

Death of Hollywood stuntman highlights dangerous working conditions

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John Bernecker, a 33-year-old stuntman on AMC's popular show *The Walking Dead*, died July 13 from injuries suffered from a 22-foot fall on the show's set in Georgia.

Bernecker fell from a balcony onto a concrete floor, suffering a head injury, and was transported by helicopter to Atlanta Medical Center, where he was pronounced brain-dead and taken off life support later that afternoon. According to an assistant director on the show, Bernecker missed a safety cushion "just by inches."

His death is only the latest in a long history of deaths and devastating injuries suffered on film sets since the very earliest days of film production.

Over the more than a century of film production worldwide, precise records of on-set deaths and injuries have not been kept, attesting to the callousness of the studio system's mad rush for profits. But estimates are that stunt work alone accounts for more than half of all film-related injuries, with five deaths occurring for every 2,000 injuries, a rate that is higher than in law enforcement, road construction or mining and puts the number of dead throughout the history of film production well into the hundreds.

According to a 2016 Associated Press (AP) report, at least 43 people have died on sets in the US since 1990, and more than 150 left with life-altering injuries. Despite the significant numbers, the dangers of working in the film industry have been systematically obscured from public view.

"I think it's always been something that's been swept under the rug," journalist Stephen Farber told the AP. Farber has written extensively of the aftermath of the deadly 1982 *Twilight Zone: The Movie* helicopter crash that killed actor Vic Morrow and two children.

Deaths and injuries on film sets often go under-

reported and improperly investigated. More often than not, witnesses are reluctant to come forward in an industry where the vast majority of workers have no way to protect themselves from retribution for blowing the whistle on unsafe conditions. In an industry with a history of political blacklisting, being a whistleblower carries the risk of seeing one's career destroyed overnight.

Fatalities related to film and television productions declined steadily through the 1990s as digital effects increasingly came to replace risky stunts. Since 2010 that trend has reversed as producers have demanded more spectacular and dramatic footage on ever decreasing budgets and particularly with the proliferation of reality shows competing for the attention of viewers in an increasingly crowded field.

In 2014, basic safety rules were discarded when a bed and film crew were brought on to active train tracks on a bridge crossing the Altamaha River in Wayne County, Georgia during the filming of the Gregg Allman biopic *Midnight Rider*. A train arrived on the bridge and collided with the bed, instantly killing first assistant camera person Sarah Jones and injuring seven others.

The film's producers had previously been denied permission to film on the tracks but decided to continue shooting illegally without informing the rail company that owned the bridge. Not even a minimum level of precaution was taken, such as stationing a lookout further down the tracks. The crew was informed they would have 60 seconds to vacate the bridge in the event a train appeared.

David Michaels, then Assistant Secretary of Labor for the Occupational Safety and Health Administration (OSHA), told the *L.A. Times* in 2015, "Often when we investigate fatalities, we find that they were predictable

and preventable. They often involved cutting corners, hurrying things up to save money or both and the result is tragedy.”

In March of 2015 the trend came to a head when two helicopters collided during filming in Argentina for French reality TV show *Dropped*. All 10 people on both helicopters perished in the horrific accident. In December of that year another helicopter crash in Argentina, this time for an MTV reality show, killed the two people on board.

“It’s truly remarkable to me that production companies can use ultra-advanced technology to make spectacular films but too often they won’t spend the modest resources necessary to make sure their workers are not injured or killed on the job,” Michaels remarked.

Despite such protestations from Michaels, a leading work safety official in the Obama administration, the federal government has made only token efforts to punish the egregious negligence and callousness of the major studios toward their production workers that has taken place during the bloody uptick in accidents that have occurred under the Obama’s presidency.

The 2016 AP study revealed that in response to 15 fatal on-set accidents the OSHA has levied \$404,000 in fines. As the agency’s fines are often contested, that figure has been reduced to \$236,000 on appeals.

Just as with fines it levies on other large corporations, OSHA’s penalties for the major studios and production companies do not even amount to a footnote in the financial reports of an industry that made a record \$11.4 billion last year.

Picking up right where Obama left off, the policies of the Trump administration have been entirely geared toward protecting the profits of major corporations from government regulation. Under Trump’s proposed 2018 budget that would see defense and security spending increase by \$54 billion to \$603 billion, the budget of the Department of Labor, which OSHA is a part of, would be reduced by \$2.5 billion. Indeed, since Michaels left his post at the conclusion of Obama’s term, it has become another in a long list of federal appointments Trump has left unfilled.

Safety issues on set have become a major point of contention in discussions surrounding the tentative contract the Screen Actors Guild-American Federation of Television and Radio Artists (SAG-AFTRA) agreed

to on July 4 with the Alliance of Motion Picture and Television Producers regulating pay and working conditions of actors and performers on television and movie sets. (See: Hollywood averts a third major strike with SAG-AFTRA deal)

SAG-AFTRA’s lack of regard for safety was revealed in a 2015 incident on the Georgia set of the Lionsgate Films sci-fi film *Allegiant*. During a chaotic fighting scene involving more than 130 untrained extras—including 30 children, some as young as four years old—steel and aluminum weapons, some with sharpened edges, were distributed as props.

When a whistleblower on set called the SAG-AFTRA safety hotline to report the dangerous environment for the child actors, the person got only a recording. The whistleblower proceeded to call SAG-AFTRA’s stunt and safety office in Los Angeles, SAG-AFTRA’s rep in Georgia and the union’s Southern regional office in Miami, receiving no answer or recordings.

SAG-AFTRA’s unwillingness, and one might add, inability, to fight for improved safety on sets, particularly over the past decade that has seen an increase in death and injury as the competition for viewers has intensified, is a reaction to the same pressures that have led unions in all industries to collude with corporations in eroding safety and workplace conditions.



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