

APPENDIX A

ATTACHMENT []

Tony C. Clark
Executive Director
Major League Baseball
Players Association
12 East 49th Street
New York, New York 10017

Re: Joint Treatment Program for Alcohol- and Marijuana-Related Conduct

Dear Tony:

The purpose of this letter is to confirm that the Parties have agreed to establish a Joint Treatment Program to deal with certain alcohol- and marijuana-related conduct and off-field violent conduct by Minor League Players during the term of the Minor League Basic Agreement. Specifically, the Parties have agreed as follows:

1. The Treatment Board, as defined under the Major League Baseball Joint Drug Prevention and Treatment Program, will be responsible for creating and supervising individualized treatment programs for Minor League Players with an alcohol use problem, a marijuana use problem, or Players who have engaged in off-field violent conduct. Notwithstanding the foregoing, if such conduct constitutes a “Covered Act” under the Minor League Joint Domestic Violence, Sexual Assault and Child Abuse Policy (see Attachment []), Player evaluation and treatment shall be pursuant to the terms of that Policy.
2. Referral to the Treatment Board will be mandatory when:
 - (a) A Player is arrested or charged by law enforcement authorities with driving while intoxicated, driving under the influence of alcohol and/or marijuana, or any other criminal violation relating to the use of alcohol and/or marijuana.
 - (b) A Player is arrested or charged by law enforcement authorities with a criminal violation in which the authorities allege that the use of alcohol and/or marijuana may have been a contributing factor in the misconduct.
 - (c) A Player appears intoxicated or under the influence of alcohol and/or marijuana during any of the Club’s games, practices, workouts, meetings or otherwise during the course and within the scope of his employment.
 - (d) A Player is found to have used marijuana in a prohibited location, including but not limited to, a Club hotel or other Club property.

- (e) Club medical personnel reasonably suspect that the Player may suffer from an alcohol and/or a marijuana use problem.
 - (f) A Player is charged by law enforcement authorities with a crime involving the use of physical force or violence, including but not limited to, resisting arrest, battery, and assault.
3. Any Player who is referred to the Treatment Board will be evaluated by the Medical Representatives of the Treatment Board in the case of an alcohol and/or a marijuana use problem, or by a neutral expert selected by the Medical Representatives of the Treatment Board in the case of off-field violence. The purpose of the initial evaluation is to determine whether the Player could benefit from a Treatment Program, and if so, the type of Treatment Program that would be most effective for the Player involved.
4. A Player's participation in any Treatment Program is voluntary. A Player's failure to participate in any Treatment Program shall not subject the Player to discipline. A Player's referral to the Treatment Board is not intended to supplant any right a Club or the Office of the Commissioner may have under a Player's UPC or the Basic Agreement to discipline a Player for his conduct, or any potential defenses of the Player or the Association to such discipline. The Player's participation in any Treatment Program shall be considered as a mitigating factor in any discipline imposed by either the Club or the Office of the Commissioner.

Sincerely,

Daniel R. Halem
Deputy Commissioner &
Chief Legal Officer
Major League Baseball
Office of the Commissioner