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Hardball, Politics, and the NLRB

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BOOK REVIEW

Hardball, Politics, and the NLRB†

Michael Ashley Stein††

LABORED RELATIONS: LAW, POLITICS, AND THE NLRB—A MEMOIR.
William B. Gould IV. Cambridge, Massachusetts: The MIT Press,
2000. \$37.95.

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I.

INTRODUCTION

Bill Gould's latest book,¹ *Labored Relations: Law, Politics, and the NLRB—A Memoir*,² operates on several levels. Initially, *Labored Relations* assesses the role of the National Labor Relations Board (NLRB) and its tenuous position as an administrative agency serving a quasi-judicial function.³ More enlightening, however, are Gould's revelations about the tensions during his Chairmanship between himself, other Board members, the General Counsel, and most especially, obstreperous House

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1. Previous tomes include WILLIAM B. GOULD IV, *AGENDA FOR REFORM: THE FUTURE OF EMPLOYMENT RELATIONSHIPS AND THE LAW* (1993), and WILLIAM B. GOULD IV, *JAPAN'S RESHAPING OF AMERICAN LABOR LAW* (1984). Gould is currently writing the biography of his namesake, an escaped slave who served in the Union Navy during the Civil War.

2. WILLIAM B. GOULD IV, *LABORED RELATIONS: LAW, POLITICS, AND THE NLRB—A MEMOIR* (2000) [hereinafter *LABORED RELATIONS*].

3. The same dynamic exists in a parallel context. See generally James J. Brudney, *The Changing Workplace: Reflections on Group Action and the Law of the Workplace*, 74 *TEX. L. REV.* 1563 (1996) (discussing the tension between the NLRB and the federal courts regarding collective bargaining).

Republicans.⁴ As a memoir recounting Gould's time in Washington through the use of his personal diary, *Labored Relations* also adds to the growing literature of former President Clinton's political nominees who have voiced exasperation with partisan politics.⁵ Written with both charm and candor, *Labored Relations* offers rare insight into the inner workings of the NLRB by breaking with prevailing assessments that tend to address only specific Board decisions.⁶

II.

POLITICS AT THE NLRB

Nationally recognized both as a preeminent scholar in the field of labor law⁷ and as an impartial arbitrator,⁸ Gould's theoretical conception of the NLRB prior to his Chairmanship was consistent with that of other lauded academics. Specifically, Gould agreed with James Landis that as a matter of systemic legitimacy, regulatory agencies must adjudicate their policies independent of the other branches.⁹ His views also harmonized with those of Peter Strauss who argues that it is the Chair who ought to "administer the agency."¹⁰ Nevertheless, as set forth below, Congressional partisanship and

4. An earlier appraisal covering much of the same ground is William B. Gould IV, *The Labor Board's Ever Deepening Somnolence: Some Reflections of a Former Chairman*, 32 CREIGHTON L. REV. 1505 (1999). Similar systemic difficulties were earlier identified by Edward Silver & Joan McAvoy, *The National Labor Relations Act at the Crossroads*, 56 FORDHAM L. REV. 181 (1987) (decrying the case backlog and lack of expertise among NLRB members).

5. See, e.g., LANI GUINIER, *LIFT EVERY VOICE: TURNING A CIVIL RIGHTS SETBACK INTO A NEW VISION OF SOCIAL JUSTICE* (1998) (describing the experiences of having her nomination withdrawn as assistant attorney general for civil rights); JOYCELYN M. ELDERS, *FROM SHARECROPPER'S DAUGHTER TO SURGEON GENERAL OF THE UNITED STATES OF AMERICA* (1996) (recounting the political life of the first African-American Surgeon General). See also John C. Hormel Jr., *Defending Gay Dad*, THE DES MOINES REG., April 11, 1998, available in 1998 WL 3202358 (advocating on behalf of his father's nomination as ambassador to Luxembourg).

6. See, e.g., Wilma B. Liebman & Peter J. Hurtgen, *The Clinton Board(s): A Partial Look from Within*, 16 LAB. LAW 43 (2000) (general overview of Clinton Board decisions by two of Gould's former Board members); Michael J. Caccavelli, *A Too Quick Fix: NLRB One Year Experimental Regulations Granting ALJs the Power to Dispense with Briefs and Decide Cases from the Bench*, 9 ADMIN. L.J. AM. U. 791 (1995) (an analysis of a procedural experiment conducted during Gould's term). Gould's successor as Chair, John Truesdale, has followed the traditional course. See generally John C. Truesdale, *Battling Case Backlogs at the NLRB: The Continuing Problem of Delays in Decision Making and the Clinton Board's Response*, 16 LAB. LAW. 1 (2000).

7. Thus, the appraisal by another prominent labor law scholar that "Professor Gould is one of the most prolific and respected labor and employment law scholars in the United States." Charles B. Craver, *The Clinton Labor Board: Continuing a Tradition of Moderation and Excellence*, 16 LAB. LAW. 123 (2000) [hereinafter *The Clinton Labor Board*].

8. See generally WILLIAM B. GOULD IV, *STRIKES, DISPUTE PROCEDURES, AND ARBITRATION: ESSAYS ON LABOR LAW* (1985).

9. See generally JAMES M. LANDIS, *THE ADMINISTRATIVE PROCESS* (1938). Gould's views are elaborated upon in *LABORED RELATIONS*, *supra* note 2, at 121-48.

10. Peter L. Strauss, *The Place of Agencies in Government: Separation of Powers and the Fourth Branch*, 84 COLUM. L. REV. 573 (1984); *LABORED RELATIONS*, *supra* note 2, at 123.

Board members' self-interested actions raised problems of authority¹¹ and autonomy¹² throughout Gould's tenure.

Gould became only the third "outside" (meaning, academic) Chair of the NLRB.¹³ By contrast, the five-member Board traditionally has been comprised of Washington "insiders," namely counsel to Congressional committees or attorneys from large D.C. law firms.¹⁴ These insiders frequently lack practical industrial relations experience and are unfamiliar with labor law.¹⁵ Even worse, because of their desire to remain in power, insider appointees "often devote a considerable portion of their effort and energy" to self-promotion and advancement and can be reluctant to perform their adjudicative duties when subject to political pressure.¹⁶

In contrast to the insider model, Gould intended to stay with the NLRB for only a single term (which he completed in 1998),¹⁷ and did so.¹⁸ Influencing the decision to restrict his Board tenure was the desire both to bring about needed and politically difficult reform, as well as to avoid becoming a Washington insider.¹⁹ Gould's outsider status, combined with an unsubstantiated perception that he was unfairly inclined towards labor,²⁰ helped fuel resistance to his nomination, which was approved along mostly partisan lines.²¹

Beyond Gould's perceived personal ideology, he also garnered hostility from House Republicans who associated the Board with steadily protecting the interests of organized labor, for they correlated the latter with Democratically-inclined voters.²² As a result, for the first time in over half a century, Democratic nominations for empty Board positions were "batched" together with Republican nominations for collective Senate approval. Under this procedure, unused since the Taft-Hartley Act increased the number of Board members from three to five,²³ approval of

11. LABORED RELATIONS, *supra* note 2, at 89.

12. *Id.* at 112-14, 147-48, 167-68.

13. His predecessors J. Warren Madden and Harry A. Millis were appointed, respectively, by President Franklin D. Roosevelt as the first two NLRB Chairmen. *Id.* at xxi.

14. *Id.*

15. *Id.*

16. *Id.* at 125. The analysis of NLRB's actions from an insider/outsider is derived from G. CALVIN MACKENZIE, STARTING OVER: THE PRESIDENTIAL APPOINTMENT PROCESS IN 1997, at 39-40 (Twentieth Century Fund/Century Foundation White Paper, 1997).

17. LABORED RELATIONS, *supra* note 2, at xxi.

18. *Id.* at 255, 295.

19. *Id.* at 126, 255, 295.

20. *Id.* at 36-37, 46. Gould asserts that these characterizations were the result of a "smear campaign." *Id.* at 26-27.

21. The final Senate vote was 58-38, with every Democrat and five Republicans voting in Gould's favor. *Id.* at 49.

22. *Id.* at 133-34.

23. See generally Mathew M. Bodah, *Congressional Influence on Labor Policy: How Congress*

Democratic Board nominees was linked to appointment of immoderate Republican ones. Consequently, Gould's Board frequently operated at less than full strength, since Democratic Senators preferred voting against disagreeable pairings.²⁴ There were also attempts by GOP legislators to cut the NLRB's budget.²⁵ Partisan driven problems with Congress were to dog Gould's term to the extent that, in 1997, Representative David Obey openly characterized him as the House Republicans' "Number One Enemy."²⁶

Although the constituency of the Board would change during Gould's tenure,²⁷ several insiders, appointed through the batching process and/or acting on careerist motivations, were notable for their obstructive tactics. Republican Charles Cohen, who "displayed the personality of a bull in a china shop,"²⁸ was labeled "Doctor No" by staff members because of his truculence.²⁹ Democrat John Truesdale, who succeeded Gould as Chair, was a "consummate senior bureaucrat" whose continued viability on the Board owed much to "carefully keeping a finger in the wind."³⁰ Another Democrat, Sarah Fox, out of either "political intimidation or her own Hamlet-like indecision," would not deliver judgments in difficult cases.³¹ Gould's greatest stumbling block was Fred Feinstein, Clinton's appointee as General Counsel. Although "obsequious to the House Republicans" and anyone else in positions of power,³² Feinstein was "secretive," and diverged with Gould over issues of "ideology and turf."³³ Feinstein also frequently undercut Gould's reform efforts by attempting to usurp the Chair's administrative prerogatives.³⁴

A major area of controversy during Gould's tenure, and one that brings

Has Influenced Outcomes Without Changing the Law (paper delivered at the 51st Annual Meeting of the Industrial Relations Research Association, New York, January 5, 1999).

24. LABORED RELATIONS, *supra* note 2, at 39-40.

25. *Id.* at 127, 164, 195-96, 199, 202, 205, 209-10, 266, 401.

26. *Id.* at xxiii. The epithet entitles the chapter describing further politically motivated fracas. *Id.* at 255-86.

27. The five-year terms are staggered, with the intention of ensuring ideological balance. See generally Terry A. Bethel & Catherine Melfi, *The Failure of Gissel Bargaining Orders*, 14 HOFSTRA LAB. L.J. 423, 430 (1997).

28. LABORED RELATIONS, *supra* note 2, at 55.

29. *Id.*

30. *Id.* at 55-56. Nevertheless, one of the more significant NLRB decisions of recent times was handed down during his tenure. See *Boston Medical Center Corporation*, 330 N.L.R.B. 30 (1999) (holding that medical interns and residents working for private hospitals are "employees" rather than "students"), *overruling* *Cedars-Sinai Medical Center*, 223 N.L.R.B. 251 (1976). This reconceptualization had long been advocated. Charles B. Craver, *The Application of Labor and Antitrust Laws to Physician Unions: The Need for a Re-evaluation of Traditional Concepts in a Radically Changing Field*, 27 HASTINGS L.J. 55 (1975).

31. LABORED RELATIONS, *supra* note 2, at 142-45.

32. *Id.* at 54.

33. *Id.* at 54-55.

34. *Id.* at 89 (recounting Feinstein's attempt to share control of committee appointments).

to the fore the complicated intra-governmental relations of the Board, was his public opposition, in his role as NLRB Chairman, to California Proposition 226 (Prop. 226).³⁵ This proposal, which was defeated in a June 1998 ballot initiative,³⁶ would have required labor unions to garner express authorization from all their represented workers prior to spending dues for political purposes.³⁷ In part because the statute would have been administered by California state courts rather than by the NLRB (and thus preempt the Board's jurisdiction),³⁸ Gould felt strongly enough about its effects to issue a written statement to a joint legislative hearing in Sacramento.³⁹ An additional objection to Prop. 226 was that it was flawed from a policy perspective in seeking to prevent unions' political participation,⁴⁰ an activity expressly protected under the National Labor Relations Act.⁴¹ Gould also felt that Prop. 226 was misleading to California voters since its passage was only necessary if the Board was not enforcing the Supreme Court's 1988 decision in *Communications Workers v. Beck*⁴² under which nonmember workers were permitted to object to the expenditure of political dues.⁴³ Bipartisan political attacks ensued, with Republicans ardently supporting Prop. 226 because it would cut unions' financial support of Democratic campaigns,⁴⁴ and Democrats incensed over the attention that Prop. 226 drew to a major source of their funding.⁴⁵ Ironically, it was the 1988-94 Republican-appointed Boards who had failed to issue a single *Beck* case.⁴⁶ By contrast, Gould's Board issued nearly twenty.⁴⁷ The most significant of their *Beck* decisions was *California Saw & Knife*,⁴⁸ which compelled unions as part of their collective bargaining agreements to notify members of their nonobligation to have dues utilized for non-representation purposes.⁴⁹

35. *Id.* at xvii-xviii, 267-74, 303.

36. Ilana DeBare, *Voters, Unions Combine to Beat Prop. 226*, WASH. POST, June 3, 1998, at A19.

37. The relevant text is set forth in LABORED RELATIONS, *supra* note 2, at 395 n. 1.

38. *Id.* at 268.

39. For the full text, see *id.* at 386-96.

40. *Id.* at 268.

41. See generally 29 U.S.C. § 141 (1976), amended by Labor Management Relations (Taft-Hartley) Act and Labor-Management Reporting and Disclosure (Landrum-Griffin) Act.

42. 487 U.S. 735 (1988).

43. *Id.* Their power to object, Gould reasoned, obviated the necessity for a more intricate procedure under which express spending authorizations were required.

44. 'Specially nasty were Rep. Ernest Istook's accusations that Gould had lied to a Congressional committee on that subject. LABORED RELATIONS, *supra* note 2, at xxvii.

45. Expressed, for instance, in an irate phone call from Congressman David Obey. *Id.* at 269-70.

46. LABORED RELATIONS, *supra* note 2, at 267.

47. See *Id.* at 410-20 for exegeses of the more significant ones.

48. 320 NLRB 224 (1995), *enfd. sub. nom.* Assn. of International Machinists v. NLRB, 133 F.3d 1012 (7th Cir. 1998).

49. *Id.* The case, which had other implications, is described in greater detail in LABORED

III.

HARDBALL AT THE NLRB

The most widely known case of Gould's Chairmanship was the Board's contribution to the Major League Baseball strike negotiations during 1994-95.⁵⁰ An avid baseball fan⁵¹ for whom few pleasures in life exceed that of "the thrill of the grass,"⁵² Gould was both knowledgeable about⁵³ and deeply interested in resolving the dispute.⁵⁴ Following expiration of the players' and owners'⁵⁵ collective bargaining agreement, difficult negotiations ensued. In sum, the owners sought a uniform salary cap, ostensibly to maintain the economic and competitive viability of smaller market clubs, but also to reclaim part of the free agency rights won by players in a 1975 arbitration case.⁵⁶ The players' union, adamantly in favor of maintaining the unencumbered salary structure, countered that the owners could address their concerns by sharing their own revenues among themselves.⁵⁷ Little progress having been made in their talks with the owners, the ballplayers struck mid-season and "the unthinkable transpired—the World Series was canceled" for the first time since 1904.⁵⁸ Resulting negotiations were similarly sluggish, reaching an impasse in late December. The players then filed an unfair labor practice charge with the

RELATIONS, *supra* note 2, at 390-91, 411-12.

50. See generally DIAMOND MINES: BASEBALL & LABOR (Paul D. Staudohar ed. 2000).

51. Albeit one misled both in his loyalty to the team from Boston, as well as in his skepticism of the empirically proven doom that precludes their success. WILLIAM B. GOULD IV, *BASEBALL AND THE SULTAN OF SWAT: THE CURSE OF THE BAMBINO* (1995) in LABORED RELATIONS, *supra* note 2, at 353-61. See generally DAN SHAUGHNESSY, *THE CURSE OF THE BAMBINO* (1990).

52. The phrase originates with W. P. Kinsella, whose many baseball-related books include *SHOELESS JOE* (1999), *THE IOWA BASEBALL CONFEDERACY* (1996), and *THE THRILL OF THE GRASS* (1985). The film *FIELD OF DREAMS*, based upon the novel *SHOELESS JOE*, brought the expression to wider public notice. See *FIELD OF DREAMS* (MCA Home Video 1989) (happily on file with author). Many thanks to Keith McArthur of B. Macabee's Booksellers for confirming this information with Kinsella, as well as for keeping his books in stock.

53. Having taught for years a course on sports law at Stanford Law School, arbitrating player salary disputes, and also writing broadly in the field. See, e.g., LABORED RELATIONS, *supra* note 2, at 102; William B. Gould IV, *Baseball and Globalization: The Game Played and Heard and Watched 'Round the World' (With Apologies to Soccer and Bobby Thomson)*, 8 IND. J. GLOBAL L. STUD. 85 (2000); WILLIAM B. GOULD IV ET AL., *LABOR RELATIONS IN PROFESSIONAL SPORTS* (1986).

54. Recording in his diary that mediating the dispute would be "a job which I would love if only I wasn't supposed to adjudicate." LABORED RELATIONS, *supra* note 2, at 108. See also William B. Gould IV & Robert C. Berry, *A Long Deep Drive to Collective Bargaining: Of Players, Duress, Brawls, and Strikes*, in *SPORTS AND THE LAW: A MODERN ANTHOLOGY* 126 (Timothy Davis et al. eds. 1999) (relating Gould's view of the strike).

55. Known formally as the Major League Players' Association and the Players' Relations Committee, respectively. LABORED RELATIONS, *supra* note 2, at 101.

56. *Id.* See also *Professional Baseball Clubs and Baseball Players Assn.*, 66 LAB. ARBITRATION 101 (1975).

57. LABORED RELATIONS, *supra* note 2, at 102.

58. *Id.* at 109.

Board's New York regional office.⁵⁹ President Clinton intervened by appointing former Secretary of Labor W.J. Usery as Special Mediator, but Usery's efforts at reconciliation likewise failed.⁶⁰

Before the Board could adjudicate the issue, it had to be investigated by General Counsel Feinstein, who was "deliberately dragging his heels" over the unfair labor practice allegation. Odder still, he proposed that they "disguise" the separate roles of the NLRB and General Counsel in order to create a false public impression that Feinstein spoke for the Board. Such action would insulate Feinstein from political fallout if he recommended that the Board approve the issuance of a 10(j) injunction.⁶¹ Not surprisingly, Gould rejected this suggestion.⁶² In the end, Feinstein advised in favor of issuing a temporary restraining order (TRO), and the Board approved his recommendation by a 3-2 vote.⁶³ A decision on the merits, however, was only reached after protracted political and interpersonal tribulations over whether a television camera crew would be allowed to film the proceedings. Future Chair Truesdale "excoriated" Gould with "verbal abuse";⁶⁴ Member Cohen exhibited "almost-puerile obsessions and resentment of the press's focus" on him.⁶⁵ As a result, the Board voted 4-1 to avoid journalistic contact on the case.⁶⁶

NLRB regional counsel Dan Silverman made the request for a 10(j) injunction before Judge Sotomayor of the Southern District of New York, who issued the TRO in an elegant opinion imbued with appreciation of the game.⁶⁷ A Second Circuit panel unanimously affirmed the decision.⁶⁸ Because of the injunction, the 1995 and 1996 seasons ran their course.⁶⁹ In late 1996, the players and owners reached a comprehensive collective

59. *Id.* For a discussion of this procedure, see BRENT GARREN, ET AL., HOW TO TAKE A CASE BEFORE THE NLRB 13-32 (7th ed. 2000).

60. LABORED RELATIONS, *supra* note 2, at 111-12.

61. *Id.* at 112-13. See also GARREN, ET AL., *supra* note 59 (describing how 10(j) injunctions are issued prophylactically).

62. LABORED RELATIONS, *supra* note 2, at 113.

63. *Id.* at 113-14, 116.

64. *Id.* at 115-16.

65. *Id.* at 115.

66. *Id.* at 116.

67. *Id.* at 117-18. For example, Judge Sotomayor noted that:

The often leisurely game of baseball is filled with many small moments which can catch a fan's breath. There is, for example, that wonderful second when you see an outfielder backpedaling and jumping up to the wall and time stops for an instant as he jumps up and you finally figure out whether it is a home run, a double, or a single off the wall, or an out.

Id. at 118, quoting Judge Sotomayor.

68. Voting 3-0. *Silverman v. Major League Baseball*, 67 F.3d 1054 (2d Cir. 1995).

69. LABORED RELATIONS, *supra* note 2, at 119.

bargaining agreement,⁷⁰ and Gould was praised in many circles for preserving the national pastime.⁷¹

Gould's tenure at the NLRB reached a personal nadir when he was accused of travelling on government business for the purpose of attending baseball games.⁷² This allegation was part of a continuing GOP investigation into the Board's putative travel abuse,⁷³ during which time Board members were quizzed on how they occupied themselves while on speaking engagements.⁷⁴ The extent of these accusations is evidenced by a letter sent to Gould by two House Republicans demanding that he "identify 'Dusty' by gender, position, and relationship to the San Francisco Giants, if any."⁷⁵ In reply, Gould informed the Congressmen that Dusty Baker was male, and due to his managing the ballclub in question, maintained a "prominent and important" position with the team.⁷⁶ Perusing the interrogatory at a later time, Baker remarked that the inquisitive legislators "simply wanted to see if [Gould] had a girlfriend with the Giants!"⁷⁷

IV. CONCLUSION

The aftermath of Gould's tenure as NLRB Chair is beginning to receive critical attention. I agree with those scholars, most notably Charles Craver,⁷⁸ who write with approbation of Gould's period in public service.⁷⁹ Under his leadership, the Board initiated innovations that allowed administrative law judges to issue bench rulings,⁸⁰ permitted unions to utilize postal election ballots,⁸¹ and created an advisory panel comprised of labor and management lawyers.⁸² Sitting as a quasi-judicial body, the

70. *Id.* The agreement, which expires after the 2001 season, is causing similar tribulations as of this writing. Chris De Luca, *Expect Coming Labor Conflict to be Fought Among Owners*, CHIC. SUN TIMES, Jan. 7, 2001, at 109. For a broad, international, and interdisciplinary examination of the sport's future, see David. P. Findler, *Symposium: Baseball in the Global Era: Economic, Legal, and Cultural Perspectives*, 8 IND. J. GLOBAL LEG. STUD. 1 et seq. (2000).

71. LABORED RELATIONS, *supra* note 2, at 120.

72. Initiated by Rep. John Boehner in early 1996, the accusation was carried forward by Rep. Christopher Shays. LABORED RELATIONS, *supra* note 2, at 220-21, 246, 254.

73. *Id.* at 26-27, 36-37, 39, 45, 47.

74. *Id.* at 230.

75. *Id.*

76. *Id.*

77. *Id.*

78. *The Clinton Labor Board*, *supra* note 7.

79. International esteem also exists. See e.g., JOHN COLE, A QUIET AMERICAN MANCHESTER GUARDIAN 17 (2001) (former BBC political editor praising Gould's tenure).

80. LABORED RELATIONS, *supra* note 2, at 58-59, 63-64, 79, 298, 300.

81. *Id.* at 84-85.

82. *Id.* at 51-52.

NLRB expanded the use of 10(j) TROs,⁸³ commenced administrative enforcement of the *Beck* decision,⁸⁴ and rendered decisions in an evenhanded manner that at times benefited both unions and management.⁸⁵ Equally impressive was the Gould Board's expedition of backlogged cases at an unprecedented rate, despite internal politics and Board member vacancies caused by nomination batching.⁸⁶

Nevertheless, there is no shortage of commentators who take Gould to task for many of the political and interpersonal difficulties described above that arose during his term.⁸⁷ Only time will tell with which perception law professors and labor historians will align themselves, and, more immediately, whether the various Boards under the Bush administration will choose to follow their predecessors' lead. In the interim, Gould can surely find consolation at the criticisms leveled against him in baseball great Reggie Jackson's aphorism that they "don't boo nobodies."⁸⁸

83. *Id.* at 178-85.

84. *Id. passim.*

85. *Id. passim.*

86. *Id.* at 287-92, setting forth in both textual and graphic form, the results of an independent Inspector General's report.

87. *See, e.g.,* Andrew M. Kramer, *The Clinton Board: Difficult Times for a Management Representative*, 16 LAB. LAW. 75 (2000) (maintaining that the Gould Board was politically biased against management concerns); Joan Flynn, *A Quiet Revolution at the Labor Board: The Transformation of the NLRB, 1935-2000*, 61 OHIO ST. L.J. 1361 (2000) (asserting that Gould's personality, rather than his academic outsider status, was responsible for both internal and external NLRB frictions); Joan Flynn, *Expertness for What? The Gould Years at the NLRB and the Irrepressible Myth of the "Independent Agency"*, 52 ADMIN. L. REV. 465 (2000) (same). In the former article, Flynn discloses that she was staff counsel to Republican Board member Cohen.

88. *The Baseball Almanac*, at <http://www.baseball-almanac.com> (last visited Feb. 25, 2001). Jackson entered the Hall of Fame as a member of the New York Yankees. *Id.*