

Striking writers are determined, wary as contract negotiations restart

By David Walsh
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Negotiations between the Writers Guild of America and the Alliance of Motion Picture and Television Producers (AMPTP) resumed November 26, more than three weeks after talks between the two sides broke down. Some 12,000 WGA members on both coasts walked out November 5, four days after the expiration of their contract with the Alliance members.

The writers have been demanding greater compensation for the sale of their films or television programs on DVD (they currently receive a derisory sum) and for the distribution of their work via the Internet and other new media (in some cases, they presently receive nothing).

The site of the new round of negotiations, a hotel in Los Angeles, has not been revealed and the two sides have agreed not to comment to the media about the course of the talks. The contract discussions are scheduled to last at least three days.

The *Los Angeles Times* noted the comment of an individual briefed on the 8-hour session Monday that “nothing substantive” had occurred on the first day of talks. On the other hand, Deadlinehollywooddaily.com reported the remark of “a very reliable source” who claims “there appears to be a deal seemingly in place between both sides.” *Variety*, the industry trade paper, wrote, “Still, there’s also plenty of room for pessimism given the wide gaps in bargaining positions, the complexity of setting formulas for new-media work and the bitter tone of public comments.”

One screenwriter told the WSWS about the general mood of the writers: “Some people on the picket line are hopeful, others are skeptical, all are wary.”

The writers have good reason to be wary. The studios and networks acted in an arrogant and bullying fashion from the beginning of talks in July. They demanded a series of roll-backs, including an overhaul of the residual (royalty) system that would have resulted in writers not being paid until the employers recouped development, production, marketing and distribution costs. The AMPTP also wanted concessions on health benefits and a host of other issues. All this under conditions in which giant firms like Time Warner, Disney, News Corp. (Fox), General Electric (NBC), CBS and the others continually boast about their billions in profits and the massive salaries paid to top executives.

At the same time, the writers have every reason to be

vigilant in regard to the WGA leadership, whose predecessors gave in on the DVD issue in 1985 and in every negotiation or dispute since that time. The countless rumors about “back channel” talks involving studio chiefs, big-time agents and guild officials alone are grounds for concern. Writers should demand to know what is being discussed and with whom.

Clearly, the Alliance has been obliged to change its tone and perhaps its tactics by the solidity of the strike and its support within the film and television world and the population at large.

In a recent poll, for example, *Variety* surveyed 1,000 of its readers and found widespread support for the writers. *Variety*'s editor in chief Peter Bart, in an op-ed piece in the *Los Angeles Times*, noted that the median income of a subscriber to the publication was “more than \$400,000 a year—this is not exactly a predictably pro-labor constituency. ... Yet the survey also indicated that 54 percent believe the strike ‘was necessary at this time,’ and a surprising 69 percent believe the writers have been ‘more honest and forthright’ than the studios.”

Many leading actors, showrunners (creators or executive producers of television programs) and independent film producers have been forthright in their support for the writers, both verbally and in person on the picket lines. Some 50 television shows and several feature films have been shut down or postponed.

At speechlesswithoutwriters.com, Sean Penn, Susan Sarandon, Harvey Keitel, Holly Hunter, Laura Linney, the cast of the television program “Ugly Betty,” two stars of “Desperate Housewives,” Ed Asner, Demi Moore, Martin Sheen, Julia Louis-Dreyfus, Jenna Elfman, Patricia Clarkson, Andre Benjamin, David Schwimmer and others appear in short videos supporting the strike.

It may very well be that their isolation and unexpected financial dislocation have forced the studios and networks to return to the bargaining table under conditions not of their choosing.

However, strikers and their supporters should not deceive themselves. The predatory studio and network chiefs have not abandoned their central aim in these negotiations: to lower costs, further rationalize the industry and guarantee for themselves an overwhelming share of the wealth that will be generated by the Internet and other digital media.

“Hollywood executive” has long been synonymous with

chicanery and even outright criminality. Moreover, immense political and financial pressure is being brought to bear on the WGA hierarchy. There is a very real danger that if the companies offer some minor concessions, guild officials will jump at them.

Pickets at Universal Studios

A determined mood is still evident on the picket lines. The WSWS talked to strike captain Danny Warren outside the gates of Universal Studios in Burbank, California.

“We’ll keep pounding the pavement. Nobody wants to be out here for a year, but if we stop we’re not going to get the deal we want.

“We’re not happy, but we are determined to be here and I think we’re being effective.”

When a WSWS reporter asked Warren what would happen if the union leaders accepted less than the writers were asking for, he said, “I just want a fair deal. But that’s me; everybody’s different. I don’t think that the DVD question is important. In ten years that format will be dead. Look at CDs; they’re not important anymore.”

When asked if he had any hopes of reaching a settlement soon, Warren said, “Today I do.”

On the other hand, Jeremy Owens, ex-member of the WGA and a supporter of the strike, said what he hoped from today’s ongoing negotiations was “nothing but the studio chiefs’ heads on a platter.

“We need to share the profits, we are just asking for a cut of the profits; give us part of the money we are making to make them rich.

“We want a reasonable standard of living for the things we do. A share of the profits.

“In the 1980s they told us that they needed some time to see if the VHS format was profitable. Five years went by and we got nothing and when we protested they said, ‘Good-bye, you signed a pact.’ Today is the same thing with cable and there’s no way we’re going back to work unless they pay us for profits coming from new media.”

Writers at New York rally

Several hundred striking writers and their supporters participated in a “labor solidarity” rally in Manhattan’s Washington Square Park Tuesday. The union leadership

turned over the rally to the millionaire Democratic politician and presidential candidate John Edwards as well as congressmen Gary Nadler and Anthony Weiner, along with some lesser lights in the Democratic Party, who mouthed empty phrases about “solidarity” and “fairness.”

The turnout was less than impressive, given that the New York City labor bureaucracy was supposedly mobilizing in support of the three-week-old strike. While several union officials were present, including United Federation of Teachers President Randi Weingarten, there was no indication of any effort to mobilize their memberships. Among those who did turn out were a number of actors.

David Bodemschatz, a member of the Screen Actors Guild, who has been acting in New York for the last two years, told the WSWS: “I’m here in solidarity to support the strike. The directors and actors contracts are expiring in June, but I would be out here even if our contract wasn’t expiring. The issue here is the residuals for DVDs and re-runs. This is also true for the new media, the payment for which is like the wild, wild West.

“For the actors it is case-by-case who gets paid what. There needs to be one large umbrella for all. The strike has effectively put current productions at a standstill. It hasn’t affected television yet, but in about two months it will affect what we see on TV. Because of the strike I had to stop my own work in films and television, because there are no new scripts.

“The role of the unions is weakening. Some of this is the unions’ own fault, which is the result of the underhanded dealings of the union leadership.”

Kay, a member of the Writers Guild, who has been writing for the past six months for a major network TV drama, told the WSWS: “The major issue is the new media. Writers are very upset over the home video formula, which is now the formula for DVDs. In the new contract we are trying to recover some of what we lost over the years as a result of the old contract.

“The last time the conglomerates said that they would study the new media and then pay us fairly. They never kept their promise.

“I am concerned about the issue of creative material. The studios control what we write. The studios own our scripts. Writers feel very unhappy about this. I have accepted this as a regrettable fact of life, but I am also not happy. As far as I know the union has never raised this as an issue.”