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## HR Management

### Hollywood Labor Unions: Building Relationships

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The kind of issues that really concern talent — that is, performers, in some ways they're very similar to the issues that concern Americans in every walk of life, you know, do I have enough money to pay my bills, is my work being fairly compensated, am I being treated with respect and dignity, am I — am I being treated fairly, do I have healthcare for my family? These are all really similar, and that's why we're so much like the rest of Americans no matter what *People* magazine or *Entertainment Tonight* may say.

America is a free country, but how would you like to live in a nation where you're forced to work 12 or more hours for only a dollar or so every day of the week? How would you like to work in unsanitary conditions without restrooms or even clean drinking water, where complaining about any of these things will not only cost you your job but could get you blacklisted from working anywhere? Well, that was the reality for many Americans during the Industrial Revolution, but brave laborers have been organizing since our first states united in order to ease those conditions. The 40-hour workweek, the eight-hour workday, weekends, lunch breaks, minimum wage and minimum safety conditions, as well as a host of other job site improvements, were all won by ordinary people uniting for bargaining leverage supported by government legislation. Such battles were often hard won, with both labor and business sometimes clashing violently, as in the Haymarket Square riot of 1886, but all in all the relationship between industry and organized labor has grown into one of mutual respect, and one industry where that's particularly important is the entertainment industry, where hundreds of millions of dollars can ride on the quality of labor provided to a project and where the intimacies of labor relations are on public display, oftentimes in the very products produced.

They can be very intimate, but sometimes, just like a marriage, they can explode, as we witnessed with Tom Cruise and Sumner Redstone, and also as an actor working in this business, you know, I've had the opportunity to talk to a lot of high-profile actors, and I'm always gratified when they understand what the union does for them and how the union offers them protections that even in the best of times the relationships with the studios don't offer them.

Like many industries, the entertainment industry was once dominated by flamboyant moguls who controlled the production with an iron fist. As emerging media, like motion pictures, radio and television, began to define themselves, only great talents like Charlie Chaplin or Jack Benny commanded instant respect. For most workers, early technological entertainment media were heartbreaking affairs.

One of the earliest forms of entertainment on radio, which became very popular very quickly, was dramatic and comedic radio. A lot of these professional performers were used to working under Actors' Equity contracts on Broadway and some of the big theaters around the country, and they were working in radio, which was a novelty at first, and then eventually they recognized that they were working for what used to be called a dollar a holler, where, you know, you could do a whole show and they'd give you a buck.

Organized labor was already making major inroads in America in the early twentieth century, when motion pictures and radio were in their golden age. The American Federation of Labor was already protecting craft labor, but its sister union, the Congress of Industrial Organizations, had not yet been formed.

The AFL-CIO is not really a traditional union. The AFL-CIO is an umbrella organization, basically, that represents a lot of labor unions.

In 1925, the Masquers Club was formed by film industry workers fed up with grueling working conditions in Hollywood. By 1933, they would evolve into the Screen Actors Guild of America.

About the same time, ten writers organized the Writers Guild of America to replace its failing predecessor, the Screen Writers Guild.

These days mostly involve new media, new technologies. This is a quickly evolving industry as new technologies turn the traditional push media environment, which refers to three networks, a few cable channels and whatever is playing in your local theater as being your choices for media, to a pull environment, where you have now five networks, an enormous number of cable channels and the ability to go to a video store, to download, to buy DVDs. Your entertainment choices are much broader than they used to be not only at any given time, but because of devices like TiVo, whenever you choose to watch what's on TV, you can watch it, and programming has become an irrelevant concept for a lot of people.

In 1937, the American Federation of Radio Artists was formed to support radio talent like comedian and singer Eddie Cantor, the union's first president. In the 1950s, a similar union of television labor was created and soon merged with them.

AFTRA has extremely close relations with both the other unions in our industrial sector, the media industries through the AFL-CIO, which we are very proud to be part of, and through the AFL-CIO we are building a new form of unity in the media industry unions, called an Industry Coordinating Committee. What that's designed to do is to coordinate the activity of ten or twelve major unions across the media industries both in live theater and also electronic media.

Today one of the most challenging issues in labor is assuring workforce diversity. Increasing roles for union members of all races, genders and sexual orientations both in front of the curtain and behind it have expanded the support demands made of entertainment unions.

There are Spanish-speaking SAG members across this country who do the same kind of work that English-speaking actors do, have as many people watching their work as watch English-speaking actors work, and they work for a fraction of what we make.

Such challenges mean that unions may find themselves playing greater roles in securing benefits and services, such as onsite childcare, for member talent, but one of the most difficult issues such unions face given that entertainment remains largely a meritocracy, is assuring equal work for equal pay.

It is a bit of an old boy network, and male stars are paid more than female stars are, Caucasian actors for the most part are paid more than actors of color, and that's endemic in this society and it's one of the big problems that we have in America that I'm constantly working on. Who knows if it will ever go away.

Unions like the WGA, SAG and AFTRA are all designed to protect average workers, but what happens when a small player like an independent filmmaker whose budget can't support union wages and benefits comes along? Union flexibility in such circumstances is one of the key ways that unions attract new members.

Our relation to those individuals is once you get the job, come talk to us and we'll see if we can — we can raise the bar for you so that your next job is covered and you do get the benefits.

The most powerful tool that organized labor possesses is the strike, a cessation of all work by the union against an offending company or industry. A strike can be a hardship for union members and devastating to their industries, but for labor negotiations to have teeth, strikes are sometimes unavoidable.

There was a massive strike in 1919 in Broadway, where the chorus kids all walked off the Broadway shows and staged a huge march up Broadway, and all the — all the leading performers joined them, and that was the moment that Actors' Equity turned from a struggling organization that was trying to get a foothold into the trade union which really represented all the workers, and it took a big strike to do it.

Strikes must not only be carefully coordinated within a union but may also involve other unions, such as the Teamsters, whose truck drivers deliver goods to studios, for example. Sometimes a strike may affect several unions at once, such as if wages are impacted for both talent and writers. In such a case, one union may be presented with an opportunity for settlement while a sister union is still in negotiations.

Truthfully, the only thing to be done about that is that everybody needs to understand the rules going in and you have to make a solidarity pact and agreement that you're going to stick together, that nobody settles until everybody settles.

As various forms of media evolve, entertainment unions find themselves more relevant but also hard pressed to define the scope of their influence. For example, when an actor like Keith David or CCH Pounder appears as voiceover talent for a computer game like Interplay's *Fallout* series, are they actors or radio talent? Under which union's jurisdiction does the job fall? Certainly all involved can anticipate new and hybrid media emerging in the future.

We have to make sure as a union, and all the talent unions have to make sure, that those people who break in through those mechanisms know that when the time comes to put that show or that movie on a big screen or release it in a DVD or distribute it through a download mechanism that's owned by Time Warner or Disney or News Corp, that they will need guild protection.

The forms of new media aren't the only challenges to today's unions. With the makeup of the U.S. population shifting to a larger proportion of retirement-age citizens, unions, like business, will find more demands for retirement benefits supported by fewer frontline workers and contributors.

In our particular industry, the fact is is that it's a growing industry yet again. It's growing. It's bringing more and more people into the industry. There's going to be more revenues flowing through the industry, so our demographic problem is going to actually solve itself because of the

expansion of the industry, so that's kind of actually pretty exciting. Now, our job, of course, is to get all those workers and artists into our pension plans so that we can support each other.