

HEROES GET REMEMBERED, BUT LEGENDS NEVER DIE: PROPERLY RECOGNIZING THE CONTRIBUTIONS OF NEGRO LEAGUE VETERANS

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ABSTRACT

In May 2024, Major League Baseball (MLB) and the Major League Baseball Players Association (MLBPA) unveiled the Negro League Financial Assistance Plan with the stated goal of recognizing the contributions of Negro League (League) athletes to the game of baseball. The plan is designed to benefit those who played in the Leagues and are still alive. Yet, the final season of the Leagues, which are recognized as major leagues, was in 1948. Not many who played are still alive to benefit from this plan.

Even those players who have long passed should be acknowledged to fully recognize their contributions. The only way to achieve MLB’s goal is to allow League veterans’ families to access this plan. This Comment proposes a policy in which the joint partnership between MLB and MLBPA does just that. The proposal calls for annual benefits to be passed to the families of those who have passed. The benefits available to them are designed to run parallel to those already made available to MLB alumni.

Recognizing legends even after their death is essential to passing on their legacy, and helping their families is part of that. After all, the vast majority of these legends have passed away because they have been wrongly overlooked for so long. MLB’s professed commitment to correcting these wrongs is best achieved by the enactment of this policy.

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I. INTRODUCTION: HONORING LEGENDS AND THEIR LEGACIES

On July 25, 1966, Ted Williams stood before a collection of some of the greatest baseball players and pioneers the world has ever seen.¹ He was being inducted into the Baseball Hall of Fame in Cooperstown, New York.² Ted Williams, the man who wrote the book on hitting and hit over 500 home runs despite missing five of his peak seasons to fly thirty-nine combat missions during World War II and the Korean War, took the opportunity that his induction speech presented.³ Before the entire baseball world, he prayed “that some day the names of Satchel Paige and Josh Gibson in some way could be added as a symbol of the great Negro players that are not here only because they were not given the chance.”⁴

Today, Williams, who is still considered by many to be the greatest pure hitter of all time, has been surpassed statistically by one of the men he mentioned that day.⁵ On May 24, 2024, Major League Baseball (MLB) officially recognized the accomplishments of over 2,300 Negro League (League) players, including Josh Gibson.⁶ Gibson is now baseball’s all-time leader in batting average, slugging percentage, and on-base plus slugging

1. *1960-1969 Inductions*, NAT’L BASEBALL HALL OF FAME, <https://baseballhall.org/hall-of-famers/past-inductions/1960-1969> [https://perma.cc/8794-CCEC] (last visited Oct. 27, 2025).

2. *Id.*

3. See TED WILLIAMS & JOHN UNDERWOOD, *THE SCIENCE OF HITTING* (1971); see also *Ted Williams*, NAT’L BASEBALL HALL OF FAME, <https://baseballhall.org/hall-of-famers/williams-ted> [https://perma.cc/K9K4-SWCD] (last visited Oct. 27, 2025).

4. Hayden Bird, *Ted Williams Used His Hall of Fame Speech to Advocate for African American Players*, B.S. (July 25, 2017), <https://www.boston.com/sports/boston-red-sox/2017/07/25/ted-williams-used-his-hall-of-fame-speech-to-advocate-for-african-american-players/> [https://perma.cc/4YR9-AY82].

5. *Ted Williams*, PUB. BROAD. SERV. (July 23, 2018), <https://www.pbs.org/wnet/americanmasters/ted-williams-greatest-hitter-ever-lived-documentary/10293/> [https://perma.cc/TR34-8E9Z].

6. Rachel Treisman, *The Negro Leagues Are Officially Part of MLB history—with the Records to Prove it*, NAT’L PUB. RADIO (May 29, 2024, 12:00 PM), <https://www.npr.org/2024/05/29/g-s1-1525/mlb-negro-leagues-stats-josh-gibson#:~:text=Election%202024-MLB%20adds%20Negro%20Leagues%20stats%20to%20its%20records%2C%20putting%20Josh,new%20all%20time%20batting%20leader> [https://perma.cc/NP9K-7X4Y].

percentage.⁷ Gibson, often called “the Black Babe Ruth,” was recognized by his contemporaries in both the Negro League and MLB as the greatest hitter of his era.⁸

Unfortunately, Gibson passed away suddenly from a stroke at only thirty-five years old in 1947, just a few months before Jackie Robinson broke the color barrier.⁹ Since then, his legacy has only grown.¹⁰ In that time, however, the overwhelming majority of his adversaries and teammates in the Leagues have passed away.¹¹ Willie Mays, widely known as the greatest all-around player to ever step on a baseball field, is one of those adversaries, and Mays played for his hometown Birmingham Black Barons as a teenager before being signed by the New York Giants.¹² Mays passed away on June 18, 2024, just days before the Cardinals and Giants played a game in Birmingham to remember the legacy of the Leagues and Mays himself.¹³

In the weeks leading up to the game, MLBPA and MLB made several announcements to preserve the Leagues' legacies.¹⁴ Among these is the Negro League Financial Assistance Program.¹⁵ Announced on May 22, 2024, the plan promises to be “an expansion of existing financial assistance programs

7. Sanjesh Singh, *Who is Josh Gibson? A Look Back at the Baseball Slugging Legend Taking Over MLB Records*, NBCDFW (May 30, 2024, 5:07 PM), [https://www.nbcdfw.com/news/sports/mlb/who-is-josh-gibson-mlb-batting-leader/3554322/#:~:text=What%20statistics%20does%20Josh%20Gibson,of%201.177%20\(surpassed%20Ruth's%201.164\)](https://www.nbcdfw.com/news/sports/mlb/who-is-josh-gibson-mlb-batting-leader/3554322/#:~:text=What%20statistics%20does%20Josh%20Gibson,of%201.177%20(surpassed%20Ruth's%201.164)) [https://perma.cc/WV4B-ZHB8].

8. Andrew Simon, *A Larger-Than-Life Legend*, MLB, <https://www.mlb.com/history/negro-leagues/players/josh-gibson> [https://perma.cc/D6VG-ETUW].

9. Chris Iorfida, *He Died at Just 35 in 1947. Now Josh Gibson is Baseball's Batting Average Champ*, CANADIAN BROAD. CORP. <https://www.cbc.ca/news/world/negro-league-records-gibson-1.7217869> [https://perma.cc/6FX4-EX5K] (May 30, 2024, 11:12 AM).

10. See generally Frederic J. Frommer, *It's Been 50 Years Since Josh Gibson and Buck Leonard Made Hall of Fame History*, WASH. POST (Aug. 6, 2022, 7:45 AM), <https://www.washingtonpost.com/sports/2022/08/06/josh-gibson-buck-leonard-hall-fame/> [https://perma.cc/Y28C-PF3Q] (showing the impact of his legacy fifty years later).

11. Joseph King, *Bill Greason, the Oldest-Living Negro Leaguer, Takes Another Trip Around the Bases at 100*, MISS. PUB. BROAD. (Sept. 5, 2024), <https://www.mpbonline.org/blogs/news/bill-greason-the-oldestliving-negro-leaguer-takes-another-trip-around-the-bases-at-100/#:~:text=Bill%20Greason%2C%20the%20oldest%20living,and%20legendary%20centerfielder%2C%20Willie%20Mays> https://perma.cc/U68B-CZ8Y].

12. *Id.*

13. Dayn Perry, *Willie Mays Dies at 93: MLB Legend Will Get Fitting Sendoff at Rickwood Field, Where His Career Took Shape*, CBS SPORTS (June 18, 2024), <https://www.cbssports.com/mlb/news/willie-mays-dies-at-93-mlb-legend-will-get-fitting-sendoff-at-rickwood-field-where-his-career-took-shape/#:~:text=Mays%20died%20at%20the%20advanced,big%2Dleague%20baseball%20career%20be> gan [https://perma.cc/CAK8-YLRB].

14. See Chris Shaeffer, *Negro Leagues Baseball Museum Gearing Up for State-of-the-Art Makeover*, MLB (Aug. 1, 2024), <https://www.mlb.com/news/negro-leagues-baseball-museum-youth-grant-new-home#:~:text=Thursday's%20announcement%20comes%20on%20the,Negro%20Leagues%20event%20in%20June> [https://perma.cc/M4U2-SQV3].

15. *MLB and MLBPA Announce Expansion of Financial Programs to Support Living Negro Leagues Players*, MLB (May 22, 2024), <https://www.mlb.com/press-release/press-release-mlb-and-mlbpa-announce-expansion-of-financial-programs-to-support-living-negro-leagues-players#:~:text=Additional%20financial%20benefits%20are%20available,financial%2C%20medical%20and%20other%20assistan> ce [https://perma.cc/7N4R-DTFC].

to support living Negro League players” with less than four years of service time.¹⁶ The plan is set up to complement the existing Major League Baseball Players Pension Plan and pre-existing non-vested benefits programs.¹⁷ While a joint committee of MLB and MLBPA officials is still working to establish the eligibility criteria for the program, officials have said that around fifty players will benefit from its expansion.¹⁸ Though the joint MLB and MLBPA announcement introduces the plan as a breakthrough in MLB’s effort to recognize the Leagues, it falls well short of the mark, as their own estimates show it will benefit only around fifty players, many of whom are well into their nineties or older.¹⁹

Part I of this Comment will introduce the Leagues, from the founding of the Negro National League by Rube Foster in 1920 to the integration of the American and National Leagues in 1948.²⁰ It will also cover the steps taken by MLB to recognize the legacies of the Leagues and its players.²¹ More specifically, Part I will compare MLB’s pension plan with the financial assistance programs used to help League veterans.²² Included in this discussion is MLB’s effort to include League statistics in their own record books as they are elevated to major league status.²³

Part II of this Comment analyzes the shortcomings of MLB’s approach to helping League veterans with the 2024 Negro League Financial Assistance Plan, which only benefits living veterans of a league that concluded play in 1948.²⁴ It breaks down the disparity in the numbers between who MLBPA and MLB say the plan will help, and the actuality of the severely limited number of people it could help.²⁵

Part III proposes corrections to the shortcomings ignored by MLB, while also proposing a policy that enables family members of League veterans who have passed to benefit financially.²⁶ The proposal is based on precedents set by previous MLB plans, while running analogous to the pension plan that MLB alumni have access to.²⁷ MLB’s pension plan relies heavily on service time, and Part III establishes a method for determining League players’ service time based on numbers and qualifiers produced by

16. *Id.*

17. *Id.*

18. *Id.*; see also *MLB Expanding Financial Assistance for Negro League Players*, ENT. & SPORTS PROGRAMMING NETWORK (May 22, 2024, 7:17 PM), https://www.espn.com/mlb/story/_/id/40199553/mlb-expanding-financial-assistance-negro-leagues-players [<https://perma.cc/4PJQ-LCJL>].

19. *MLB Expanding Financial Assistance for Negro League Players*, *supra* note 18.

20. See discussion *infra* Section I.A.

21. See discussion *infra* Section I.B.

22. See discussion *infra* Section I.B.

23. See discussion *infra* Section I.B.

24. See discussion *infra* Section II.A.

25. See discussion *infra* Section II.A.

26. See discussion *infra* Section III.B.1.

27. See discussion *infra* Section III.B.1.

MLB.²⁸ It also sets out in detail how each policy term was reached, while addressing counterarguments, such as Title VII considerations.²⁹

Part IV presents the case of Bill Greason, a League and MLB veteran who is one of the only two living people able to benefit from the MLBPA and MLB 2024 plan.³⁰ Shedding light on his career and life shows why his brilliant story captured so much attention during the Rickwood game in Birmingham, Alabama.³¹ This Part also emphasizes the short shelf life of MLB's 2024 financial assistance plan and demonstrates the benefits of the policy proposed in this Comment.³² Mr. Greason's story expresses the necessity of that policy to remember the legends of the Leagues and to ensure their legacy never dies.³³

A. A History of Exclusion and Resilience

Though professional baseball has been an integrated sport since its creation in 1846, the American Civil War introduced the prohibition of African Americans from the sport.³⁴ Though several players, such as Moses Fleetwood Walker of the Toledo Blue Stockings, played professionally in the 1880s, the game remained largely segregated.³⁵ Some of the fault behind this can be attributed to the efforts of Cap Anson, baseball's first superstar, in the late 1800s, and Kennesaw Mountain Landis, a federal judge who was appointed the first commissioner of baseball after the infamous 1919 World Series.³⁶ Judge Landis's staunch segregationist attitude permeated through the National League (NL) and American League (AL) until his death in 1944.³⁷

Amidst this environment, Rube Foster organized the Negro National League (NNL) in 1920.³⁸ Though there had been African American teams previously, those teams had been marred by infrastructure issues.³⁹ The NNL offered a new solution to these problems by assembling high-caliber teams

28. See discussion *infra* Section III.C.2.

29. See discussion *infra* Section III.C.2.

30. See discussion *infra* Part IV.

31. See discussion *infra* Part IV.

32. See discussion *infra* Part IV.

33. See discussion *infra* Part IV.

34. Quinton McDonald, *The Negro Baseball Leagues (1920-1950)*, BLACKPAST (Aug. 22, 2021), <https://www.blackpast.org/african-american-history/institutions-african-american-history/the-negro-baseball-leagues-1920-1950/> [https://perma.cc/JJ2T-QALM].

35. Farrell Evans, *6 Decades Before Jackie Robinson, This Man Broke Baseball's Color Barrier*, HIST., <https://www.history.com/news/moses-fleetwood-walker-first-black-mlb-player> [https://perma.cc/Z7A2-SW68] (last updated May 28, 2025).

36. Ron Fimrite, *His Own Biggest Fan*, SPORTS ILLUSTRATED, July 19, 1993.

37. Larry Lester, *Can You Read, Judge Landis?*, SOC'Y FOR AM. RSCH. <https://sabr.org/journal/article/can-you-read-judge-landis/> [https://perma.cc/274U-CSZD] (last visited Oct. 27, 2025).

38. McDonald, *supra* note 34.

39. *Id.*

in urban centers with significant Black populations while providing players with competitive wages.⁴⁰

The NNL and other leagues prospered over the next few years with their newfound stability, highlighted by the first “Colored World Series” in 1924.⁴¹ The series signaled a kind of breakout for the Leagues, as Bullet Rogan’s Kansas City Monarchs of the NNL topped Biz Mackey’s Hilldale Daisies.⁴² The matchup proved to be a spectacle, with five future Hall of Famers playing a tightly fought series.⁴³

While the level of financial success in the numerous Leagues varied, one thing that never changed was the high level of play, and the statistics bear that out.⁴⁴ After the establishment of the NNL in 1920, League clubs won twenty-nine games against MLB clubs, while losing thirty-one and tying two.⁴⁵ After seeing the similar level of competition between MLB and NNL teams, Commissioner Landis forbade teams from playing League clubs while representing their teams in the AL and the NL.⁴⁶

Outside of the head-to-head matchups, the numbers between the League and Major League clubs are nearly identical from 1920 to 1948.⁴⁷ On the hitting side, there was only a 1.8% difference in batting average (AVG), a 2.4% difference in on-base percentage (OBP), a 4.5% difference in slugging percentage (SLG), and a 3.4% difference in on-base plus slugging percentage (OPS).⁴⁸ On the pitching side, there was only a 2.8% walks plus hits per inning pitched (WHIP) difference between the two leagues, but a 28.3% difference in strikeouts per nine innings (K/9).⁴⁹ Only during World War II, when League teams faced a severe manpower shortage, did MLB enjoy a marked hitting advantage.⁵⁰ The Leagues, on the other hand, had pitchers that consistently walked fewer (though record-keeping on walks was more lax) and struck out far more hitters.⁵¹

40. *Id.*

41. Anthony Castrovine, *100 Years Ago: Negro Leagues Hold Their First World Series*, MLB (Oct. 27, 2024), <https://www.mlb.com/yankees/news/1924-negro-leagues-world-series-100-years-later> [<https://perma.cc/JG6H-HXPJ>].

42. Pete Grathoff, *Negro Leagues Baseball Museum Announces Celebration of KC’s First Championship Team*, THE KANSAS CITY STARR (Feb. 21, 2024, 1:55 PM), <https://www.kansascity.com/sports/mlb/kansas-city-royals/Comment285738306.html> [<https://perma.cc/BC7L-DVEA>].

43. Rhiannon Walker, *The First Negro World Series*, ANDSCAPE (Oct. 19, 2016), <https://andscape.com/features/the-first-negro-world-series/> [<https://perma.cc/5VVN-NEPX>].

44. TODD PETERSON, *THE NEGRO LEAGUES ARE MAJOR LEAGUES: ESSAYS AND RESEARCH FOR OVERDUE RECOGNITION* 14–21 (Cecilia M. Tan et al., 2022).

45. *Id.* at 14.

46. *Id.* at 15.

47. *Id.* at 16–21.

48. *Id.* at 18.

49. *Id.*

50. *Id.*

51. *Id.*

The death of Commissioner Landis started a new chapter in both the Leagues and MLB.⁵² Subsequently, the press began to call for the desegregation of professional baseball.⁵³ Some of the game's best players returned from World War II with a new perspective after the Overseas Invasion Service Expedition, a ragtag group of baseball players, led by League stars Willard Brown and Leon Day, upset the heavily favored 71st Division of the Third Army, which had nine MLB players on its roster, to win the GI World Series.⁵⁴

After World War II, MLB clubs became increasingly open to desegregating their rosters.⁵⁵ Teams began organizing tryouts with League players, though many never materialized.⁵⁶ Unfortunately, many tryouts were put together only to ease pressure from the media.⁵⁷ The Pittsburgh Pirates, Cleveland Indians, and Boston Red Sox all compiled lists of players to invite, including Josh Gibson, Parnell Woods, and others, only to turn their backs on them.⁵⁸

It was not until Jackie Robinson signed on October 23, 1945, that this would change.⁵⁹ Brooklyn Dodgers President Branch Rickey signed Robinson to a contract with the Montreal Royals, an affiliate of the team.⁶⁰ Robinson officially broke baseball's color barrier on April 15, 1947.⁶¹ He was followed shortly thereafter in 1947 by Newark Eagles star Larry Doby, who signed with the Indians, the Kansas City Monarchs' Hank Thompson and Willard Brown signed with the St. Louis Browns, and Dan Bankhead from the Memphis Red Sox, who joined Robinson with the Dodgers.⁶² The

52. Matt Kelly, *A 20th Century Baseball Institution*, THE NEGRO LEAGUES, <https://www.mlb.com/history/negro-leagues/history> [https://perma.cc/B2G8-4574] (Nov. 11, 2024).

53. *Breaking the Color Line: 1940 to 1946*, LIB. OF CONG., <https://www.loc.gov/collections/jackie-robinson-baseball/Comments-and-essays/baseball-the-color-line-and-jackie-robinson/1940-to-1946/> [https://perma.cc/K56V-3EX9] (last visited Oct. 15, 2025).

54. John Rosengren, *GI World Series of 1945 Featured Diverse Heroes of the Diamond*, NAT'L BASEBALL HALL OF FAME, <https://baseballhall.org/discover/gi-world-series-of-1945-featured-diverse-heroes-of-the-diamond> [https://perma.cc/6VWT-H7A4] (last visited Oct. 27, 2025).

55. Leslie Heaphy, *The Impact of World War II on the Negro Leagues*, SOC'Y FOR AM. BASEBALL RSCH., <https://sabr.org/journal/Comment/impact-of-world-war-ii-on-the-negro-leagues/> [https://perma.cc/UPZ9-WH7C] (last visited Oct. 27, 2025).

56. *Id.*

57. *Id.*

58. *Id.*

59. Arthur Mann, *Jackie Robinson and the Dodgers: The Inside Story*, THE SATURDAY EVENING POST (May 1, 2017), <https://www.saturdayeveningpost.com/2017/05/jackie-robinson-dodgers-inside-story/> [https://perma.cc/WYF7-YQ6J].

60. *Id.*

61. Bob Nowatzki, *The First Time Jackie Robinson Broke Baseball's Color Barrier*, REDISCOVERING BLACK HIST. (Apr. 14, 2021), <https://rediscovering-black-history.blogs.archives.gov/2021/04/14/the-first-time-jackie-robinson-broke-color-barrier/> [https://perma.cc/6UU3-Q5UL].

62. Martin Stezano, *4 Black Baseball Players Who Followed Jackie Robinson's Lead in 1947*, HIST. <https://www.history.com/news/jackie-robinson-black-baseball-players-1947> [https://perma.cc/DW5K-2AGB] (last updated Oct. 13, 2025).

signing of these players was not only a triumph for baseball but a momentous point in the Civil Rights Movement.⁶³

The integration of MLB spelled the beginning of the end for the Leagues.⁶⁴ The siphoning of top talent onto big-league rosters led to economic hardship for the rest of the League, as fans began flocking to teams like the Dodgers rather than the Eagles.⁶⁵ Though young stars like Ernie Banks and Hank Aaron would begin their legendary careers in the Leagues, they were plucked from rosters as soon as they showed promise.⁶⁶

League teams were never allowed to negotiate with MLB teams for the services of their star players.⁶⁷ MLB owners believed their contracts were invalid because they lacked a reserve clause, which had been standard practice for professional teams since 1879.⁶⁸ Ignoring the contracts players had already signed with League teams also meant MLB clubs didn't have to compensate them for the signing rights.⁶⁹

Knowing that integration was likely mean the end of the Leagues, Newark Eagles owner Effa Manley wrote to MLB Commissioner Happy Chandler, expressing concerns about contracts to prevent potential litigation. Manley had seen her star pitcher, Don Newcombe, sign away as she negotiated for his renewal with the Eagles.⁷⁰ Even after contacting both Branch Rickey and Happy Chandler, hardly anything changed.⁷¹ The closest MLB clubs came to compensating teams for their players was when Bill Veeck, owner of the Cleveland Indians, offered Effa Manley and the Eagles \$10,000 for the contract of Larry Doby.⁷² Knowing the position she was in, Manley responded to this offer by saying:

63. *Breaking the Color Barrier: The Legacy of Jackie Robinson*, HIST. BASEBALL, [https://historicbaseball.com/breaking-the-color-barrier-the-legacy-of-jackie-robinson/#:~:text=One%20of%20the%20most%20momentous%20events%20in%20the,critical%20turning%20point%20in%20the%20Civil%20Rights%20Movement\[https://perma.cc/6JM7-PNPP\]](https://historicbaseball.com/breaking-the-color-barrier-the-legacy-of-jackie-robinson/#:~:text=One%20of%20the%20most%20momentous%20events%20in%20the,critical%20turning%20point%20in%20the%20Civil%20Rights%20Movement[https://perma.cc/6JM7-PNPP]) (last visited Oct. 27, 2025).

64. Anthony Castrovine, *Integration Came at a Cost for Negro Leagues*, MLB, <https://www.mlb.com/history/negro-leagues/features/integration-came-at-a-cost> [https://perma.cc/HPQ6-B86B] (last visited Oct. 27, 2025).

65. *Id.*

66. Cesar Brioso, *'We May Wake Up Some Morning With No Ball Club': Integration Assured Demise of Negro League Baseball*, USA TODAY (Feb. 15, 2023, 9:22 AM), [https://www.usatoday.com/story/sports/mlb/2023/02/04/negro-league-baseballs-demise-assured-once-mlb-integrated-1947/11082330002/\[https://perma.cc/2FS6-SLRM\]](https://www.usatoday.com/story/sports/mlb/2023/02/04/negro-league-baseballs-demise-assured-once-mlb-integrated-1947/11082330002/[https://perma.cc/2FS6-SLRM]); see also Rob Ruck, *How Baseball's Negro Leagues Defied the Stereotypes of Segregation*, SMITHSONIAN MAG. (Feb. 13, 2020), [https://www.smithsonianmag.com/history/how-baseballs-negro-leagues-defied-stereotypes-segregation-180974201\[https://perma.cc/9N6E-SADE\]](https://www.smithsonianmag.com/history/how-baseballs-negro-leagues-defied-stereotypes-segregation-180974201[https://perma.cc/9N6E-SADE]).

67. Ruck, *supra* note 66.

68. Jake Kobrick, *Baseball's Reserve Clause and the "Antitrust Exemption,"* FED. JUD. CTR., [https://www.fjc.gov/history/spotlight-judicial-history/baseballs-reserve-clause#:~:text=The%20clause%2C%20first%20implemented%20by,him%20for%20a%20new%20contract\[https://perma.cc/484S-TZH5\]](https://www.fjc.gov/history/spotlight-judicial-history/baseballs-reserve-clause#:~:text=The%20clause%2C%20first%20implemented%20by,him%20for%20a%20new%20contract[https://perma.cc/484S-TZH5]) (last visited Oct. 27, 2025).

69. *Id.*

70. *Id.*

71. *Id.*

72. *Doby, Lawrence (Larry) E.*, ENCYCLOPEDIA OF CLEVELAND HIST., <https://case.edu/ech/Comm>

Mr. Veeck, you know if Larry Doby were white and a free agent, you'd give him \$100,000 to sign with you merely as a bonus. However, I realize I'm in no position to be bargaining with you. If you feel you're being fair by offering us \$10,000, I suppose we should accept.⁷³

Manley's prediction would be prophetic, as the NNL folded in 1948 after its final World Series between the champion, Homestead Grays, and Birmingham Black Barons.⁷⁴ While League baseball would be played well into the 1970s, most fans had turned to MLB after integration, and the top talents had made the migration as well.⁷⁵ Teams like Manley's Newark Eagles just did not have the deep pockets to compete with well-established MLB teams.⁷⁶ As Manley said: "Baseball is a rich man's game . . . Ruppert had his beer, Wrigley had his gum, Abe and I have only each other."⁷⁷

B. Reviving the Spirit of Negro League Baseball

In the late 1990s, a reawakening of the spirit of the Leagues began as the fiftieth anniversary of baseball's integration approached.⁷⁸ The decade saw a new wave of League players inducted into the Baseball Hall of Fame, including Leon Day in 1995, Bill Foster in 1996, Willie Wells in 1997, Larry Doby and "Bullet" Joe Rogan in 1998, and Joe Williams in 1999.⁷⁹ MLB founded the Negro League Baseball Museum in Kansas City in 1990 and continued to work toward the prominence it enjoys today under the leadership of Hall of Famer Buck O'Neil.⁸⁰ Finally, on the fiftieth anniversary of baseball's integration, MLB decided to retire the number "42" for all teams to celebrate Jackie Robinson's breaking of the color barrier.⁸¹

ents/d/doby-lawrence-larry-ef#:~:text=In%201947%20Doby%20led%20the%20Eagles%20to%20the,with%20the%20Indians%20and%20remained%20with%20the%20team[https://perma.cc/WW7V-SENR] (last visited Oct. 27, 2025).

73. EFFA MANLEY & LEON HERBERT HARDWICK, *NEGRO BASEBALL . . . BEFORE INTEGRATION*, 74–75 (Robert Cvorneyek ed., 2006).

74. Castrovince, *supra* note 64; *1948 World Series Homestead Grays Over Birmingham Black Barons (4-1)*, *BASEBALL REFERENCE*, <https://www.baseball-reference.com/postseason/1948NLBWS.shtml> [https://perma.cc/9S98-SVDQ] (last visited Oct. 27, 2025).

75. Dave Davies, *The Negro League Revolutionized Baseball—MLB's New Rules Are Part of its Legacy*, *NAT'L PUB. RADIO* (July 10, 2023, 10:57 AM), <https://www.npr.org/2023/07/10/1184587949/negro-league-baseball-mlb-sam-pollard> [https://perma.cc/DPN3-JDX4].

76. See MANLEY & HARDWICK, *supra* note 73.

77. Martin Weiss, *The 'Ripple of Hope' Project Urges MLB To Provide Benefits & Lost Wages To Family Members Of The 25 Hall Of Fame Negro League Players*, *MLB BRO.* (Sep. 30, 2023), <https://mlbbro.com/2023/09/30/the-ripple-of-hope-project-urges-mlb-to-provide-benefits-lost-wages-to-family-members-of-the-25-hall-of-fame-negro-league-players> [https://perma.cc/9WCL-ADD8].

78. See *1990-1999*, *NAT'L BASEBALL HALL OF FAME*, <https://baseballhall.org/hall-of-famers/past-inductions/1990-1999> [https://perma.cc/5AUB-CULP] (last visited Oct. 13, 2025).

79. *Id.*

80. *Making the Negro Leagues the Center of Attention*, *NEGRO LEAGUES BASEBALL MUSEUM*, <https://www.nlbm.com/buck-oneil-center/> [https://perma.cc/6U43-LAT7] (Nov. 19, 2024).

81. Craig Muder, *April 15: 1997: Jackie Robinson's Number Retired*, *NAT'L BASEBALL HALL OF*

Perhaps most importantly for purposes of this Comment, MLB expanded MLBPA Pension Plan to include League players who had appeared in at least four seasons combined across The Leagues and MLB.⁸² That expansion allowed a lifetime benefit of \$10,000 annually for those who qualified, and it stopped there.⁸³ That plan was estimated to benefit about ninety players at the time of its inception.⁸⁴

At that point, MLBPA alumni had access to a generous retirement plan.⁸⁵ As one of the most powerful unions in the country, MLBPA has continued to craft an incredible retirement plan through collective bargaining.⁸⁶ Forty-three days on a team's active roster is enough to give a player a 401(k) and MLB pension benefits.⁸⁷ Pension increases based on the player's service time in the league, or the longer they play, with every additional forty-three days adding another 2.5% on top of it.⁸⁸ At four years, the player and their family gain full access to MLBPA's healthcare plan.⁸⁹ At ten years, a player has maximized their pension plan.⁹⁰ The current maximum pension is set at \$275,000 annually.⁹¹ Most retirement benefits begin at the age of sixty-two, but players can start receiving benefits as early as forty-five at a prorated amount.⁹²

MLB expanded the pension plan again in 2004 to grant monthly payments to another twenty-seven League players who were not included previously.⁹³ This time, the plan allowed players to receive either \$833.33

FAME, <https://baseballhall.org/discover-more/stories/inside-pitch/jackie-robinson-number-retired-through-out-baseball> [https://perma.cc/9285-2MSF] (last visited Oct. 13, 2025).

82. Mark Inabinett, *Major League Baseball Expands Pension Program for Former Negro League Players*, ALA. LOC. NEWS (May 22, 2024, 3:25 PM), <https://www.al.com/sports/2024/05/major-league-baseball-expands-pension-program-for-former-negro-league-players.html#:~:text=In%201997%2C%20MLB%20expanded%20its,starting%20with%20the%201947%20campaign> [https://perma.cc/5DD2-HXEA].

83. Dan Steinberg, *MLB Agrees to Make Payments to Negro League Players*, WASH. POST (May 22, 2024, 3:25 PM), <https://www.washingtonpost.com/archive/sports/2004/05/15/mlb-agrees-to-make-payments-to-negro-league-players/b6cbc033-3390-4416-ad5b-81a63afe2256/> [https://perma.cc/E667-AYX2].

84. Murray Chass, *Pioneer Black Players to be Granted Pensions*, N.Y. TIMES (Jan. 20, 1997), <https://www.nytimes.com/1997/01/20/sports/pioneer-black-players-to-be-granted-pensions.html> [https://perma.cc/8SS9-4AVG].

85. Jacob Turner, *MLB Retirement Plan (2024 Edition)*, MOMENT PRIV. WEALTH, <https://www.momentprivatewealth.com/post/mlb-benefits-explained> [https://perma.cc/A7N7-L95F] (last visited Oct. 13, 2025).

86. Charles Bevis, *A Home Run by Any Measure: The Baseball Players' Pension Plan*, SOC. FOR AM. BASEBALL RSCH., <https://sabr.org/research/Comment/a-home-run-by-any-measure-the-baseball-players-pension-plan/> [https://perma.cc/H688-SLAU] (last visited Oct. 13, 2025).

87. *Id.*

88. *How Every Major League Baseball Player Can Qualify for the MLB Pension Plan*, BIP WEALTH (Mar. 21, 2024), <https://bipwealth.com/mlb-pension-plan/#:~:text=After%20hitting%2043%20days%20of,them%20for%20the%20max%20payout> [https://perma.cc/E3PV-V897].

89. Bevis, *supra* note 86.

90. *Id.*

91. *Id.*

92. *Id.*

93. Steinberg, *supra* note 83.

per month for four years or \$375 per month for life.⁹⁴ The first option would pass on to a surviving spouse while the second would not.⁹⁵ The first would also give players a guaranteed \$40,000 payout at \$10,000 per year, whereas the second does not guarantee anything.⁹⁶

The most recent expansion of the pension plan came in May of 2024, this time including living players who played fewer than four seasons in the Leagues.⁹⁷ It is meant to complement the existing MLB Players Pension Plan, just as previous programs had.⁹⁸ Details on the expansion are scarce, and a committee of MLB and MLBPA officials is still working to establish the eligibility criteria.⁹⁹ MLB's estimates show around fifty additional living players who will benefit.¹⁰⁰

Commissioner Rob Manfred calls the expansion “[an] opportunity to further recognize the[] contributions” of those who “persevered because of their love of the game despite the discrimination and segregation they faced[.]”¹⁰¹ Whereas previous plans made available for League players were funded by charitable contributions from MLB, this expansion was negotiated with MLBPA.¹⁰² Whether the post-1948 players will be included is unclear, though that would present its own issues.¹⁰³ Whether there will be a death benefit that is analogous to MLBPA pension plan is also unclear.¹⁰⁴

C. MLB's Recognition and Its Limitations

In 2020, MLB corrected what Commissioner Rob Manfred called “a longtime oversight” when it officially elevated the League’s period from 1920 to 1948 to major-league status.¹⁰⁵ The announcement officially incorporated stats and records from the period to be included with those from the two modern major leagues and other defunct leagues.¹⁰⁶ It also signaled

94. *Id.*

95. *Id.*

96. *27 Negro League Players to get Pensions*, DESERET NEWS (May 16, 2004, 12:00 AM), <https://www.deseret.com/2004/5/16/19829277/27-negro-league-players-to-get-pensions/> [<https://perma.cc/6JAX-4YDZ>].

97. *MLB and MLBPA Announce Expansion of Financial Programs to Support Living Negro Leagues Players*, *supra* note 15.

98. *Id.*

99. *Id.*

100. *Id.*

101. *Id.*

102. Max Effgen, *Expansion of Negro League Player financial assistance*, BITTERCUP BASEBALL, <https://bittercupbaseball.com/2024/05/30/expansion-of-negro-league-player-financial-assistance/> [<https://perma.cc/HKU8-R7RV>] (last visited Oct. 13, 2025).

103. *Id.*

104. *Id.*

105. *MLB Officially Designates the Negro Leagues as ‘Major League’*, MLB (Dec. 16, 2020) <https://www.mlb.com/press-release/press-release-mlb-officially-designates-the-negro-leagues-as-major-league> [<https://perma.cc/5JU8-C5MF>].

106. *Negro Leagues Are Elevated to Major League Status. What Does it Mean for Baseball?* PUB.

something many people already recognized: the level of competition in the Leagues was comparable to that of the NL and the AL at the time.¹⁰⁷

MLB's announcement included seven different leagues: (1) the Negro National League 1920–1931, (2) Eastern Colored League 1923–1928, (3) American Negro League in 1929, (4) East-West League in 1932, (5) Negro Southern League in 1932, (6) Negro National League II 1933–1948, and (7) the Negro American League 1937–1948.¹⁰⁸ These leagues, collectively known as “the Leagues,” represented the pinnacle of African American baseball from 1920 to 1948.¹⁰⁹

MLB chose 1948 as the cutoff date because that was when the top players in the Leagues began migrating to the AL and the NL.¹¹⁰ After the conclusion of the final Negro League World Series that year, two storied franchises in the Homestead Grays and New York Black Yankees left the NNL.¹¹¹ The remaining NNL teams were forced to merge with the six Negro American League clubs just to survive.¹¹² The teams that were left were forced to play an even more limited schedule, with league games almost exclusively played on weekends.¹¹³ This change effectively signaled the end of the Leagues and the level of competitive play that had existed for nearly three decades.¹¹⁴

With a definitive period set by MLB, baseball researchers began the demanding task of compiling stats and records from that time.¹¹⁵ MLB put a committee together to investigate inconsistencies in the numbers, including situations in which players, such as Josh Gibson and Willie Mays, were credited with home runs in games without a formal box score to balance the statistics.¹¹⁶ Researchers noted that ninety-five percent of games from the

BROAD. SERV. (Dec. 16, 2020, 6:25 PM), <https://www.pbs.org/newshour/show/negro-leagues-are-elevated-to-major-league-status-what-does-it-mean-for-baseball> [https://perma.cc/57C9-YS4F].

107. BOB KENDRICK & JOE POSNANSKI, *THE NEGRO LEAGUES ARE MAJOR LEAGUES: ESSAYS AND RESEARCH FOR OVERDUE RECOGNITION* 11 (Cecilia M. Tan et al. 2022).

108. *MLB and MLBPA Announce Expansion of Financial Programs to Support Living Negro Leagues Players*, *supra* note 15.

109. Tony Gleason, ‘*The Genesis of Greatness*’: *MLB Recognizes the Negro Leagues as Major Leagues*, PEPP. UNIV. GRAPHIC (Oct. 27, 2024), <https://pepperdine-graphic.com/the-genesis-of-greatness-mlb-recognizes-the-negro-leagues-as-major-leagues/#:~:text=The%20MLB%20recognizes%20seven%20leagues%20between%201920%20and,League%20%28II%29%20%281933-1948%29%20and%20Negro%20American%20League%20%281937-1948%29> [https://perma.cc/9Q92-C885].

110. *Id.*

111. Alan Cohen, *The Negro Leagues Beyond 1948, and The Adventures of a Boy Named Willie*, SOC’Y FOR AM. BASEBALL RSCH., <https://sabr.org/journal/Comment/the-negro-leagues-beyond-1948-and-the-adventures-of-a-boy-named-willie/> [https://perma.cc/MY3R-KQRW] (last visited Oct. 15, 2025).

112. *Id.*

113. *Id.*

114. *Id.*

115. See *The Seamheads Negro Leagues Database DB: A Brief Introduction*, SEAMHEADS (Dec. 28, 2020), <https://www.seamheads.com/NegroLgs/> [https://perma.cc/AJS8-734Z].

116. *MLB Incorporates Negro Leagues Statistics, Shakes Up Record Books*, ENT. & SPORTS PROGRAMMING NETWORK (May 28, 2024, 8:26 PM), https://www.espn.com/mlb/story/_/id/40236327/mlb-incorporates-negro-league-statistics-shakes-record-books [https://perma.cc/XR3U-KFP6].

1920s had complete box scores, but coverage of games dropped off dramatically during the Great Depression.¹¹⁷ MLB would never entirely recover full coverage before integration.¹¹⁸

Once an estimated seventy-two percent of records had been completed, Commissioner Manfred felt comfortable including the records with other major-league statistics in May of 2024, only a week after the expansion of the Negro League Financial Assistance Program.¹¹⁹ As new players and statistics are being discovered almost daily, some of the fog surrounding the myth of the Leagues is clearing, allowing for a more complete picture of the high level of baseball that they played.¹²⁰ Players such as Oscar Charleston, Turkey Stearnes, and so many more are now included at the top of the major-league record charts, along with the other all-time greats.¹²¹

Perhaps most importantly for the purposes of this Comment, the research committee put together a table of qualifiers for including a player's season in the record books.¹²² This table takes the average number of official games per season for each recognized league and determines the number of games, plate appearances, and innings pitched a player must have to qualify.¹²³ The committee recognizes that, "[d]ue to inconsistent recordkeeping of the times, and the incomplete nature of ongoing research, there may not be sufficient data to determine minimum qualifiers for a given league and season."¹²⁴

II. THE NEED FOR FAMILY INCLUSION—BRIDGING THE GAP

While MLB's plan is a step in the right direction, it comes at a time when that step needs to be a leap.¹²⁵ It has been over three-quarters of a century since the last major league season of the Leagues.¹²⁶ Many of the players have passed and are unable to financially benefit from the narrow qualifiers of MLB's plan.¹²⁷ To truly recognize the contributions of these players, as

117. *Id.*

118. *Id.*

119. *Id.*

120. See *First Set of Findings from the Negro Leagues Statistical Review Committee*, MLB (May 29, 2024), <https://www.mlb.com/news/mlb-negro-league-stats-added-after-statistical-review-committee-announces-findings> [<https://perma.cc/43FK-H7QZ>].

121. See generally *Career Leaders & Records for Batting Average*, BASEBALL REFERENCE, https://www.baseball-reference.com/leaders/batting_avg_career.shtml [<https://perma.cc/79E2-AZ2T>] (last visited Oct. 15, 2025) (displaying several Negro League players near the top of the career record holders).

122. *First Set of Findings from the Negro Leagues Statistical Review Committee*, *supra* note 120.

123. *Id.*

124. *Id.*

125. Weiss, *supra* note 77.

126. Gleason, *supra* note 109.

127. *Id.*

Commissioner Rob Manfred has sought to do, MLB must include families in its plan.¹²⁸

A. Shortcomings of the Current Plan and the Age Issue

If there ever was a player who deserves to have their contributions to the game of baseball recognized, it is Ron Teasley.¹²⁹ Teasley only played two official League games in his career—both with the New York Cubans in 1948 at the age of twenty-two—though he had been playing against League stars such as Satchel Paige as young as thirteen.¹³⁰ After his play in 1948, Teasley was signed by the Brooklyn Dodgers, just a year after Jackie Robinson.¹³¹ Though Teasley was credited for his quality play at first base, the Dodgers inexplicably cut him to make room for “players of a higher classification.”¹³² Like many other star players, such as Leon Day and Willie “The Devil” Wells, Teasley headed to play in Canada after leaving the Dodgers.¹³³

Experiences like Teasley’s were far too common for the stars of the Leagues. Even future Hall of Famer Jackie Robinson and NL Rookie of the Year Sam Jethroe were led on by teams, such as the Boston Red Sox, before being sent away as publicity stunts.¹³⁴ The past treatment of League players shows that, although MLB’s intentions are in good faith, this plan does not begin to help those who were forced to tolerate it.¹³⁵

The stated goal of the Negro League Financial Assistance Program is to further recognize the contributions of the players in the Leagues.¹³⁶ Tony Clark, the executive director of MLBPA, believes the plan will help veterans of the Leagues “receive an annual financial benefit based on their time in the Negro Leagues.”¹³⁷ However, the plan is only intended to support living players.¹³⁸ According to MLB’s estimates, the plan is expected to benefit

128. See discussion *infra* Part III.C.

129. See Jerry Crasnick, *A Trip Back in Time*, MLB PLAYERS, <https://www.mlbplayers.com/ron-teasley> [<https://perma.cc/BX9S-BYGR>] (last visited Oct. 15, 2025).

130. *Id.*; Ron Teasley, BASEBALL REFERENCE, <https://www.baseball-reference.com/players/t/teaslro01.shtml> [<https://perma.cc/7EBK-USUL>] (last visited Oct. 15, 2025).

131. Crasnick, *supra* note 129.

132. *Id.*

133. *Id.*

134. *Major League Baseball Refuses to Integrate After Black Players Were Abused*, A HIST. OF RACIAL INJUSTICE, <https://calendar.eji.org/racial-injustice/apr/16#:~:text=On%20April%2016%2C%201945%2C%20the,time%20against%20hiring%20Black%20players.%E2%80%9D> [<https://perma.cc/3SF9-M8CQ>] (last visited Oct. 15, 2025).

135. See Gleason, *supra* note 109.

136. *MLB and MLBPA Announce Expansion of Financial Programs to Support Living Negro League Players*, *supra* note 15.

137. *Id.*

138. *MLB expanding financial assistance for Negro Leagues players*, *supra* note 18.

approximately fifty additional living players.¹³⁹ Experts in the field recognize this as an issue.¹⁴⁰

Sean Gibson, the great-grandson of Josh Gibson, co-founded the Negro Leagues Family Alliance along with other families of legendary players.¹⁴¹ He notes that MLB's estimates may be inflated by the failure to authenticate the actual League experience of those who claim to have played.¹⁴² Particular examples, such as people who claim to have played in the Leagues despite being born around the time of MLB's integration, illustrate how complicated this problem is.¹⁴³ The scant records from League teams make it hard to verify or debunk many claims, and in years past, this would have been a major issue.¹⁴⁴ Verifying these claims is now easier since MLB officially elevated the Leagues to major-league status in 2020.¹⁴⁵ Since then, groups of researchers such as the Seamheads Negro Leagues Database have made great strides in authenticating box scores from the League.¹⁴⁶ Mr. Gibson believes that using these resources to verify those claims would show that far fewer than fifty new players are financially benefited by the new program.¹⁴⁷

MLB's estimates are directly contradicted by MLBPA, which claims that only two players from the 1920 to 1948 era of play are still around.¹⁴⁸ Those two players are Ron Teasley, who is now ninety-seven, and Bill Greason, who just turned 100 years old.¹⁴⁹ While the committee has yet to establish a criteria for the new program, both of these players should benefit from it in ways they were not able to before.¹⁵⁰ This is because the new iteration extends the annual benefit to players who played fewer than four seasons in the Leagues or MLB.¹⁵¹

While Ron Teasley and Bill Greason can now receive financial benefits from their time playing in what is now a recognized major league, the question becomes: For how long?¹⁵² With so few League veterans still alive, the problem with MLB's financial assistance program is clear: For MLB to

139. *Id.*

140. Telephone Interview with Sean Gibson, Co-Founder, Negro League Family Alliance (Oct. 3, 2024).

141. *Players' Families*, NEGRO LEAGUES FAM. ALL., <https://www.negroleaguesfamilyalliance.com/players-families> [https://perma.cc/Q7QB-5BC9] (last visited Oct. 15, 2025).

142. Telephone Interview with Sean Gibson, *supra* note 140.

143. *Id.*

144. *First set of findings from the Negro Leagues Statistical Review Committee*, *supra* note 120.

145. *Id.*

146. *Id.*

147. *Id.*

148. Crasnick, *supra* note 129.

149. *See Teasley*, *supra* note 130; *Bill Greason*, BASEBALL REFERENCE, <https://www.baseball-reference.com/players/g/greasbi01.shtml> [https://perma.cc/9QYK-JBKZ] (last visited Oct. 14, 2025).

150. Mark Feinsand, *MLB, MLBPA Expand Financial Assistance to Support Living Negro Leagues Players*, MLB (May 22, 2024), <https://www.mlb.com/news/mlb-mlbpa-financial-programs-expansion-former-negro-leagues-players> [https://perma.cc/P7B6-LL7T].

151. *Id.*

152. *See Crasnick*, *supra* note 129.

achieve its goal of carrying on the legacy of the Leagues, the benefits it offers must extend even further to veterans' families.¹⁵³ Thus, all that is needed is a plan that runs parallel to the Major League Baseball Players Benefit Plan (MLBPBP).¹⁵⁴

There are currently 519 known MLB alumni who qualify for MLB Pension Plan but have not been able to receive those benefits.¹⁵⁵ These players paid their MLBPA dues but have not benefited financially as they should.¹⁵⁶ Just as the exclusion of League players from Major League record books and benefits was an oversight, so too is the exclusion of these players from MLB Pension Plan.¹⁵⁷ While this is an important grievance that should be rectified, it is outside the scope of this Comment.¹⁵⁸

III. POLICY PROPOSAL: A MODEL CBA AMENDMENT

Researchers have conducted extensive research to find a complete copy of the MLBPBP, but there seem to be no publications of the plan.¹⁵⁹ By piecing together bits and pieces from insightful sources for this Comment, a clearer picture begins to take shape.¹⁶⁰ However, specifics are not readily available.¹⁶¹

A. MLBPA Pension Plan: A Model for Equity

The MLBPBP pension plan provides, not only for the player, but it also provides for the player's surviving spouse and beneficiaries.¹⁶² While federal law requires a minimum spousal benefit of a 50% survivor's annuity, the MLBPBP goes further, giving 100% of the player's retirement benefit to their widow.¹⁶³ The MLBPBP also includes contingencies that allow the benefits to support the surviving spouse and beneficiaries after the player's death.¹⁶⁴

153. Weiss, *supra* note 77.

154. *Id.*

155. See DOUGLAS J. GLADSTONE, A BITTER CUP OF COFFEE: HOW MLB AND THE PLAYERS ASSOCIATION THREW 874 RETIREES A CURVE (2010) (discussing the lack of pension plans for players extensively); Effgen, *supra* note 102

156. Effgen, *supra* note 102

157. *Id.*

158. Gladstone, *supra* note 155.

159. See Turner, *supra* note 85.

160. See Joseph C. Mahon, *Playing Ball with Survivor Benefits*, WEALTH MANAGEMENT (June 19, 2012), <https://www.wealthmanagement.com/wealth-planning/playing-ball-survivor-benefits> [<https://perma.cc/YR95-933P>] (showing the scarcity of details on MLB pension plans).

161. *Id.*

162. *Id.*

163. *Id.*

164. Bevis, *supra* note 86.

At the very least, the 2004 expansion shows a history of benefits being passed to spouses.¹⁶⁵ However, it still lacks the contingencies that allow beneficiaries other than a surviving spouse to recover anything after the player's death.¹⁶⁶ Because most veterans would benefit financially from this plan, and presumably most of their spouses as well, it is essential that other heirs can recover to accomplish MLB's goal of carrying the legacy of the Leagues into the future.¹⁶⁷

B. A Path to Comprehensive Recognition

There are two ways to make the Negro League Financial Assistance Program as effective as possible.¹⁶⁸ The first is codification as an official financial resource program of MLBPA.¹⁶⁹ Before illustrating exactly what that would look like, it is important to first set the essential terms of the policy.¹⁷⁰

The policy advocated in this Comment will be structured to best accomplish MLB's stated goal of recognizing the contributions of those in the Leagues, including players who have passed.¹⁷¹ Since details about the current plan are scarce, the advocated policy will rely on the 1993, 1997, and 2004 plans, with adjustments to clarify the policy's intent and keep it current.¹⁷²

I. Proposed Negro League Financial Assistance Policy

Definitions

Service Time: Service time is the number of days a player spends on the active roster or on the injured list.¹⁷³

Basic Agreement: denotes the whole or part of the Collective Bargaining Agreement between the Association (MLBPA) and the Clubs (MLB).¹⁷⁴

165. Steinberg, *supra* note 83.

166. *Id.*

167. Author's original thought.

168. See *Collective Bargaining Agreement*, MLB PLAYERS, <https://www.mlbplayers.com/cba> [<https://perma.cc/P9UV-7N9A>] (last visited Oct. 14, 2025); see *Financial Resources*, MLB, <https://www.mlb.com/player-resource-center/financial-resources> [<https://perma.cc/CFU5-5AGG>] (last visited Oct. 14, 2025).

169. *Financial Resources*, *supra* note 168.

170. See discussion *infra* Part III.C.

171. Bevis, *supra* note 86.

172. Turner, *supra* note 85; Mahon, *supra* note 160.

173. *Service Time*, MLB, <https://www.mlb.com/glossary/transactions/service-time> [<https://perma.cc/W7XF-SDJE>] (last visited Oct. 14, 2025).

174. *Collective Bargaining Agreement*, BASEBALL REFERENCE (Mar. 11, 2022), [https://www.baseball-reference.com/bullpen/Collective_bargaining_agreement#:~:text=The%20Collective%20Bargaining%20Agreement%20\(CBA\)%20or%20Basic,Baseball%20Players%20Association%20and%20Major](https://www.baseball-reference.com/bullpen/Collective_bargaining_agreement#:~:text=The%20Collective%20Bargaining%20Agreement%20(CBA)%20or%20Basic,Baseball%20Players%20Association%20and%20Major)

Beneficiary: a person or entity that receives benefits from this policy.¹⁷⁵

Competitive Balance Tax: the tax levied against a Club that exceeds the base payroll threshold. The Club is charged a base tax rate under the Basic Agreement.¹⁷⁶

Intent:

It is the intent of the Major League Players Association, in conjunction with Major League Baseball, to further recognize the contributions of players in the Negro Leagues.¹⁷⁷ This policy acknowledges that it has been nearly eighty years since the conclusion of the major league era of the Negro Leagues.¹⁷⁸ As such, it is necessary to provide for families of those whose predecessors are no longer here to benefit from this policy once enacted.¹⁷⁹

Eligibility:

This policy aims to run as parallel as possible to the benefits offered to MLBPA members and alumni.¹⁸⁰ As such, eligibility will be as analogous to Comment XXI of the Basic Agreement between the Association and the Clubs as possible.¹⁸¹ All players and their beneficiaries shall be eligible to benefit if the player meets the qualifiers set forth by the Negro Leagues Statistical Review Committee.¹⁸² A player's status as a member of a roster may be established through their appearance in a game, records from leading Negro League databases, such as the Seamheads Negro Leagues Database or Baseball Reference, or by other reliable records of a player's participation.¹⁸³ A player's eligibility may also be established through a combination of time spent on a Negro League, American League, and National League roster.¹⁸⁴

%20League%20Baseball [https://perma.cc/E9V8-W588].

175. *Beneficiary*, LEGAL INFO. INST., <https://www.law.cornell.edu/wex/beneficiary#:~:text=A%20beneficiary%20is%20an%20individual,%2C%20a%20will%20%2C%20or%20trust%20> [https://perma.cc/VR8N-8FY8] (last visited Oct. 15, 2025).

176. *Competitive Balance Tax*, MLB, <https://www.mlb.com/glossary/transactions/competitive-balance-tax> [https://perma.cc/LR7Y-4CTM] (last visited Oct. 15, 2025).

177. See discussion *infra* Section III.C.1.

178. See discussion *infra* Section III.C.1.

179. See discussion *infra* Section III.C.1.

180. See discussion *infra* Section III.C.2.

181. See discussion *infra* Section III.C.2.

182. See discussion *infra* Section III.C.2.

183. See discussion *infra* Section III.C.2.

184. See discussion *infra* Section III.C.2.

Beneficiary:

The beneficiary or beneficiaries of this plan shall be designated by a priority ranking system.¹⁸⁵ A living player shall have priority.¹⁸⁶ If a player has passed, but has a surviving spouse, said spouse will be designated as the beneficiary.¹⁸⁷ If neither is available, the player's heirs-at-law shall be deemed the beneficiary of this policy.¹⁸⁸ If there is no available player, surviving spouse, or heir-at-law, the beneficiary shall be a foundation whose goals align with the intent of this policy.¹⁸⁹ That foundation will be chosen by a consensus of MLBPA Pension Committee Representatives.¹⁹⁰

Benefits:

Benefits are structured to best conform to the benefits offered to MLBPA alumni.¹⁹¹ Player benefits shall be placed into three different tiers; a full benefits package, a half benefits package, and a quarter benefits package.¹⁹²

1. A player who has established a service time of four seasons is eligible to receive a full benefits package.¹⁹³ The beneficiary of this package may receive a one-time payment of \$60,000 or elect to receive payments of \$1,250 a month across four years.¹⁹⁴
2. A player who has established a service time of two seasons is eligible to receive a half-benefits package.¹⁹⁵ The beneficiary of this package may receive a one-time payment of \$30,000 or elect to receive payments of \$625 a month across four years.¹⁹⁶
3. A player who has established a service time of one season is eligible to receive a quarter-benefits package.¹⁹⁷ The beneficiary of this package may receive a one-time payment of \$15,000 or elect to receive payments of \$312.50 a month across four years.¹⁹⁸

185. See discussion *infra* Section III.C.3.

186. See discussion *infra* Section III.C.3.

187. See discussion *infra* Section III.C.3.

188. See discussion *infra* Section III.C.3.

189. See discussion *infra* Section III.C.3.

190. See discussion *infra* Section III.C.3.

191. See discussion *infra* Section III.C.4.

192. See discussion *infra* Section III.C.4.

193. See discussion *infra* Section III.C.4.

194. See discussion *infra* Section III.C.4.

195. See discussion *infra* Section III.C.4.

196. See discussion *infra* Section III.C.4.

197. See discussion *infra* Section III.C.4.

198. See discussion *infra* Section III.C.4.

Funding:

As a joint initiative of MLBPA and MLB, this policy shall be funded by MLBPA player dues, competitive balance tax funds, and charitable contributions from MLB and its teams.¹⁹⁹ It is the understanding of MLBPA and MLB representatives that this policy shall be memorialized as an attachment to the Basic Agreement in place between both parties and at that time will be considered an agreement between the Association and the Clubs.²⁰⁰

C. Explanation of the Policy Terms: Ensuring Fairness and Impact

Many of the terms of the policy proposed by this Comment are based on the CBA in place between MLBPA and MLB, on previous plans such as the 2004 financial assistance package, and on MLB alumni pension plan. To understand the basis for the policy, each part will be explained in detail.²⁰¹

1. Intention

Starting with the intention, this is reflected by the stated intent from MLB Commissioner Rob Manfred.²⁰² Recognizing the contributions of League players was the entire purpose behind the Negro League Financial Assistance Program and the June game at Rickwood Field.²⁰³ The fact that the League has been defunct for nearly eighty years is important to demonstrate the necessity of allowing veterans' families to benefit from this program.²⁰⁴

2. Eligibility

Eligibility must be shaped as closely as possible to the requirements outlined in the CBA for two reasons.²⁰⁵ First, one of the goals in shaping this policy should be to give veterans the same recognition as MLB alumni now that the League has been labeled a major league.²⁰⁶ Second, equal application

199. See discussion *infra* Section III.C.5.

200. See 2022–2026 Basic Agreement, MLB PLAYERS, https://www.mlbplayers.com/_files/ugd/4d23dc_d6dfc2344d2042de973e37de62484da5.pdf [<https://perma.cc/C5NU-Q72D>] (last visited Oct. 15, 2025).

201. See *id.*

202. MLB and MLBPA Announce Expansion of Financial Programs to Support Living Negro Leagues Players, *supra* note 15.

203. See *id.*

204. *Id.*

205. See 2022–2026 Basic Agreement, *supra* note 200.

206. Team Enspire, *Bob Kendrick on the Importance of Negro League History*, ENSPIRE MAG. (Oct. 9, 2024), <https://enspiremag.com/2024/10/bob-kendrick-on-the-importance-of-negro-leagues-history/#:~:text=On%20December%2016%2C%202020%2C%20Commissioner%20Rob%20Manfred%20made,Leagues%20would%20be%20entered%20into%20MLB%E2%80%99s%20record%20books> [<https://>

of the policy and MLBPA's current policy ensures there is not a Title VII concern.²⁰⁷ Though this policy would survive a Title VII claim, there must be no room for players to claim they are being excluded from benefits not available to them based on race.²⁰⁸ Any potential issue could further delay the enactment of this long-pending policy.²⁰⁹

MLB eligibility begins at forty-three days of service because that is exactly a quarter of a season, per the CBA.²¹⁰ The issue in applying this standard to League seasons is that there was no standard for season length.²¹¹ Using the Negro Leagues Statistical Review Committee qualifiers, the number of games, plate appearances, and innings pitched required for a player to qualify in their League is provided.²¹² The number of games for hitters and innings pitched for pitchers establishes League service time.²¹³ These qualifiers can be used to provide full-season service time.²¹⁴ One quarter of the number of games would equate to MLB's forty-three-day standard.²¹⁵ Currently, relying on databases like Seamheads or Baseball Reference to establish a player's eligibility is the best method to show that those qualifiers, and consequently service time, were met.²¹⁶

Take two-time All-Star Bill Williams as an example.²¹⁷ Williams played for the Kansas City Monarchs from 1939 to 1945, appearing in 264 games over his career.²¹⁸ By referring to the Negro Leagues Statistical Review Committee qualifiers for a full season of games and the number of games Williams played in each season, his total service time can be calculated.²¹⁹

Starting in 1939, Williams played in twenty-four games for the Monarchs, while the Review Committee lists forty-seven games as the necessary number to qualify.²²⁰ This gave Williams just over half a season of

perma.cc/6FUM-PQQF].

207. *Title VII of the Civil Rights Act of 1964: Requiring Discrimination-Free Workplaces for 60 Years*, U.S. EQUAL EMP. OPPORTUNITY COMM'N, <https://www.eeoc.gov/title-vii-civil-rights-act-1964-requiring-discrimination-free-workplaces-60-years> [https://perma.cc/CLR5-YLCC] (last visited Oct. 15, 2025).

208. *Id.*

209. *Id.*

210. Bevis, *supra* note 86.

211. *Kansas City Monarchs Team History & Encyclopedia*, BASEBALL REFERENCE, <https://www.baseball-reference.com/teams/KCM/> [https://perma.cc/E6HC-F75H] (last visited Dec. 11, 2024).

212. *See First Set of Findings from the Negro Leagues Statistical Review Committee*, *supra* note 120.

213. *Id.*

214. Author's original thought.

215. Will McGaffey, *The Importance Of 43 Days Of MLB Service Time*, AWM CAP. (Mar. 17, 2022), <https://awmcap.com/blog/mlb-service-time> [https://perma.cc/D6SJ-EMG7]; Author's original thought.

216. *MLB Incorporates Negro Leagues Statistics, Shakes Up Record Books*, *supra* note 116.

217. *Bill Williams*, BASEBALL REFERENCE, <https://www.baseball-reference.com/players/w/willibi04.shtml> [https://perma.cc/SU4Q-SQMN] (last visited Oct. 15, 2025).

218. *Id.*

219. *See id.*; *see also First Set of Findings from the Negro Leagues Statistical Review Committee*, *supra* note 120.

220. *Bill Williams*, *supra* note 217.

service time for 1939.²²¹ In 1940, Williams led the NAL in Wins Above Replacement and hits while exceeding the games qualifier by one, playing in thirty-eight of the necessary thirty-seven games to earn a complete season of service time; he did the same in 1941, giving him two and a half years of service time.²²² When he played for the 1942 World Series Champion Kansas City Monarchs—perhaps the greatest team since the 1931 Homestead Grays—Williams acquired another year of service time by appearing in thirty-six games, easily meeting the required twenty-six games.²²³ Williams would reach four years of service time in 1943 by playing in forty-one games, over half of the required sixty-four games.²²⁴

While these qualifiers go a long way towards establishing a player's eligibility, allowing evidence from recognized outside databases is important to demonstrate eligibility because League statistics and box scores are far from complete.²²⁵ Many teams played shorter regular seasons to play more barnstorming games to maximize profits.²²⁶ Barnstorming involved teams traveling to different areas to attract larger crowds and gain exposure.²²⁷ This created great volatility when looking at statistics.²²⁸ For example, Josh Gibson's Hall of Fame plaque says he hit almost 800 home runs, but he is officially credited with only 166.²²⁹ The statistics can change overnight, and whole players can be "created" with one long-lost box score coming to light.²³⁰

Consider Ron Teasley, who MLB credits with only seven at-bats in the Leagues at the age of twenty-one.²³¹ However, he has testified that he started playing for teams unofficially from the age of thirteen and on.²³² Allowing credible extrinsic evidence to establish that a player spent time with an official League team is important while the records are still in flux and researchers are hard at work.²³³ As Robert Peterson put it in his seminal work, *Only The Ball Was White*: "Tracing the course of the organized Negro leagues is rather like trying to follow a single black strand through a ton of

221. *Id.*

222. *Id.*

223. *Id.*; BLACK DIAMONDS, *The Homestead Grays Part I: Bob Kendrick on Josh Gibson, Buck Leonard, and the Most Dominant Franchise in Baseball History*, (Spotify Apr. 29, 2021) (on file with the Author).

224. *Id.*

225. BOB KENDRICK & JOE POSNANSKI, *supra* note 107, at 11.

226. *Id.*

227. *A Road to Equality*, NAT'L BASEBALL HALL OF FAME, <https://baseballhall.org/discover-more/stories/baseball-history/road-to-equality> [<https://perma.cc/QV42-4VPM>] (last visited Oct. 15, 2025).

228. BOB KENDRICK & JOE POSNANSKI, *supra* note 107, at 11.

229. *Josh Gibson*, NAT'L BASEBALL HALL OF FAME, <https://baseballhall.org/hall-of-famers/gibson-josh> [<https://perma.cc/W2GB-MGLF>] (last visited Oct. 15, 2025).

230. *Compare* BOB KENDRICK & JOE POSNANSKI, *supra* note 107, at 11, *with Josh Gibson*, *supra* note 229.

231. *Teasley*, *supra* note 130.

232. Crasnick, *supra* note 129.

233. ROBERT PETERSON, *ONLY THE BALL WAS WHITE* 80 (Gramercy Books 1999) (1970).

spaghetti. The footing is infirm, and the strand has a tendency to break off in one's hand and slither back into the amorphous mass."²³⁴

3. Beneficiaries

A beneficiary priority ranking system is the main way the league can implement this plan to include the families of League veterans.²³⁵ Of course, living veterans have had, and will have, priority, but it has been demonstrated that there are not many left to access this plan.²³⁶ The same problem exists with surviving spouses, but heirs-at-law is the hardest to determine.²³⁷ An interpretation of state law is often required to determine who the heir apparent would be, though it usually starts with the veteran's children in the absence of a surviving spouse.²³⁸

While these matters can often become complicated, it is not MLBPA's place to determine intestate succession.²³⁹ It is not inconceivable for MLBPA to retain an estate planning law firm to secure benefits for families who deserve them, as they already employ a team of lawyers.²⁴⁰ There are times, though, when even this is not a perfect solution, as intestate succession can be a murky concept.²⁴¹ Any logistical problems can be avoided by allowing the benefits to pass to a foundation whose goals align with the intent of this policy and would best serve the policy's intention.²⁴² A multitude of foundations exist solely to educate fans about the Leagues and to carry on their legacy.²⁴³ The efforts of several of these organizations have been bolstered by MLB's past support, and they are more than qualified to handle this responsibility.²⁴⁴

234. *Id.*

235. See *Who Are Heirs at Law in Texas*, WPHK L., <https://wphk-law.com/heirs-at-law/> [<https://perma.cc/E578-3E44>] (last visited Oct. 15, 2025) (displaying that the law usually requires a priority ranking system).

236. Crasnick, *supra* note 129.

237. *Searching for Missing Heirs and Beneficiaries & the Legal Process*, JUSTIA, <https://www.justia.com/probate/probate-administration/the-duties-of-an-executor-of-an-estate/searching-for-missing-heirs-and-beneficiaries/> [<https://perma.cc/SG7J-PLJ7>] (last visited Oct. 15, 2025).

238. *Id.*

239. Compare *United States v. Riggs Nat'l Bank of Washington*, D.C., 109 F. Supp. 2d 1, 8 (D.D.C. 2000) (calling for the private investigation for heirs conducted by the conservator), with *Mission*, MLB, <https://www.mlb.com/mlbpaa/about/mission> [<https://perma.cc/V7UC-XV2M>] (last visited Oct. 15, 2025).

240. *Legal*, MLB PLAYERS ASSOCIATION, <https://www.mlbplayers.com/legal#:~:text=Legal%20%7C%20MLBPA%20Players,Counsel%2C%20MLB%20Players%2C%20Inc> [<https://perma.cc/965P-HVF8>] (last visited Oct. 15, 2025).

241. *Finding a Missing Heir Can Be Challenging*, TEX. TR. L. (Aug. 17, 2023), <https://www.texastrustlaw.com/finding-a-missing-heir-can-be-challenging> [<https://perma.cc/PCM4-XBVJ>].

242. See Shaeffer, *supra* note 14.

243. *About*, BUCK LEONARD ASS'N FOR SPORTS AND HUM. ENRICHMENT, <https://www.buckleonard.org/about/> [<https://perma.cc/ET8C-JCAG>] (last visited Oct. 15, 2025); *About Us*, FOSTER LEGACY FOUND., <https://www.fosterslegacy.com/about-3> [<https://perma.cc/H8LH-TR9C>] (last visited Oct. 15, 2025).

244. *Negro Leagues Family Alliance Receives Grant From Major League Baseball*, ROBERT F.

MLBPA Pension Committee would best perform the duty of choosing a foundation to receive the benefits, as many players have taken the time to educate themselves on the Leagues.²⁴⁵ The Pension Committee's role in overseeing player retirement and health care benefits gives members a unique perspective that best qualifies them for this duty.²⁴⁶ Granting players a say in how these benefits could best be used keeps them informed, and allows players to become involved with organizations that work to improve the game of baseball.²⁴⁷

4. Benefits

The benefits that would be passed to these beneficiaries are designed in a way that members of MLBPA Pension Committee are already familiar with, since both are based on service time.²⁴⁸ Service time is highly important to major league players, as it determines when they can enter arbitration, when they can enter free agency, and the level of pension plan they receive upon retirement.²⁴⁹ As mentioned previously, reaching forty-three days of service time qualifies players for the base level of retirement pensions.²⁵⁰ Those days keep counting up until players reach the all-important ten-year mark, perhaps the ultimate achievement in a major league career besides a permanent place in the Hall of Fame.²⁵¹

Creating a similar structure to retroactively apply to the Leagues is a tough but necessary task.²⁵² The ten-year mark is an exclusive group in MLB, with fewer than 10% of players reaching it.²⁵³ Applying that same standard

SMITH NEWS, (July 15, 2024) <https://robertfsmith.org/news/negro-leagues-family-alliance-receives-grant-from-major-league-baseball/> [https://perma.cc/UDD8-2LWW].

245. See Avery Osen, *Dodgers' Visit to NLBM a Home Run with Players*, MLB (Aug. 13, 2022), <https://www.mlb.com/news/dodgers-visit-negro-leagues-baseball-museum> [https://perma.cc/Y35Y-M2C2]; see also Jessica Camerato, *Nats Take the Time to Visit Negro Leagues Baseball Museum*, MLB (May 28, 2023), <https://www.mlb.com/news/nationals-enjoy-visit-to-negro-leagues-baseball-museum> [https://perma.cc/5N6R-WQLD]; see also Scott Merkin, *Visit to Negro Leagues Museum Resonates with White Sox Group*, MLB (Apr. 11, 2024), <https://www.mlb.com/whitesox/news/white-sox-visit-negro-leagues-baseball-museum> [https://perma.cc/6ASU-Z98Y].

246. Chris Capuano, MLB PLAYERS, <https://www.mlbplayers.com/chris-capuano> [https://perma.cc/E2LC-LFRX] (last visited Oct 15, 2025).

247. Matthew Roberson, *An Afternoon With Baseball's Greatest Storyteller*, GQ SPORTS (Feb. 28, 2024), <https://www.gq.com/story/bob-kendrick-negro-leagues-baseball-museum> [https://perma.cc/9TED-GFF9].

248. Jorge L. Ortiz, *In Baseball, Numbers Are Everything. Why 10 Matters Most to MLB Veterans*, USA TODAY (June 11, 2018), <https://www.usatoday.com/story/sports/mlb/2018/06/11/mlb-10-years-service-time-benefits-pension/682546002/> [https://perma.cc/ME5V-TJ9L].

249. *Id.*

250. Bevis, *supra* note 86.

251. *Id.*

252. See *Title VII of the Civil Rights Act of 1964: Requiring Discrimination-Free Workplaces for 60 Years*, *supra* note 207.

253. *10 Years*, MLB PLAYERS, <https://www.mlbplayers.com/10-years-service-time> [https://perma.cc/NNJ4-2K8B] (last visited Dec. 11, 2024).

to the players of the Leagues would be especially hard, considering the Leagues only lasted twenty-nine years, all while facing financial strife.²⁵⁴ Players would often switch teams and leagues midseason.²⁵⁵ Additionally, incomplete records further complicate showing a definitive service time of League players.²⁵⁶

Unlike the four and ten-year marks implemented by MLBPA and MLB, benefits centered on one, two, and four-year service marks are much more suitable for League players.²⁵⁷ Though research into the complete records of the Leagues has made substantial progress, many of the games that were played have been lost to time.²⁵⁸ Even the best of players, such as Josh Gibson, lost regular-season games to play more lucrative barnstorming games.²⁵⁹ Salaries in the Leagues were much lower as well, requiring players to often choose between the game they loved and providing for their families.²⁶⁰ Based on data obtained from Larry Lester, the co-founder of the Negro League Baseball Museum and chairman of Negro Leagues Research Committee for the Society for American Baseball Research, League players made anywhere from \$75 to \$375 a month, compared to \$300 to \$2,000 for their MLB counterparts.²⁶¹ Less stringent service-time barriers are the best way to truly allow the benefits packages of MLB alumni and League veterans to run in parallel, as the Leagues were not around as long and were not a stable career for many players.²⁶²

The one, two, and four-year service marks will operate in much the same way as the four and ten-year marks for MLB alumni.²⁶³ Players will reach the full pension level in four years versus ten, half the full pension in two years, and a quarter of the full pension in one year.²⁶⁴ The \$60,000 figure that comes with the full pension level is equivalent to the \$40,000 received under the 2004 plan from MLBPA and MLB, adjusted for inflation.²⁶⁵ The half pension

254. Japeth Knopp, *Negro League Baseball, Black Community, and The Socio-Economic Impact of Integration*, SOC'Y FOR AM. BASEBALL RSCH. (2016), <https://sabr.org/journal/Comment/negro-league-baseball-black-community-and-the-socio-economic-impact-of-integration> [<https://perma.cc/DNV4-NFDR>].

255. Jules Tygiel, *Those Who Came After*, 58 SPORTS ILLUSTRATED 26 (1983); Larry Doby, BASEBALL REFERENCE, <https://www.baseball-reference.com/players/d/dobyla01.shtml> [<https://perma.cc/PJ34-AAHT>] (last visited Oct. 15, 2025).

256. *First Set of Findings from the Negro Leagues Statistical Review Committee*, *supra* note 120.

257. See discussions *supra* Section III.B.1.

258. *MLB Incorporates Negro Leagues Statistics, Shakes Up Record Books*, *supra* note 116.

259. BOB KENDRICK & JOE POSNANSKI, *supra* note 107, at 14.

260. Mike Freeman, *Opinion: MLB Gesture to Negro League Players is Honorable But Now it's Time to Pay Them*, USA TODAY (Dec. 18, 2020), <https://www.usatoday.com/story/sports/columnist/mike-freeman/2020/12/18/mlb-gesture-negro-league-players-honorable-but-now-pay-them/3945950001> [<https://perma.cc/97VP-KWKJ>].

261. *Id.*

262. See Briosio, *supra* note 66.

263. Compare Turner, *supra* note 85, with discussion, *supra* Part III.B.1.

264. See discussion *supra* Part III.C.

265. *Id.*; 27 *Negro League Players to Get Pensions*, *supra* note 96.

at two years allows beneficiaries to receive exactly half that of the full pension, while the quarter pension gives them one-fourth of the full pension.²⁶⁶

While the roots of the quarter pension plan are not in the MLB pension plan, it essentially serves as a stand-in for other benefits that MLB alumni receive, namely healthcare, which are not reflected in this policy.²⁶⁷ This policy is meant to run most analogously to MLB's pension plan, but healthcare benefits are outside its stated intention.²⁶⁸ MLB's interest in offering healthcare benefits is to ensure players are taken care of, some of whom have extensive injury histories from playing baseball.²⁶⁹ That interest is not reflected in this policy because most beneficiaries are family members of people who played baseball, not the players themselves.²⁷⁰ The quarter pension plan replaces the sizable healthcare benefits available to MLB players and alumni by creating an additional tier of benefits for beneficiaries.²⁷¹

For example, Bill Williams would have well over four years of service time during his career playing for the Monarchs.²⁷² With this level of service time, calculated using the Negro Leagues Statistical Review Committee qualifiers and the games played by Williams, he would qualify for the full benefits package proposed by this policy.²⁷³ Therefore, his heirs at law would be entitled to receive \$60,000.²⁷⁴

It may be argued that this creates whole new benefits not available to players based on race, opening MLB to a Title VII suit, but courts have already found this argument unpersuasive.²⁷⁵ In *Moran v. Selig*, a group of former white players sued MLB for the 2004 iteration of League benefits.²⁷⁶ They argued that the plan opened up a new benefits package that they were unable to access because of their race, constituting a violation of Title VII of the Civil Rights Act.²⁷⁷ Title VII of the Civil Rights Act prohibits discrimination against job seekers and employees on the basis of race, including benefits offered to employees.²⁷⁸ However, the Ninth Circuit found

266. 27 *Negro League Players to Get Pensions*, *supra* note 96.

267. See Turner, *supra* note 85.

268. See discussion *supra* Part III.C.

269. See generally Corey Dawkins & Rebecca Glass, *Collateral Damage: The Disabled List: A History*, BASEBALL PROSPECTUS (Feb. 3, 2012), <https://www.baseballprospectus.com/news/Comment/15967/collateral-damage-the-disabled-list-a-history> [<https://perma.cc/D225-LP2B>] (showing an extensive list of injuries suffered by MLB players).

270. See discussion *supra* Section III.C.

271. See discussion *supra* Section III.C.

272. Bill Williams, BASEBALL REFERENCE, <https://www.baseball-reference.com/players/w/willibi04.shtml> [<https://perma.cc/RF29-JRYP>] (last visited Oct. 15, 2025).

273. See discussion *supra* Section III.C.

274. See discussion *supra* Section III.C.

275. *Moran v. Selig*, 447 F.3d 748, 751 (9th Cir. 2006).

276. *Id.*

277. *Id.*

278. *Title VII of the Civil Rights Act of 1964: Requiring Discrimination-Free Workplaces for 60*

that MLB had a legitimate, nondiscriminatory reason for awarding benefits only to League veterans.²⁷⁹ The Ninth Circuit's ruling in *Moran v. Selig* shows that the creation of a new benefits package, like the quarter benefits plan, does not violate Title VII.²⁸⁰ MLB is correct that it has a strong interest in recognizing the contributions of former League players, as with *Moran*.²⁸¹ Nor can there be a Title VII violation based on this policy because the benefits are not awarded based on an employment relationship under the Supreme Court's holding in *Hishon v. King & Spalding*.²⁸²

Just as in *Moran*, any reliance on *Hishon* would be fatal to a Title VII argument.²⁸³ There, a law firm associate sued her former employer for denying her a promotion to partner based on her sex.²⁸⁴ The Court sided with her, deciding that a benefit, such as the opportunity to become a law partner, is "part and parcel of the employment relationship[.]" even if not a contractual benefit, and thus, cannot be given out in a discriminatory fashion.²⁸⁵ Any attempt to use *Hishon* to show that MLB distributes benefits in a discriminatory manner would fail.²⁸⁶

When *Hishon* was decided based on the associate's employment relationship, the benefits being given to the families of League veterans could not be.²⁸⁷ At no point were League players considered employees of MLB, as evidenced by players like Jackie Robinson and Larry Doby signing new contracts to play in the NL and the AL, respectively.²⁸⁸ The benefits proposed by this Comment are easily distinguishable from those in *Hishon* as well.²⁸⁹ Whereas the benefits there were found to be distributed in a discriminatory manner, the benefits proposed here aim not to create new benefits but to better align the benefits available to League veterans with those available to MLB alumni, thereby eliminating any discriminatory purpose.²⁹⁰

While this opens another argument about whether League veterans should or should not receive benefits because they were never MLB employees, that argument is flawed on two counts.²⁹¹ First, precedent already exists for providing benefits to League veterans through the 1993, 1997, and

Years, *supra* note 207.

279. *Selig*, 447 F.3d at 756.

280. *Id.*

281. See *MLB and MLBPA Announce Expansion of Financial Programs to Support Living Negro Leagues Players*, *supra* note 16.

282. *Hishon v. King & Spalding*, 467 U.S. 69, 75 (1984).

283. *Id.* at 78.

284. *Id.* at 69.

285. *Id.*

286. *Id.*

287. *Id.*

288. Craig Muder, *When Robinson Signed With Montreal, Baseball And America Changed Forever*, NAT'L BASEBALL HALL OF FAME, <https://baseballhall.org/discover/jackie-robinson-signs-with-royals> [<https://perma.cc/YVH4-RC9M>] (last visited Oct. 15, 2025).

289. *Hishon*, 467 U.S. at 69; see also discussion *supra* Section III.C.

290. *Id.*

291. See Steinberg, *supra* note 83.

2004 financial programs administered by MLB.²⁹² MLB and now MLBPA have doubled down on this precedent with the 2024 iteration.²⁹³ Second, MLB's antitrust exemption, stemming from the Supreme Court's 1922 decision in *Federal Baseball Club v. National League*, gives MLB a certain amount of immunity for the monopolistic behaviors it employed to drive the Federal League and Negro Leagues out of business.²⁹⁴ It is also what allows MLB to incorporate Federal League and Negro League records into its record books and gives it a certain amount of authority over these leagues, including the benefits it can offer.²⁹⁵ It is for these reasons that this argument falls before it can get its feet off the ground.²⁹⁶

5. Funding

To fund the full, half, and quarter-benefit packages, money will be drawn from the same channels as MLB alumni pensions. MLB retirement plans are currently funded by a combination of club fees under the CBA, MLBPA dues, and competitive tax dollars that are redirected to MLBPA.²⁹⁷ Under the current CBA, teams annually contribute \$6,904,667 per team for base benefits and \$9,228,707 per team for extended benefits to pension plans, totaling over \$484 million, subject to deductions from competitive tax proceeds.²⁹⁸ MLBPA membership dues are the primary source of revenue for the union, accounting for \$69 million.²⁹⁹ Competitive tax dollars vary from year to year, but the proceeds are split between MLBPA and MLB.³⁰⁰ Half of the money received by MLBPA is used to fund its retirement accounts.³⁰¹

Benefits from this policy would be funded the same way, with one addition: charitable contributions from MLB and the teams.³⁰² This addition is merely to acknowledge the incredible precedent that MLB and the thirty teams have set, giving millions to different organizations that align with this

292. *Id.*

293. *MLB and MLBPA Announce Expansion of Financial Programs to Support Living Negro League Players*, *supra* note 16.

294. Samuel A. Alito Jr., *Alito: The Origin of the Baseball Antitrust Exemption*, SOC'Y FOR AM. BASEBALL RSCH. (2009), <https://sabr.org/journal/Comment/alito-the-origin-of-the-baseball-antitrust-exemption/> [<https://perma.cc/YQC9-DCSE>].

295. *Id.*

296. *Id.*

297. Evan Drellich, *MLB Will Redirect Luxury Tax Dollars to Help Teams Losing TV Money*, NEW YORK TIMES (July 24, 2024), <https://www.nytimes.com/athletic/5656610/2024/07/24/mlb-luxury-tax-tv-money/> [<https://perma.cc/5467-V5X8>].

298. *Id.*

299. Anne Paddock, *Executive Compensation at the Major League Baseball Players Association*, PADDOCK POST (Feb. 6, 2023), <https://paddockpost.com/2023/02/06/executive-compensation-at-the-major-league-baseball-players-association> [<https://perma.cc/R87Y-HH28>].

300. Drellich, *supra* note 297.

301. Drellich, *supra* note 297.

302. See discussion *supra* Section III.B.1.

policy's intention.³⁰³ While there is no requirement under the policy that these contributions continue—which would contradict the meaning of the word charitable—failing to include this method of funding would disincentivize these contributions and would be a disservice to those who have already given so much to the cause.³⁰⁴

Funding from MLBPA membership dues would be consistent with the policy being as closely analogous to current alumni pension plans while allowing players to give to veterans, they and many others, admittedly owe so much.³⁰⁵ This would add another expense to MLBPA, but the non-profit union reported revenue of \$82 million in 2023, with expenses totaling only \$27 million.³⁰⁶ It is an expense that the union could afford and would further its stated mission of “promot[ing] the game of baseball, rais[ing] money for charity, inspir[ing] and educat[ing] youth through positive sport images and protect[ing] the dignity of the game through former [Major League] players.”³⁰⁷

Membership dues would be the primary funding source for the policy, as the number of eligible League veterans and their benefits would likely be dwarfed by the decades of eligible alumni.³⁰⁸ The pension plan available to MLB players and alumni has had roughly 10,000 participants since 1947, with more added each season.³⁰⁹ That is three times the estimated number of players who even played in the Leagues, let alone those eligible to receive benefits under this policy.³¹⁰

Opponents of this proposal may object to current player dues being used to fund benefits, but this is no different from how MLB alumni pension plans currently operate.³¹¹ This policy would likely be an expense for both MLBPA and MLB, as the 2024 Negro League Financial Assistance Program appears to be.³¹² MLBPA would have to fund it using the same avenues it uses to generate revenue, including player dues, club fees, and competitive tax dollars.³¹³

Competitive balance tax dollars would play a smaller role in funding compared to membership dues, but they are another avenue for funding the

303. *Negro Leagues Family Alliance Receives Grant From Major League Baseball*, *supra* note 244.

304. *Id.*

305. *MLB Players Praise ‘Long Overdue’ Negro Leagues Record Inclusion*, ENT. & SPORTS PROGRAMMING NETWORK (May 29, 2024), https://www.espn.com/mlb/story/_/id/40240715/mlb-players-praise-long-overdue-negro-leagues-record-inclusion [<https://perma.cc/8SUB-F6GS>].

306. Paddock, *supra* note 299.

307. *Mission*, MLB PLAYERS ASS’N, <https://www.mlb.com/mlbpaa/about/mission> [<https://perma.cc/38SN-25YM>] (Jan. 23, 2025).

308. See discussion *supra* Section III.C.

309. Turner, *supra* note 85.

310. *MLB Players Praise ‘Long Overdue’ Negro Leagues Record Inclusion*, *supra* note 305.

311. *MLB Players Praise ‘Long Overdue’ Negro Leagues Record Inclusion*, *supra* note 305.

312. *MLB and MLBPA Announce Expansion of Financial Programs to Support Living Negro League Players*, *supra* note 16.

313. *MLB Players Praise ‘Long Overdue’ Negro Leagues Record Inclusion*, *supra* note 305

policy.³¹⁴ In 2023, the competitive balance tax generated over \$107 million for MLBPA retirement accounts.³¹⁵ With fewer beneficiaries benefiting from this policy, less competitive balance dollars, if any, would be required to be fully funded.³¹⁶

6. Memorialization

For the proposed policy and its terms to have the greatest effect, a representative of both MLBPA and MLB would have to sign it.³¹⁷ While signatures are not required to adopt an MLBPA policy, it must be added to the collective bargaining agreement as an attachment.³¹⁸ The CBA works in a similar way to the Constitution of the United States.³¹⁹ The CBA works to preserve the rights of players while giving MLB the consent of the governed.³²⁰

Once added to the CBA, the policy is “codified” as part of the agreement that governs the game of baseball.³²¹ The CBA is the law of baseball, with attachments governing everything from the color of a pitcher’s glove to television contracts.³²² Placing this policy into the CBA would be the strongest showing of commitment by both MLBPA and MLB to recognizing the contributions of League veterans and their families.³²³

IV. THE CASE OF BILL GREASON: ILLUSTRATING THE NEED

Without a background in MLB contracts, even the most ardent baseball aficionado may have trouble understanding how this policy would operate, but take the aforementioned Bill Greason as an example.³²⁴ Greason, now over 100 years old, grew up across the street from Martin Luther King Jr., where he played stickball before entering the Marine Corps, where he served

314. See discussion *supra* Part III.C.

315. Drellich, *supra* note 297.

316. Drellich, *supra* note 297.

317. See 2022–2026 *Basic Agreement*, *supra* note 200.

318. See 2022–2026 *Basic Agreement*, *supra* note 200.

319. See *Collective Bargaining Agreement*, *supra* note 168.

320. McManis Faulkner, *Understanding The CBA in Shohei Ohtani’s Historic Deal*, JD SUPRA (Dec. 22, 2023), <https://www.jdsupra.com/legalnews/understanding-the-cba-in-shohei-ohtani-2692274/#:~:text=In%20sport%2C%20the%20CBA%20is,spelled%20out%20in%20a%20CBA> [https://perma.cc/8WBW-9XE9]; U.S.C.A. § DECLARATION OF INDEPENDENCE.

321. Sam Miller, *Pebble Hunting: I Read the Entire Collective Bargaining Agreement and Here’s What I Learned*, BASEBALL PROSPECTUS (Feb. 12, 2016), <https://www.baseballprospectus.com/news/Comment/28436/pebble-hunting-i-read-the-entire-collective-bargaining-agreement-and-heres-what-i-learned/> [https://perma.cc/VX74-4ZBU].

322. *Id.*

323. See 2022–2026 *Basic Agreement*, *supra* note 200.

324. Frederick C. Bush, *Bill Greason*, SOC’Y FOR AM. BASEBALL RSCH, <https://sabr.org/bioproj/person/bill-greason/> [https://perma.cc/69LM-YEMM] (last visited Oct. 15, 2025).

in the same unit as Dan Bankhead, MLB's first African-American pitcher.³²⁵ He started in eight games in the Leagues in 1948, alongside seventeen-year-old Willie Mays, earning the Birmingham Black Barons' only win in the 1948 Negro World Series against Hall of Famer Buck Leonard and the Homestead Grays.³²⁶ After pitching in Mexico, he was recalled into the Marines at the outbreak of the Korean War.³²⁷ While stationed at Camp Lejeune, he twirled a 1–0 win over Dodgers ace Don Newcombe.³²⁸

Greason later played for the St. Louis Cardinals, becoming their first Black pitcher in 1954.³²⁹ He pitched three games for the team before being demoted to Rochester, where he took a young Bob Gibson under his wing.³³⁰ After another two seasons there, Greason traded the pitcher's mound for the pulpit when he moved back home to Birmingham.³³¹ He was a parishioner at Sixteenth Street Baptist Church alongside his old neighbor, Dr. Martin Luther King Jr., though baseball remained a part of who he was.³³² On September 15, 1963, Greason was not in his usual role as a preacher; instead, he was in Tuscaloosa as part of a youth baseball initiative when the Ku Klux Klan planted a bomb at the church, killing four young girls.³³³

In addition to his baseball career, Greason would use his new position to push for civil rights.³³⁴ He started a new position as pastor of Bethel Baptist Church in 1971, where he still preaches today at over 100 years old.³³⁵ His wife passed away in 2018, leaving Bill, his two daughters, two grandchildren, and six great-grandchildren to carry on his legacy.³³⁶

Under MLB's proposed financial assistance program, Greason could benefit as a League player with under four years of experience.³³⁷ However, MLBPA and MLB are still working together to set the eligibility criteria for

325. *Id.*

326. Rich Puerzer, *September 26–October 5, 1948: Homestead Grays Capture Final Negro League World Series in Five Games*, SOC'Y FOR AM. BASEBALL RSCH, <https://sabr.org/gamesproj/game/september-26-october-5-1948-homestead-grays-capture-final-negro-league-world-series-in-five-games/> [<https://perma.cc/5YC3-KF7A>] (last visited Oct. 15, 2025).

327. *Id.*

328. *Id.*

329. Greason, *supra* note 149.

330. Derrick Goold, *Cards Honor Greason, One of Their Trailblazers*, ST. LOUIS TODAY (Sep. 21, 2014), https://www.stltoday.com/sports/professional/mlb/cardinals/cards-honor-greason-one-of-their-trailblazers/Comment_5beba47d-a963-5690-884c-96c57319427f.html [<https://perma.cc/6NT9-E38Z>].

331. Bush, *supra* note 324.

332. Bush, *supra* note 324.

333. Bush, *supra* note 324.

334. Bush, *supra* note 324.

335. Bush, *supra* note 324.

336. Joey Scheider, *Bill Greason, Former Cardinal with Storied Legacy, Honored at Rickwood Field*, FOX 4 KANSAS CITY (June 21, 2024), <https://fox4kc.com/news/bill-greason-former-cardinal-with-storied-legacy-honored-at-rickwood-field> [<https://perma.cc/S834-W233>].

337. *MLB and MLBPA Announce Expansion of Financial Programs to Support Living Negro Leagues Players*, *supra* note 16.

this plan.³³⁸ In the unfortunate event that the 100-year-old Mr. Greason were to pass away before the plan was finalized, one of the two possible beneficiaries of MLB's plan would be unable to draw any compensation, leaving his family with nothing to show for his storied career.³³⁹

Under the policy proposed by this Comment, Greason's family would be able to financially benefit based on his baseball career.³⁴⁰ His career is one that fully deserves recognition, as does Mr. Greason as a person.³⁴¹ First, his eligibility for the policy would have to be determined.³⁴² And second, Greason's possible beneficiaries must be established.³⁴³

Mr. Greason's eligibility is not immediately apparent.³⁴⁴ The 1948 Birmingham Black Barons are officially credited with playing ninety-three games.³⁴⁵ In that season, he is credited with playing in only eight of those ninety-three games.³⁴⁶ Adapting the qualifiers set forth by the Negro Leagues Statistics Review Committee would require a player to pitch seventy-eight games or innings to acquire a full year of service time.³⁴⁷ With only eight games and forty-six and two-thirds innings away to show how many days a player was on the roster, it seems Greason falls short of being eligible for even the quarter benefits package.³⁴⁸

However, Greason's eligibility, or lack thereof, likely stems from poor record-keeping, as there are clear issues with statistics from the 1948 Black Barons records.³⁴⁹ For example, the pitcher with the most appearances listed from this season is Jimmie Newberry, with a total of eleven appearances.³⁵⁰ When totaling all official appearances by Black Baron pitchers there are only fifty-one games, just over half of the actual number of games played.³⁵¹ These numbers are far from complete, and the proposed policy anticipates such record-keeping discrepancies by allowing extrinsic evidence.³⁵²

338. *MLB and MLBPA Announce Expansion of Financial Programs to Support Living Negro Leagues Players*, *supra* note 16.

339. *MLB and MLBPA Announce Expansion of Financial Programs to Support Living Negro Leagues Players*, *supra* note 16.

340. *See* discussion *supra* Part III.C.

341. *See* Bush, *supra* note 324.

342. *See* discussion *supra* Section III.C.

343. *See* discussion *supra* Section III.C.

344. *Greason*, *supra* note 149.

345. *1948 Birmingham Black Baron Statistics*, BASEBALL REFERENCE, <https://www.baseball-reference.com/teams/BBB/1948.shtml> [<https://perma.cc/9CN6-Z28B>] (last visited Oct. 15, 2025).

346. *Greason*, *supra* note 149.

347. *Id.*; *see also* *First Set of Findings from the Negro Leagues Statistical Review Committee*, *supra* note 120.

348. *Greason*, *supra* note 149; *see also* discussion *supra* Section III.C.

349. *1948 Birmingham Black Baron Statistics*, *supra* note 345.

350. *Jimmie Newberry*, BASEBALL REFERENCE, <https://www.baseball-reference.com/players/n/newbeji01.shtml> [<https://perma.cc/FPV7-8VPF>] (last visited Oct. 15, 2025).

351. *1948 Birmingham Black Baron Statistics*, *supra* note 345.

352. *See* discussion *supra* Section III.C.

For instance, extrinsic evidence shows a stronger record of Bill Greason on the Birmingham Black Barons in 1948.³⁵³ According to Greason, he was signed by Birmingham after a spring training game against them, while he was playing for the Asheville Blues.³⁵⁴ After joining the Birmingham Black Barons in the spring, he achieved the third most games pitched officially and the sixth most Wins Above Replacement (WAR) for the year.³⁵⁵ Outside of the official stats, Greason spent enough time with the team to befriend seventeen-year-old Willie Mays, whom he called his brother and lifelong friend after Mays' passing.³⁵⁶ His number of victories is also inconsistent between the official stats and other sources, which credit him with up to six wins.³⁵⁷

Extrinsic evidence shows that Greason was a member of the Birmingham Black Barons for at least twenty-three games in 1948.³⁵⁸ Add in Greason's time with the St. Louis Cardinals, and he is entitled to the quarter benefits package under the proposed policy.³⁵⁹ If Greason were to pass away before the financial assistance program is implemented, his family would be eligible under this proposal.³⁶⁰

In this case, determining the beneficiaries would be simple.³⁶¹ Greason's heirs-at-law would be his two daughters, who would receive the benefits of the quarter-benefits package.³⁶² MLB's intent of recognizing the contributions of League veterans includes their families, who had to tolerate so much and carry on the legacies of players like Greason.³⁶³

V. CONCLUSION: ENSURING A LASTING LEGACY

The 2024 Negro League Financial Assistance Program proposed by MLB is a simple case of too little, too late.³⁶⁴ The NLFAP's intent to recognize the contributions of those who played in the Leagues is not

353. See Bush, *supra* note 324.

354. See Bush, *supra* note 324.

355. Greason, *supra* note 149.

356. Sumner Harrell, *Reverend William Greason, Negro Leagues Veteran, Marks 100th Birthday at Rickwood Field*, ABC 3340 NEWS (Sep. 4th, 2024, at 07:53 C.D.T.), <https://abc3340.com/news/local/alabama-birmingham-rickwood-field-reverend-william-greason-oldest-living-baseball-player-negro-leagues-willie-mays-september-3-2024-military-service> [<https://perma.cc/638C-L4TK>].

357. Compare Greason, *supra* note 149, with Bush, *supra* note 324 (showing inconsistent total of wins between sources).

358. Compare Greason, *supra* note 149, with Bush, *supra* note 324 (showing inconsistent total of wins between sources).

359. Compare Greason, *supra* note 149, with Bush, *supra* note 324 (showing inconsistent total of wins between sources).

360. See discussion *supra* Section III.C.

361. See discussion *supra* Section III.C.

362. See discussion *supra* Section III.C.

363. MLB and MLBPA Announce Expansion of Financial Programs to Support Living Negro Leagues Players, *supra* note 16.

364. See Crasnick, *supra* note 129.

reflected in the plan.³⁶⁵ The plan proposes to financially aid living League veterans, yet there are only two possible beneficiaries left.³⁶⁶ To properly fulfill MLB's virtuous intent, family members of veterans who have passed must be allowed to benefit financially.³⁶⁷

The policy proposed by this Comment best meets MLB's intent by permitting League veterans and their families to benefit as heirs-at-law.³⁶⁸ The terms of the proposal run nearly analogous to those that MLB alumni are entitled to at the end of their careers, while also considering the 2004 financial assistance program for veterans.³⁶⁹ Excluding the families of people like Bill Greason and so many others who have already passed would allow the mystique surrounding the Leagues to die with them.³⁷⁰ However, this policy ensures that the legacy of the Negro Leagues will not die with the legends that are no longer with us.³⁷¹

365. See *MLB and MLBPA Announce Expansion of Financial Programs to Support Living Negro League Players*, *supra* note 16.

366. See Crasnick, *supra* note 129.

367. See Interview with Sean Gibson, Co-Founder, Negro League Family Alliance (Oct. 3, 2024).

368. See discussion *supra* Section III.B.1.

369. See discussion *supra* Section III.B.1.

370. See Crasnick, *supra* note 129.

371. See discussion *supra* Section III.B.1.