

Moran v. Selig

447 F.3d 748 (9th Cir. 2006)

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Retired professional baseball players, who were Caucasian or Latino, brought this action against Major League Baseball ("MLB") claiming violation of Title VII of the Civil Rights Act of 1964 by excluding them from medical and supplemental income plans devised for former Negro League players and battery by subjecting them to dangerous drugs without informed consent. MLB Commissioner Bud Selig and all existing MLB teams were named as defendants. After the dissolution of Negro Leagues in 1966, African-American baseball players were absorbed into MLB. However, having lost their economic base, the former Negro Leagues were unable to offer any medical benefits or pensions to their former players. The MLB voluntarily decided to provide certain benefits for former Negro League players. Individuals who played in the Negro Leagues prior to 1948 were eligible for these "Negro League Plans." In 1997, the MLB created a similar pension for former MLB players whose careers ended prior to 1947, no African-Americans could benefit from this plan because African-Americans were not allowed to play in the MLB prior to 1947. Appellants filed a complaint with the Equal Employment Opportunity Commission charging that they were excluded from these "Negro League Plans" based on their race. The defendants filed a motion for summary judgment and it was granted by the district court. Appellants timely appealed. The issue before the Court of Appeals for the Ninth Circuit is whether the district court properly granted summary judgment. Court of Appeals affirmed.

Appellants allege that these benefits are discriminatory and in violation of Title VII. To survive summary judgment on their Title VII claim, appellants must show: 1) they belonged to a protected class, 2) they were qualified for their jobs, 3) they were subjected to an adverse employment action, and 4) similarly situated employees not in their protected class received more favorable treatment.

The court held that the appellants met the first two criteria. However, the appellants could not satisfy the third prong for making a prima facie case under Title VII. The fact that appellants did not receive the same or substantially similar benefits as those provided under the "Negro League Plans" cannot be considered an "adverse employment action" because the provision of these benefits is not an employment action at all.

In order to show the fourth element, the individuals seeking relief must demonstrate that they are similarly situated to those employees in all material respects. To qualify for the benefits under the "Negro League Plans," the players to whom the appellants seek to equate themselves with must have played in the Negro League. This is a qualification that all of the appellants lack. Therefore, the appellants are not similarly situated "in all material respects" to the former Negro League Players. Thus, appellants have also failed to satisfy the fourth element in establishing a prima facie case.

The appellants failed to satisfy all of the elements of a prima facie case raised under Title VII. Therefore, the court of appeals upheld the district court's decision granting summary judgment in favor of the defendants.