# Union splits ranks in US television technicians' settlement

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As a result of the contract vote that was counted last Friday, National Association of Broadcast Employees and Technicians (NABET) members will be working under the provisions of ABC-TV's most recent offer while a majority of union members will still be working under the provisions of a contract that expired in March 1997.

These are the terms that NABET accepted to end an 11-week lockout. The union officials agreed to ABC's demand that not only will the union make its members vote on what the company called its last and final offer, but that the vote will take place according to separate job title units. Furthermore, it was agreed that if any of the divisions accepted the contract, they would fall under its terms even if other units rejected it. This is exactly what happened.

The engineers, who make up about 80 percent of the 2,400 NABET membership, rejected the offer. The engineering unit includes camera and videotape operators, technical directors, editors and graphic artists. Other units that rejected the contract were desk assistants, couriers, and radio talent coordinators in New York, and news writers and producers in San Francisco. Accepting the offer were news writers and telephone operators in Chicago and news writers, maintenance workers and radio coordinators in Los Angeles.

The terms of the contract are so meager that the union leadership was compelled to urge its membership to vote no. The most important section in the contract calls for a dramatic increase in per-diem or contingent workers. The daily hire cap increases to 26 percent, 35 percent, 40 percent, and 45 percent respectively on January 1 of each consecutive year. The no-layoff clause in the old contract is eliminated, and contracting out in the new one is greatly expanded.

The use of part-timers is the most contentious issue of the struggle. Since the multimedia conglomerate, the Walt Disney Company, acquired ABC from Capital Cities in 1996 it has been seeking to increase the use of part-time and temporary staffing. According to one estimate, the two other major television stations in the US have about 35 to 40 percent of their work force as day laborers as compared to 14 percent for ABC. The drive for per-diem labor is a result of the vast changes in the telecommunications industry resulting from the vast growth of cable channels and new television networks, which are staffed with technicians, freelance writers and producers who lack job and income security.

Another important section of the contract makes it much easier for the company to fire employees for "unsatisfactory performance," which would now include absenteeism and lateness. The new contract also makes it much more difficult for the employees to successfully win their grievances against the company. In addition, the company will impose what it calls its Disney Signature Medical Plan, which is not only inferior to the health plan under the old contract, but which under the terms of the new contract can be unilaterally modified or even terminated at any time by ABC.

Indeed it was Walt Disney's decision to impose its health plan, as well as the fact that the two sides had not negotiated a new contract since the old one expired in March 1997, which provoked a surprise 24-hour strike on November 2, 1998. The company responded by locking out all of its striking members. The union leadership reacted with a strategy that fits the pattern by which the AFL-CIO has led one strike after another to defeat. The leadership called for support from the Democratic Party, it relied on the courts to defend the

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union, and called for a consumer boycott by handing out flyers asking people not to watch ABC or buy products at Walt Disney stores.

NABET appealed to the National Labor Relations Board to declare the company's lockout illegal. Instead the NLRB decided on November 19 to sanction the lockout. Emboldened by this judicial decision, ABC decided to end all of its health benefits to the workers whom it had locked out.

During this time, the union repeatedly stated that it would never agree to the company's major demand to end the lockout by agreeing to give advance notice of any future job actions. It stated that to do so would destroy all of its bargaining power in the contract negotiations. But in the third week of December it did agree to bring before the membership what ABC called its last and final offer. However, members at these meetings found the contract provisions being proposed so offensive that they made it impossible for the leadership to call a formal vote.

On January 15 the union leadership completely caved in, and agreed to all of ABC's conditions for ending the lockout. The company then ended the 11-week lockout with the understanding that the union would give the company no less than a 3-day notice of any job action affecting regular broadcasting, and a 14-day notice for any job action affecting the production of any future broadcast that might be planned or scheduled.

ABC has stated that it will not give the workers at those units who rejected their proposal anything better than those who have accepted it. Nevertheless, the union leaders have asked the company to return to the bargaining table. Despite this debacle, the union leadership is continuing with the same strategy. For example, it is seeking to have the NLRB reverse its previous decision and declare the lockout illegal. At the same time, the company has the option of seeking to have the new contract imposed on the entire membership through court action.

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