

Minor Leaguers' Major Lawsuit

Major League Baseball prepares to celebrate the end of a season and the crowning of a champion. It also prepares to enter a new stage of litigation against minor league baseball players.

Minor league baseball players play for teams that are contractually affiliated with Major League Baseball (MLB) teams to develop their skills and, hopefully, play for an MLB team one day.¹ Almost every MLB player starts his career in the minor leagues with no guarantee that he will get his shot with an MLB team.² Furthermore, the transition between the minor leagues and MLB can involve repeated promotions and demotions between the leagues over several years.³ Despite the close relationship between MLB and the minor leagues, minor league players have long been dissatisfied with the compensation they receive from MLB teams during their time in the minor leagues.⁴

That dissatisfaction came to a head in February of 2014 when a group of minor league baseball players sued MLB and several of its teams.⁵ The players claimed that MLB and its teams violated the Fair Labor Standards Act (FLSA) and state wage laws by paying minor league players monthly sums that fell well below the minimum wage.⁶ According to the complaint, most players earned less than \$7,500 per year.⁷

In 2015, a federal district court preliminarily certified the players as a class for their FLSA claim.⁸ At that point, approximately 15,000 current and former minor league players were invited to join the class-action lawsuit, and 2,200 opted in.⁹ The players then moved to certify a class for their state-law claims while MLB and the teams moved to decertify the FLSA class.¹⁰ Upon review, the district court decertified the FLSA class and denied certification for the state-law class because the work the players performed and the locations where they performed it was too varied for common questions of law or fact to predominate over individual questions.¹¹

After more procedural wrangling in the district court, the case made its way to the United States Court of Appeals for the Ninth Circuit, where both classes were certified in August of 2019.¹² In that decision, the Ninth Circuit held that both classes' common questions of law or fact

¹ <http://probaballinsider.com/what-is-minor-league-baseball/>

² *Id.*

³ *Id.*

⁴ https://www.espn.com/mlb/story/_/id/30046350/supreme-court-denies-mlb-request-dismiss-lawsuit-seeking-increased-minor-league-wages

⁵ <https://www.si.com/mlb/2020/10/05/supreme-court-allows-minor-league-players-class-action-lawsuit-pay>

⁶ <https://www.msn.com/en-us/sports/mlb/ex-giants-prospect-wins-court-go-ahead-for-minor-league-salary-trial/ar-BB19JmdJ>

⁷ <https://www.si.com/mlb/2020/10/05/supreme-court-allows-minor-league-players-class-action-lawsuit-pay>

⁸ *Senne v. Kansas City Royals Baseball Corp.*, 934 F.3d 918, 924 (2019)

⁹ *Id.*

¹⁰ *Id.*

¹¹ *Senne v. Kansas City Royals Baseball Corp.*, 315 F.R.D. 523, 580-81 (N.D. Cal. 2016)

¹² *Senne*, 934 F.3d at 928-50.

predominate over individual questions because all the players participated in training and games during periods in which MLB, as a policy, refused to pay them.¹³

The certification issue was finally resolved in October of this year when the Supreme Court denied MLB's petition for a writ of certiorari.¹⁴

Now that the classes have been certified, the case will head back to the district court, where a trial date will be set.¹⁵ It remains to be seen whether the players have a home-run case, but with their classes certified, they at least have runners in scoring position.

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Minor league baseball players have successfully certified classes in a class-action lawsuit against Major League Baseball. With the classes certified, the minor league players can now move forward with their lawsuit claiming Major League Baseball violated the Fair Labor Standards Act and various state wage laws by paying minor league monthly sums well below the minimum wage.

¹³ *Id.* at 942-47

¹⁴ <https://www.si.com/mlb/2020/10/05/supreme-court-allows-minor-league-players-class-action-lawsuit-pay>

¹⁵ <https://www.msn.com/en-us/sports/mlb/ex-giants-prospect-wins-court-go-ahead-for-minor-league-salary-trial/ar-BB19JmdJ>