



For those who hate the business side of professional sports, the news that the NBA owners are spoiling for a lockout as much as the NFL owners did probably isn't all that welcome.

The NBA's collective bargaining agreement expires at the end of this month and for now the players and the owners are getting nowhere fast. There are plenty of similarities between the NBA's labor issues and those in the NFL, but central to it is the straw that always stirs the drink: money. Would you expect it to be about anything else?

According to a recent article about the negotiations from the Associated Press, the NBA owners are claiming losses for this season at \$300 million and an anticipation of 22 of its 30 teams losing money. That's pretty dramatic if true.

The players don't necessarily agree with that assessment because they say that television ratings have increased along with ticket prices and merchandise sales. They don't have any more access to the owners' books than the NFL players and thus can only speculate on how much the league might be losing. As an aside, why isn't anyone complaining that NBA owners won't open their books?

In any event, like their brethren in the NFL, NBA players seem to understand that the economy has changed, at least for their fans, and are willing to make some compromises but it's the scope of those compromises that are the sticking point. Again, would you expect it to be anything different?

Lingering Items--Laboring Edition

Written by {ga=gdbenz}

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The lynchpin to these negotiations is likewise similar to that in the NFL: the owners' desire to get better cost certainty. In the NBA the chosen vehicle is the revision of their currently byzantine salary cap into a more straightforward version. But since it's the NBA where exceptions dwarf nearly every rule, don't be misled into thinking that it's a hard cap the owners want in the same way that the NFL has a hard cap. That would be too radical of a change and, frankly, would make too much sense.

If you listen to the players, who claim they're united just like any labor group claims unity among its troops, they're willing to give some money back presumably in the hope of having a larger pie to divide down the road. The owners have scoffed, yes scoffed, at what they call the modest moves of the players to this point, but so much of that is just posturing anyway.

Still there is less than a week before the contract expires and while much can happen between now and then, in all likelihood not much will happen. This is the owners' first real chance since the economy cratered to address their issues and they won't let go of that opportunity lightly.

In other words, don't be surprised when the NBA owners do lock out the players, possibly as early as July 1. Like the NFL's lockout, it probably doesn't mean much with the season months away but it means enough to label the situation serious, assuming you care whether there is another NBA season ever.

What's far less certain is whether the NBA players will pursue a litigation strategy. It's mostly been a failure for the NFL players in that it hasn't given them the perceived leverage they thought they would have, but that doesn't mean the NBA players are any brighter than their counterparts in the NFL.

The other thing to keep in mind is that if DeMaurice Smith is the worst head of a professional sports union then Billy Hunter, the executive director of the National Basketball Players Association, is a close second.

What makes Smith inept is his abject lack of experience. He's a litigator by training and brought that mentality to the NFL players, hence the massive amount of litigation taking place that has bogged down negotiations. What makes Hunter inept is just a general lack of competence and gravitas.

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But in fairness to Hunter, he probably understands that David Stern controls the NBA with an iron fist to the point that Hunter would never be willing or able to effectively challenge that authority anyway. Stern is more Kenesaw Mountain Landis and less Roger Goodell and as long as Stern's in place the players are only going to get as far in these negotiations as he'll let them.

Whatever union president Derek Fisher's claims of unity among the players may be, they'll never effectively challenge Stern's control or break his will to shape the game as he sees fit.

You don't have to be fully versed in tea leaf reading to conclude that unless the players knuckle under between now and June 30th, Stern will lock out the players. The only question is whether the players will be as pig-headed as their counterparts in the NHL and let a full season pass until they figure out that for however popular their sport might be in China, in the United States whatever fan uprising might occur will be drowned out by the otherwise massive fan indifference.

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As for a sport the fans really do care about, football, the good news is that the owners and the players are finally negotiating in earnest. For the most part the posturing that inevitably arises at contract expiration time has given way to the realities that whatever else the courts could do for either of them, the one thing they can't do is the one thing they need the most: a new labor contract.

The lack of real substantive news coming out of these negotiations is actually a very positive

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sign. The less the principals talk publicly the more likely it is that they are getting things done behind the scenes.

The average fan, even the average fan who's in a labor union, probably doesn't fully appreciate the complexity that is the NFL's collective bargaining agreement. Much of that complication comes from the provisions dealing with the division of revenue, but the contract is also so much more than that.

The other thing the average fan may not realize is that although the re-slicing of the financial pie is a major issue, there is a laundry list of other items the parties are working their way through, including retiree health care, injury pay and the like. These take time as well.

But the real complication stems from the nuclear approach the union took to these negotiations. It's not just about reaching a new labor contract. It's also about resolving the pending lawsuits, particularly the underlying class action lawsuit that was filed.

Without going into the rather mundane details of class action law, the resolution of that lawsuit is subject to both the approval of the court and the prospective class members. Then there is the not so small matter of the union re-certifying as the collective bargaining representative for the players. Although the NFLPA is calling itself a trade union and its attempt at decertification has been disputed by the owners, ultimately this issue needs to get resolved and the union needs to re-form as part of what will surely be a global settlement. Without the re-certification, the negotiated collective bargaining agreement cannot technically be approved by the players.

In short, the parties could reach a deal on the new contract but the process of approving it and living by it could take months to work through. That doesn't mean that the lockout would need to remain in effect until that happens. But rest assured that unless the owners have very good assurances that everything will get resolved they will be reluctant to open the doors.

It seems like a very good chance that a tentative agreement will be in place in the next few weeks. Whether that means football will ultimately start on time is hard to say. But if it forces a delay in the season, the NFL probably won't complain anyway. With the way they run the league, nothing would please them more than to play up until the day that baseball's spring training starts in mid February.

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A few quick words about Travis Hafner and the Indians.

As frustrating as the Indians recent slump has been, what's more frustrating is that their highest paid player literally cannot play a position other than designated hitter. For a team that has trouble generating offense, the fact that Hafner is irrelevant for the 9 games in National League cities is a cause for real concern.

Basically the Indians go into this stretch fielding a team with 7 legitimate bats, given that the pitcher will have to hit as well. Everyone saw how moribund the Indians' offense looked when Hafner was on the DL. The likelihood now is that it will be worse for this stretch in large part because it's as if Hafner is back on the DL.

It's nice to see that Hafner has regained most of his batting eye after walking through the desert the last few years. But it's not so nice that the Indians are paying the kind of money they are paying Hafner and have to endure similar stretches of their schedule when he simply can't play.

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Nine games may not seem like a lot given a 162 game schedule, but going 2-7 instead of 5-4 against the National League could very easily be the difference between making and not making the playoffs.

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With all the frenzy surrounding the Cavaliers' just completed draft, this week's question to ponder arises: How many of those fans either praising or bitching about the Cavs' picks can honestly say they've seen Kyrie Irving or Tristan Thompson play enough to have an informed opinion?