

With June 1 Deadline Nearing, Push For International Draft in MLB Intensifies

Written by Maury Brown
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It has long been sought by the league, has had fits and starts, and will have large impacts if it does, or doesn't happen. The topic is an International Draft in Major League Baseball, and according to a report in today's *SportsBusiness Journal*, talks are intensifying on the subject. The reason for the focus on it is a June 1 deadline within the labor agreement reached between the MLBPA and MLB last year. Within the CBA, details of the worldwide draft spell out what occurs with, or without an international draft by the June 1 deadline.

As the CBA outlines, here's what would happen if no joint agreement on an international draft were to happen by June 1

If a draft (or drafts) covering international amateur players does not commence in the 2013 season, and irrespective of whether the conditions set forth in I.E have been satisfied, the Office of the Commissioner may provide notice to the MLBPA that it intends to commence operation of a draft (or drafts) covering international amateur players for the 2014 season and subsequent seasons. Written notice of such intent must be provided to the MLBPA by no later than June 1, 2013, and such notice must include a detailed explanation of the rules and procedures that the Office of the Commissioner intends to use for the draft. The MLBPA may veto the commencement of a draft (or drafts) covering international amateur players for the 2014 season and subsequent seasons by providing written notice of its objection to the Office of the Commissioner by June 15, 2013.

But in speaking with MLBPA Executive Director, Michael Weiner in 2012, well in advance of the latest CBA being reached, he voiced that the union was for making it happen, but that there were difficulties in its implementation. Those difficulties are sizeable. As defined in the CBA, the following has to be addressed before an international draft can occur:

The Committee will be charged with advising the MLBPA and the Office of the Commissioner on the following matters:

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- 1. If there is an international draft, whether international players should be part of a single worldwide draft (including players currently covered by the Rule 4 Draft) or a separate draft (or drafts).*

- 2. The appropriate age at which international amateur players should be signed to professional contracts.*

- 3. If there are to be multiple drafts, whether players from Puerto Rico should remain in the Rule 4 Draft or instead be part of an international draft.*

- 4. The development of appropriate country-by-country plans for playing and development opportunities for players prior to draft eligibility, including expansion of the El Torneo Supremo.*

- 5. The development of appropriate plans to provide undrafted or unsigned players (including players age 18 to 21) from Latin America with an opportunity to continue their development, including the creation of a new league or leagues, or the addition of centrally-operated Clubs in the Dominican Summer League (“DSL”).*

- 6. Whether and how regulations should be put in place regarding representation of international amateur players (e.g., “independent trainers” and agents).*

- 7. Improving the education and acculturation programs of Clubs at their international academies.*

- 8. What safeguards should be established in relation to any signing bonus payments made to international amateur players.*

- 9. The laws of the countries from which international players are signed and how those laws should affect the actions of the parties.*

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10. What actions are necessary in order to achieve the negotiation of a revised agreement between MLB and the Mexican League that allows players greater choice of where to play and promotes a fair and open system of player movement.

11. What actions are necessary in order to achieve the negotiation of revisions to the protocol agreements with the Korean Professional Baseball League, the Japanese Professional Baseball League, and the Taiwan R.O.C. League to accommodate a draft.

12. How Cuban players should be treated under an amateur talent system in light of the legal and political factors that affect their signability.

Those items are becoming more important as the season and the June 1 deadline near.

“There are plans to sit down and get serious about the negotiations this spring,” said David Prouty, MLBPA general counsel to Liz Mullen of the SBJ. “We are up against a deadline. If we don’t come up to an agreement, there will be more serious restrictions.”

As to those restrictions, as further reported by the *SportsBusiness Journal*:

Without a draft deal, teams next year overspending their international signing caps by 15 percent or more will be subject to a 100 percent tax and a two-year restriction from signing any foreign amateur player to a bonus of more than \$300,000. Even a 5 percent overspending by a club would limit an individual signing bonus to \$500,000. Current international signing regulations assess only a 75 percent tax for less than a 5 percent overspend, building to a one-year prohibition on bonuses above \$250,000 for overspending the pool by at least 15 percent.

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