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July 14, 2001

FACSIMILE TRANSMISSION

Robert D. Manfred, Jr., Executive
Vice President of Labor & Human Resources
Office of the Commissioner
Major League Baseball
245 Park Avenue, 31st Floor
New York, NY 10167

Re: Pitch Count Grievance

Dear Rob:

The World Umpires Association has learned recently that the Office of the Commissioner has begun to use the number of pitches in each ball game as a yardstick by which to measure the performance of Major League umpires. This development violates the Basic Agreement, conflicts with the Official Baseball Rules, and, if allowed to continue, would threaten the integrity of the game of baseball.

As it has been explained to the WUA, umpire supervisors have tabulated the number of pitches logged in a number of games, to arrive at an average number of pitches in a nine-inning game. With that average in mind, each umpire's "pitch count" is recorded, and umpires have been ranked one as between another from the lowest pitch count average to the highest.

With the pitch count tabulation in hand, the Office of the Commissioner, has informed certain umpires that their pitch counts are too high, and, as a result, that they must call more strikes while working the plate. Although we do not know on what size sample the pitch count average was derived, the Union has learned that the Office of the Commissioner believes the average to be around 285 pitches in a nine-inning game. Umpires are being told that this number is too high and to "bring your pitch count down." In fact, umpires are being told to bring their pitch count average down to 270 pitches a game. Beyond using a pitch count as an arbitrary yardstick to measure umpire performance, umpires also are being directed by the Office of the Commissioner to "call more strikes," to "be aggressive," and even to "hunt for strikes."

The number of pitches that are thrown in a game is determined by variables that umpires cannot and should not control. Any number of independently operating variables affect the number of pitches that are thrown in a game, such as who are the teams and the pitchers, and their pitching styles; the number of hits, runs and errors in a game; the number of foul balls; and finally how many runners safely reach base and advance beyond first base. If umpires are to be held to a pitch count average, then what happens early in a game may affect how calls are made later in the game, and what happens in one game may well affect what occurs in the next. Is an umpire to catch-up on his average going from one game to the next, and is he to keep that average in mind when making a judgment as to whether a particular pitch is a strike or a ball?

The pitch count, whether or not it is coupled with a direct instruction to call more strikes, interferes with an umpire's duty to exercise independent judgment on each pitch. Pitch count pressure threatens the integrity of the game, in that it brings on to the playing field improper influence on umpire performance. It also introduces a measurement of umpire performance that is nowhere in the Official Baseball Rules, or in the Basic Agreement.

An umpire simply cannot be expected to both worry about his pitch count average and also to call each pitch a strike or ball as he sees it. The Casebook Comments to the Official Baseball Rules direct that an umpire is to be wholly "impartial" and is to "make all decisions as [he] see[s] them." Evaluating an umpire by his "pitch count" forces upon an umpire an interest in calling close pitches strikes, even when they may in fact be balls. An umpire should never attempt to "even up" one call with the next, but, under a pitch count evaluation system, an umpire would be pressured to keep track of the number of pitches and to weigh this number in making calls. If in one game an umpire has allowed "too many pitches," then surely he will feel pressure to allow fewer pitches in the next game by calling more strikes.

The pitch count and pitch count average materially change the job of an umpire while on the playing field, without the Union's consent or participation as provided in the Basic Agreement. With the pitch count and pitch count average, the Office of the Commissioner has begun to evaluate umpires with criteria that are unrelated to the job and the game of Baseball. Umpires should not be expected to "hunt for strikes" or to hunt for any other particular game result. Umpires must remain free to approach each pitch with absolute neutrality, with the only priority being to "get it right".

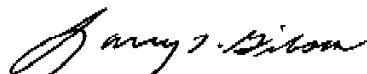
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The WUA supported the decision of MLB to adjust the strike zone to conform with Rule 2.00. This grievance is in no way intended to challenge MLB's directives regarding the configuration of the strike zone. Likewise, the WUA is not unsympathetic to concerns about the amount of time games take to complete. But the WUA does not believe that game times are increasing due to ball and strike calls. The main cause of longer games has been the expanded time allowed between innings and allowed for pitcher changes. Official Baseball Rule 8.04 provides that pitchers should be allowed no more than eight preparatory pitches which "shall consume no more than one minute of time." However, under directives from MLB, these times have been increased to two minutes and five seconds in most games and to two minutes and twenty-five seconds for ESPN and FOX games and for all games in Atlanta. With seventeen inning changes and an average of four pitcher changes, these measures add half an hour to the nine-inning game. The WUA does not object to these measures, but the WUA must oppose any effort to have umpires artificially shorten games by calling strikes.

With the application of a pitch count and a preferred pitch count average, the Office of the Commissioner has exercised its authority under Art. 5.A. of the Basic Agreement to direct umpires in a manner that is inconsistent with Art. 9.A. of the Basic Agreement, and that also is contrary to Official Baseball Rule 9.02(a), and with the Casebook Comments entitled "General Instructions to Umpire" that follow Rule 9. WUA grieves the pitch count and application of a pitch count average under Arts. 23.A. and 23.B. of the Basic Agreement.

WUA demands that the Office of the Commissioner completely abandon pitch counts and pitch count averages as measures of umpire performance. WUA further requests a meeting on its grievance under Art. 23.B.3. Finally, consistent with Art. 5.C.1., WUA requests that the Office of the Commissioner forward to it all compilations by MLB of umpire pitch counts and all notices, past, present and future, issued to umpires about pitch counts.


Joel A. Smith


Larry S. Gibson
Counsel for the World Umpires Association

cc: Francis X. Coonelly, Esquire