, the commissioner's power to suspend a player based on evidence gathered by means other than a drug or HGH test was at issue in the Alex Rodriguez arbitration case in 2013. MLB obtained documents from an antiaging clinic, then used information from those documents to suspend Rodriguez

Table 10-6 Disciplinary Penalties for Performance-Enhancing Drug Use in the MLB, NBA, NFL, and NHL

	MLB	NBA	NFL	NHL
First offense	80-game suspension	25-game suspension and mandatory attendance in NBA SPED's program	Up to a 6-game suspension without pay	20-game suspension without pay and mandatory referral to SABH program for evaluation and possible treatment
Second offense	162-game suspension	55-game suspension and mandatory reentrance into NBA SPED's program	10-game suspension without pay	60-game suspension without pay and mandatory referral to SABH program for evaluation and possible treatment
Third offense	Lifetime ban	2-year suspension from NBA	At least a 2-year suspension without pay	Lifetime ban with possible discretionary reinstatement after 2 years pending application

Abbreviations: SABH, Substance Abuse and Behavioral Health program; SPED, steroid or performance-enhancing drug program.
Data from MLB (http://mlb.nbcsports.com/2014/03/28/mlb-mlbpa-announce-stronger-testing-harsher-penalties-for-peds/), NFL (http://www.espn.com/nfl/story/_/id/11542076/nfl-union-ok-new-performance-enhancing-drug-policy-human-growth-hormone-testing), NHL (http://www.latimes.com/sports/kings/la-sp-with-nhl-drug-policy-20150929-story.html), NBA (https://www.si.com/nba/rockets/news/nba-conduct-performance-enhancing-drug-tests-season-resumes).

for 211 games under a provision in the CBA. Ultimately, the arbitrator reduced the commissioner's penalty to 160 games (Eder, 2014).

Analytics

Professional sport is becoming more and more dependent on analytics. The moneyball era ushered in the use of analytics such as sabermetrics in baseball player development. **Sabermetrics** is the empirical study of baseball. Analytics has since moved from baseball into other sports—especially to basketball, where it is used to analyze all play on the court (Goldsberry, 2014), but also to football and hockey.

The technology known as Statcast records and tracks different sources and types of information to help explain how a player performs. In baseball, Statcast can measure the exit velocity or speed of a ball coming off of a player's bat. It also measures the spin rate of a ball thrown by a pitcher. Likewise, it measures the first step of an outfielder's route to a fly ball and determines if he took an efficient route to the ball's landing spot, the speed in miles per hour he ran to the ball, and the time and distance he took to get there. Statcast is a new and comprehensive way to literally measure the performance of a baseball player (Bastian, 2016).

Beyond the use of analytics in player evaluation, player development, and team operations, teams have started to use analytics on the business side, in marketing, market research, customer relationship management, and other aspects of decision making. Leagues such as the NBA and MLS have league-level analytics departments that analyze data on the teams. The league departments then send their staff out to work with clubs as "consultants" to assist the team to do better. This text has an entire chapter devoted to analytics, so you can go to Chapter 17 for more detailed information.

Technology

MLB Advanced Media is MLB's digital technology company. It has been an innovator in live streaming media, providing unique Statcast analysis of player performance as well as creating digital platforms for other entities such as the NHL and HBO Now (Popper, 2015; Rosen, 2015). MLB Advanced Media has created $7–8 million in revenues for each of the 30 MLB teams and is an expanding source of revenues for the league (Brown, 2014).

Another innovative use of technology in sports is the incorporation of wearable technology into the clothing and pads of players so as to track their performance, health, and technique (Maqbool, 2016). The wearable technology known as biometric trackers can track anything from sleep patterns and behaviors to sweat production, stress and fatigue, heart rate, skin temperature, and pulse rate, among other things (Venook, 2017). Professional teams in MLB, the NFL, the NHL, and the NBA are currently using some means of tracking and collecting data on players for health-related purposes and to bring more "big data" into their management decision making. Obviously, such use of biometric tracking and health and performance data tracking brings with it privacy concerns for the players, as well as concerns over whether those data will be used against them in contract negotiations. In fact, the NBA's CBA limits the number of tracking devices that can be used in the league as well as prohibits use of the data collected from such devices against a player in contract negotiations. The agreement sets forth a $250,000 fine for a team's violation of the provision (Venook, 2017). It will be interesting to see the future of player performance and health tracking, as wearable technology is just making its entrance into professional sports, with more innovations and adoptions sure to come.

The WNBA is implementing a first-of-its-kind combination of in-game wearable technology with optical tracking. Players for the Seattle Storm and Connecticut Sun are wearing matchbook-sized wearable tracking sensors produced by KINEXON. The sensors utilize ultra-wideband radio technology and are small enough to be placed in the waistband of the player's uniform. Data about the player's movement and performance are gathered an incredible 25 times per second. These sensors will not only allow the game to be analyzed in finer detail by coaches, but also assist in creating a more data-rich—and potentially more entertaining—presentation of the game to fans (Dowsett, 2021).

Another new technological innovation has emerged in the MLB. Known as PitchCom, this wearable technology is meant to keep teams from stealing the catcher's signals to the pitcher. The catcher wears a small device that can be used to send the pitch call to the pitcher, who wears a headset inserted in their cap to hear the pitch being called (Koons, 2022).

Summary

The professional sport industry involves the sale of the entertainment value of sport events and exhibitions. Revenues are generated primarily through media rights fees, licensed product sales, gate receipts, and stadium revenues. The myriad leagues and tours face a number of challenges, including keeping fans satisfied in light of their perceptions regarding the "highly paid athlete." Directly related to their success in this regard is their ability to achieve labor stability while developing methods of obtaining and retaining a fan base that is representative of society as ticket prices continue to skyrocket. The major professional leagues (MLB, MLS, NBA, NFL, and NHL) also face challenges for market share from new upstart leagues, women's sports, expansion of the minor leagues, and the growing professionalization of collegiate sport.

The professional sport industry is entering an exciting period. Innovations in technology and analytics are making professional sport more performance oriented in regard to both player development and business operations. Professional sport has grown globally, particularly as leagues look for unsaturated markets and new revenue streams. This exciting environment, coupled with the perceived glamour of working for a team or league, attracts many job seekers to professional sports. Thus, the competition for entry-level positions is fierce, and salaries tend to be lower than in other segments of the industry. However, on the positive side, over the past few decades the size and scope of leagues and teams have grown to provide many more career opportunities. Those who are persistent, are willing to take on an internship or two, and are committed to keeping abreast of this fast-paced segment will be rewarded. Professional sports are constantly changing and facing new challenges. The sport manager who can adapt to change and resolve problems, and who possesses a vision for the professional sport industry in the twenty-first century, will find success in this field.

CASE STUDY 10-1

The Cleveland Guardians

In 1901, a baseball team in the American League began playing in Cleveland, Ohio. After being named the Blues, the Broncos, and the Naps (after Hall of Famer Nap Lajoie), in 1915 the team changed its name to the Indians—a name picked by the local sportswriters. Some believe that the name Indians was selected to honor Louis Sockalexis, who was the first Native American to play in professional baseball. This claim is disputed, though, because Sockalexis played for the Cleveland Spiders, a National League club from 1897 to 1899, rather than the Cleveland American League club.

Dr. Ellen Staurowsky, a professor of sports media, claims to have spent three decades debunking that myth. She notes that the franchise was suffering at the bottom of the league and on the verge of losing its franchise player (Nap Lajoie), so it was forced to choose a new name. She noted that the Wild West theme was popular and "the appropriation of Native American imagery and storylines was something that was heavily used in promotion in all forms of entertainment, including sports teams" (Fonrouge, 2021).

Staurowsky further notes the many claims that the images are benign and not hurting anyone. However, she reminds us that "[r]acial stereotypes . . . maintain the control of the dominant group and . . . [are] a reflection of how much control a group has when they can appropriate and misappropriate images of another group and do anything they want with them" (Fonrouge, 2021).

In 1947, the Cleveland team adopted a cartoonish Indian logo, with big teeth, which came to be called Chief Wahoo. The mascot was likely named after Cleveland Indian player Allie Reynolds, a Native American who was a member of the Muscogee (Creek) Nation. When he was called up, the papers described him as "swarthy, black-eyed Allie Reynolds" and he was nicknamed "the Little Indian" and described as a "Tribesman" (Ricca, 2014). Reynolds was traded in 1946 to the Yankees and went on to have great success, so the papers in Cleveland continued to follow him and referred to him as "Chief Wahoo," "Old Wahoo," or just "Wahoo" (Ricca, 2014). In 1950, in a report in the *Cleveland Plain Dealer*, "[u]nder the title of 'Chief Wahoo Whizzing,' Reynolds fans learn that 'Allie (Chief Wahoo) Reynolds, the copper-skinned Creek' lost to Philadelphia, but 'in the clutches, though, the Chief was a standup gent—tougher than Sitting Bull'" (Ricca, 2014).

Beginning in 1971, Native American groups publicly objected to the Cleveland club using the name Indians and protested the cartoonish Chief Wahoo logo. In 1973, Native American advocacy groups began a tradition of protesting the Indians name at the home opening game. Protests continued throughout the years. Finally, in 2019, the Indians announced that Chief Wahoo would no longer be used on the team's uniform. In 2020, the team announced it would be changing its name. In July 2021, Cleveland Guardians was introduced as the club's new name, with its use to begin in 2022. The name Guardians came from the art deco statues that decorate the city's Hope Memorial Bridge, which are called the Guardians of Transportation.

However, there was already a sports team in Cleveland with the name Guardians (https://www.clevelandguardians.com/about/). The Cleveland Guardians Roller Derby team had been playing in Cleveland since 2013 (Naymik, 2022). Since the MLB Guardians refused the Roller Derby Guardians' request to stop using the name, the Roller Derby Guardians sued the baseball team for unauthorized use of their name and logo. The case was eventually settled, with both teams agreeing to use the name Guardians. Cleveland may be the only city in the United States with two sports teams playing different sports with the same name (Cunningham, 2021; Sutelan, 2022).

Questions for Discussion

1. If you aren't familiar with it, perform an Internet search and look at the Chief Wahoo logo and the following article on the name: Ricca, B. (2014, June 19). The secret history of Chief Wahoo. *Belt Magazine.* https://beltmag.com/secret-history-chief-wahoo/#:~:text=%E2%80%9CChief%20Wahoo%E2%80%9D%20was%20actually%20a%20fairly%20common%20nickname,image%2C%20but%20the%20name%20may%20have%20been%20influential. After learning about the history of their team's name and logo, do you believe the Indians should have changed them sooner? What about the Atlanta Braves?
2. According to the Florida State University Seminoles: "Florida State University's official use of the Seminole name is different from other names in that it does not perpetuate offensive racial stereotypes nor is it meant to diminish or trivialize any Native American or indigenous peoples. Instead, it is used with explicit tribal permission and involvement to honor and promote the Seminole Tribe of Florida's unconquered history and spirit that persists to this day." Does this justify the use of the Native American name and imagery?
3. A local radio station held a contest to rename the Cleveland Indians and the results were as follows (Carey, 2021):
    1. Spiders: 27.7%
    2. Rockers: 22.5%
    3. Guardians: 19.8%
    4. Cleveland Baseball Club: 15.2%
    5. Buckeyes: 7.6%
    6. Municipals: 7.2%

    Should the team have considered hosting a naming contest for fans of the team? Why or why not? Should it have considered the top choices? The Spiders had been a National League team many years earlier, and the Rockers would refer to the fact that the rock and roll genre was named in Cleveland and is the reason why the Rock and Roll Hall of Fame is located in the city.
4. Why did the Cleveland baseball team take the name Guardians when it was already being used? Should it have taken steps to avoid this problem? What could the organization's managers have done?
5. If you were naming a professional sport team today, how could you go about selecting a team name? What concerns would you have and how would you address them?

Resources

Professional Sport Leagues

American Hockey League (AHL)
One Monarch Place, Suite 2400
Springfield, MA 01144
413-781-2030
www.theahl.com

ECHL
116 Village Boulevard, Suite 230
Princeton, NJ 08540
609-452-0770
www.echl.com

Major League Baseball (MLB)
The Office of the Commissioner of Baseball
1271 Avenue of the Americas
New York, NY, 10020
212-931-7878
www.mlb.com

Major League Soccer (MLS)
420 Fifth Avenue, 7th floor
New York, NY 10017
212-450-1200
www.mlssoccer.com

National Basketball Association (NBA)
Olympic Tower
645 Fifth Avenue
New York, NY 10022
212-407-8000
www.nba.com

National Football League (NFL)
345 Park Avenue
New York, NY 10154
212-758-1500
www.nfl.com

National Hockey League (NHL)
1185 Avenue of the Americas
New York, NY 10036
212-789-2000
www.nhl.com

National Professional Fastpitch (NPF)
3350 Hobson Pike
Hermitage, TN 37076
615-324-7861
http://profastpitch.com

National Women's Soccer League (NWSL)
1556 S. Michigan Avenue, Floor 2
Chicago, IL 60605
312-808-1300
www.nwslsoccer.com

Women's National Basketball Association (WNBA)
645 Fifth Avenue
New York, NY 10022
212-688-9622
www.wnba.com

Professional Sport Tours

Association of Tennis Professionals (ATP) Tour
200 ATP Boulevard
Ponte Vedra Beach, FL 32082
904-285-8000
www.atpworldtour.com

Dew Tour
2052 Corte Del Nogal, Suite 100
Carlsbad, CA 92011
www.dewtour.com/snow/

Indy Racing League (IRL)
4565 W. 16th Street
Indianapolis, IN 46222
317-492-6526
www.indycar.com

Ladies Professional Golf Association (LPGA)
100 International Golf Drive
Daytona Beach, FL 32124
386-274-6200
www.lpga.com

National Association for Stock Car Auto Racing (NASCAR)
1801 W. International Speedway Boulevard
Daytona Beach, FL 32114
386-253-0611
www.nascar.com

Professional Golfers' Association (PGA) Tour
Champions Tour
PGA Tour Latinoámerica
PGA Tour Canada

Women's Tennis Association (WTA) Tour
100 2nd Avenue South, Suite 1100-S
St. Petersburg, FL 33701
727-895-5000
www.wtatennis.com

X Games/ESPN
ESPN Events
ESPN Plaza
Bristol, CT 06010
xgames.espn.com

Players Associations

Canadian Football League Players' Association (CFLPA)
6205 B Airport Road, Suite 208
Mississauga, Ontario, Canada L4V 1E3
800-616-6865
www.cflpa.com

Major League Baseball Players Association (MLBPA)
12 E. 49th Street, 24th floor
New York, NY 10017
212-826-0808
www.mlbplayers.com

National Basketball Players Association (NBPA)
1133 Avenue of the Americas
New York, NY 10036
212-655-0880
www.nbpa.com

National Football League Players Association (NFLPA)
1133 20th Street NW, Suite 500
Washington, DC 20036
202-572-7500
www.nflpa.org

National Hockey League Players Association (NHLPA)
10 Bay Street, Suite 1200
Toronto, Ontario, Canada M5J 2N8
416-408-4040
www.nhlpa.com

Professional Hockey Players' Association (PHPA)
3964 Portage Rd.
Niagara Falls, Ontario, Canada L2J 2K9
289-296-4567
www.phpa.com

Professional Women's Hockey Players Association (PWHPA)
1735 Market Street, Floor 51
Philadelphia, PA 19103
https://pwhpa.com/

Women's National Basketball Players Association (WNBPA)
1133 Avenue of the Americas, 5th floor
New York, NY 10036
212-655-0880
https://wnbpa.com

Key Terms

collective bargaining agreement (CBA), commissioner, competitive balance tax, corporate governance model, corporate ownership, cross-ownership, franchise free agency, franchise rights, gate receipts, impasse, league think, lockout, minor leagues, premium seating, public ownership, revenue sharing, Rooney Rule, sabermetrics, self-governance, single-entity structure, strike, territorial rights

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