

(S4,E7) Writers on Strike

My parents are teachers and both proud union members, so I've grown up with a nebulous understanding of the labour movement, the ingrained knowledge that you should never cross a picket line and a strong desire to yell "scab!" at anyone who does. I also currently work in an industry that has a very active union – I've been on strike 9 days out of the last 12 months as we renegotiate our agreement.

But prior to my current job, I worked in a lot of industries without a strong union presence and with a lot of young people. One thing that has really stood out to me over time is that there's been a limited understanding, especially among my younger colleagues about unions, how they work and why they're so important. The history of the labour movement is not something that's really addressed in schools and worker's rights and conditions have continued to be steadily undermined in the legal system, so I think it can be something that a lot of people miss out on.

Now, this is a pop culture podcast, so I don't want to spend 20 mins explaining how management is stealing your time and joy from you and has been for over a century. But the writers are on strike, which means we do have a nice pop cultural lens to talk solidarity through.

I'm Alex – this is Pop Culture Boner, the podcast edition, and today, I'm thinking

about the Writer's Strike.

Now, you might have seen in the news recently that the Writer's Guild of America is on strike for the first time in 15 years, after negotiations with the Alliance of Motion Picture and Television Producers, or the AMPTP, broke down. Some of the industry's biggest productions have ground to a halt, including things like Disney's Star Wars property Andor or Netflix's Stranger Things, and the late-night shows like Saturday Night Live, or the Tonight Show. Writers have formed picket lines outside the headquarters of large studios like Netflix, Amazon and Disney. There are also digital pickets, with some writers opting out of promoting the shows that they've worked on.

While the 2023 strike contains the usual negotiations around pay rises, there are also a few really specific things that are worth noting – the Writer's Guild wants to put protections in place that ensure writing is a viable job for people into the future. This includes provisions to make sure that writers rooms have a minimum staffing and duration of employment, and that streaming services offer viewership-based residuals with transparency in viewership numbers. Plus they also want regulation of the use of artificial intelligence on projects covered by the Writer's Guild's agreement. Specifically "AI can't write or re-write literary material; can't be used as source material; and MBA-covered material

can't be used to train AI."

The WGA is the first on the negotiating block, but other entertainment industry unions are approaching negotiation periods. In recent days, the Screen Actors Guild – American Federation of Television and Radio Artists (SAG-AFTRA), which is the union representing performers, encouraged members to vote to authorise a strike should they reach a similar impasse with AMPTP.

I think with all these acronyms flying around and a limited understanding of unions or Hollywood history, it can be hard for most people to comprehend why writers or actors, who are perceived as being successful or wealthy, would need to go on strike. So, I thought for this week's episode we could have a look at the history of the entertainment unions, the 2007-2008 writer's strike and its aftermath, and how that will potentially shape the course of the 2023 strike.

Like I said, I've worked with a lot of younger people who have a limited understanding of what a union is and does, and the more conservative commentary on unions would have everyone believe that they're operating to destroy the world. So, I thought we could start with that and then talk about who's at the negotiating table for the Writer's Strike. Now, keep in mind I'm going to do this brief union history without a tonne of nuance because it would be hours long. I am also doing this off the top of my head. So, if you already know about unions and you think I'm generalising, please take it to your nearest non-union co-worker. I've paid my union dues, and they need the education more than I do.

Anyway. The striking writers belong to a trade union – trade unions are organisations of workers who negotiate collectively to improve the conditions of their employment, including important things like wages, health and safety regulations and general working conditions. Unlike work in previous centuries, you and I don't really own what we produce. When we work, we're selling our time, which was basically a foreign concept prior to the Industrial Revolution. The people who own what we make can't make it without us, but they've also historically cared less about whether our working conditions are safe and we're paid well, and more about whether they are continuing to make money. Which historically, lead to some genuinely horrific conditions. Look up the Triangle Shirtwaist Factory Fire if you want just one example. In order to, at a minimum, stop dying in horrific industrial accidents, workers started organising and withdrawing their labour to ensure their needs were met. And your modern union operates in much the same way – they go out to the affected workers, gauge their needs, then negotiate on their behalf to get a deal that ensures improved working conditions. Overall, it's a pretty simple concept. There isn't really anything spectacularly nefarious about a trade union. Except a police union. I'll include some links in the show notes on the history of police unions for anyone who considers police to be workers rather than blunt instruments of authoritarian rage. But fuck a police union.

So, the Writer's Guild of America is one of these trade unions. It was founded from a group of other labour unions representing writers in different mediums who merged

in 1954 to represent writers for film, television, radio, and eventually, online media. The WGA is comprised of two affiliated branches – the WGA East and the WGA West who negotiate a Minimum Basic Agreement, which outlines what writers should be paid and how, plus – because it's America – things like health insurance, that are typically paid for by an employer. The Minimum Basic Agreement is renegotiated every three years or so and is what's currently tabled for discussion.

So, who are they negotiating with? In the left corner, weighing in at a whopping 224 pounds, it's the AMPTP! The reason for the big wrestling intro is because the AMPTP is a bit of a weird one. It's made up of over 350 film and television producers – including film studios like Universal or Paramount, broadcast networks like NBC or CBS, and streaming services like Netflix or Apple TV+. Under normal circumstances, unions are generally negotiating with a single entity. Take for example, the Starbucks Workers Union. They're making great gains with their unionisation efforts, but they're currently negotiating every contract per store, which is 300 small negotiations and counting. Starbucks Workers Union have recently asked that Starbucks come to the table to negotiate a single deal which would apply nationally, which the coffee giant is refusing. Even in these hundreds of tiny negotiations, they're still only negotiating with Starbucks. Now, imagine that every other chain coffee store got involved, and some of the better independent coffee stores too. They develop a trade organisation called Corporate Coffee Shills United, and Dunkin Donuts is there along with your artisanal

local coffee shop. Suddenly the coffee store owners have a lot of power to liaise and set prices with each other through Corporate Coffee Shills United, and their financial resourcing is expanded, so when the baristas finally decide they've had enough of the working conditions and lay down their tools, Corporate Coffee Shills United can afford to wait them out for 40 days instead of 20.

That's essentially what the AMPTP is – it's a trade association that represents the interests of the studios in their contract negotiations with the various entertainment industry unions, including the writers, actors, directors, musicians, set decorators, electricians, teamsters and anyone else associated with movie production. Even though they liaise with each other regularly and frequently show up in support of each other's strikes, the entertainment industry unions bargain separately, as their contracts with the AMPTP expire in a rolling effect. This can make things complicated, in that sometimes, different union interests won't be aligned and it can put pressure on the other unions to agree to terms which may not be favourable for those specific workers.

Now, because the average consumer really only sees the magic of the movies and not how the sausage is made, there's a tendency to romanticise the work. As with a lot of creative industries, this is leveraged by the studio owners as a veiled threat. You're lucky to be here, this is someone's dream job and if you don't like it, there's 100 kids waiting outside ready to take your place. But in reality, working in Hollywood is hard – it's weird schedules, long hours, a lot

of travel, and depending on your role, physical danger. Moves that have been successful in other industries to weaken trade unions have failed in Hollywood precisely because the work is hard to do and competitive to break into. As an aside, I'll pop a link in the show notes to Hadley Meares' article in the LAist about the 6 month set decorators strike in 1945 that resulted in a riot that injured 40 people. It's not relevant enough for me to go into in more detail here, but it's a good read.

Anyway, strike action isn't something that entertainment unions necessarily are shy of. The WGA East and West negotiate their contracts together and have taken strike action six times throughout their history. The longest strike was in 1988, at 153 days, followed by the 148-day strike in 1960, and the 100-day strike in 2007-2008. Now, striking workers don't get paid, so most trade unions operate a strike fund to pay the most impacted workers a wage during the industrial action. I mentioned sometimes there was a tension between the different entertainment unions' demands, but they've actually historically been pretty good about supporting each other. Because the WGA understands that the moment they withdraw their labour, production on most things shudders to a halt, and that a strike has flow on effects for other workers (for example, set designers, electricians, etc), they also raise strike funds to support other workers who may not be able to work because of their strike.

Now, I want to walk us back 15 years to the last strike to talk about what some of the demands were, the immediate

impacts and how the strike was resolved. Historically, writer's strikes have taken place at moments of technological upheaval. For example, the 1960 strike coincided with a post-war boom in film and television, resulting in the first residuals, or royalty payments, for writers. The strikes throughout the 1980s had much to do with developments like home video, or cable, and how residuals or payment generally was rendered for those new mediums. The 2007-2008 strike was no exception, coinciding with the early days of 'new media' – the internet was fast becoming an entry point for consumers, but because technology moves so quickly, there were no rules in the Minimum Basic Agreement that covered residuals or compensation for these new media channels. To a reasonable person, it might seem like common sense to extend existing residual agreements into new media formats until a new formal agreement could be negotiated. But, as anyone who's ever had a boss can attest, that's not actually how bosses work.

In an oral history of the strike by Rebecca Ford and Lacey Rose in the Hollywood Reporter, Damon Lindelof, known at the time as the showrunner for *Lost*, recalls that the pieces dicked into place for him after seeing billboards advertising *Lost* as one of the first series to become available in the Apple Store. At the time he felt a sense of pride, but hours later was hit with the realisation that consumers were paying \$1.99 per episode download, and there was no recourse for him to be compensated for the work. Instead, the profit remained with ABC, the network airing the show, and Apple. In a new media landscape, writers across the board were instantly losing out.

Also on the negotiating table was the formula calculation for DVD residuals and jurisdiction over reality TV and animation workers. Despite attempts from the WGA to make concessions, including removing their DVD residual proposal from the bargaining table, the AMPTP refused to budge on new media specifically. On 4th November 2007, negotiations broke down completely and by the 5th November the WGA had declared a strike, setting up picket lines at major studios and productions. And in case, for whatever reason, you're thinking that the writer's were probably being unreasonable about the AMPTP's proposal, here's a little taste of what was offered. According to a statement released following the breakdown, in response to the WGA requesting compensation for new media projects, the AMPTP rejected almost everything on the table. They essentially put forward that writers who wrote for new media companies like streamers weren't eligible to be covered by the Guild or their Minimum Bargaining Agreement, the bits that were covered weren't compensated, and they could essentially reuse what was produced without any of the typical compensation provided for film or TV writers. Essentially, they were repeating the same arguments from the home video fights 80s – it was an untested market, they had no way of knowing if it would succeed. They would renegotiate in the future. It's worth noting here, that previous promises to revisit demands when the market was tested hadn't been met.

Anyway, the strike was called and film and television in this period started to become deeply, deeply weird in a way

that I think has been lost to the sands of time a little. Numerous shows were cut short or left without the guidance of show-runners, leading to some unhinged and ultimately disastrous attempts to make plots see sense. For example, following a career as a child star, Jesse Plemons became TV's most prolific child murderer, after his character, who had been the comic relief up to that point, bludgeoned a kid to death on Friday Night Lights. The show never addressed it again after the strike was resolved and then Plemons went on to play an unrepentant child killer in Breaking Bad. Actor Daniel Craig had to become a writer on the Bond instalment Quantum of Solace – a skill which he, by his own admission, does not possess and which I think is evident in the final product. That bit in Twilight where Edward hoists Bella up on his back and says, "Hold on tight, spider monkey" and we all just went, "sure... spider monkey, I guess"? Direct result of the writer's strike. Director Catherine Hardwicke wrote it up as part of an option list in the middle of the night when she realised that Edward and Bella were once again just going to be staring into each other's eyes without saying anything. And then she gave the list to noted grimy little weirdo Robert Pattinson and let him pick which one he wanted to do. Hence, spider monkey.

The late-night shows, which operate without a backlog and were the first to shut up shop ended up back on the air in December, after negotiations between the AMPTP and the WGA broke down further and hosts like Jimmy Kimmel and Seth Meyers were unable to afford to continue to pay production staff out of their own pocket. They went back without

writers but in a heavily modified format. For example, Conan O'Brien made a point of making his show as excruciatingly boring as possible, including spending a not-insignificant amount of his on-air time trying to break personal best for spinning his wedding ring on his desk.


For their part, the studios fell back on their time-honoured strike favourites. You know the TV show Cops which features a bunch of cops wandering around? Or sorry... has "no music, no scripted dialogue, no narration; just gritty videos of cops in action during patrols and other police activities." That was first put to air as a solution to the 1988 writer's strike as a way of producing endless unscripted content during the strike. Which is why we always say fuck a police union. In 2007-2008, they fell back on the same tactic and rebooted or extended unscripted reality shows, like The Amazing Race and Big Brother. Perhaps most devastatingly for the current timeline, they also rebooted The Apprentice as The Celebrity Apprentice, starring future United States President Donald Trump. That's right... if you don't pay your workers you can forever destroy a future reality.

It was a weird time for media consumption, and a weirder time behind the scenes. Negotiations broke down regularly and normally friendly relations between colleagues turned strained. When the AMPTP axed 40 writer-producer contracts, some key groups within the WGA began pushing to end the strike. Unfortunately for them, the Directors Guild also agreed. Despite requests for the DGA to hold off on signing their deal until the WGA's negotiations were resolved, they signed on to their agreement in mid-

January, which significantly weakened the WGA's bargaining position, which was previously bolstered by threat of a potential strike. The entire thing ended up costing Hollywood around \$2.1 billion according to the Milken Institute. Despite claiming that new media and the internet was an unproven market that they were unsure about, streaming service Hulu went live a month after the strike ended.

In the aftermath of the strike, many writers have claimed that there has been a punitive air that has permeated writer's rooms in the years following. Speaking in 2018, Bryan Fuller, who was the showrunner for Pushing Daisies during the 2007-2008 strike said, "It's no exaggeration to say there was a punitive cloud that wove across writers rooms and interactions with studios for years. There was a lot of blame going around." Writing in 2010, in the immediate aftermath of the strike, Felicia D. Henderson, who wrote on shows like Gossip Girl and Fresh Prince of Bel-Air, talks about receiving smaller pay offers despite gaining more writing skill and experience, because studios claimed that the industry was in recession because of the strike. "The position", she says, "is that the writers are lucky to have a job offer given that they are personally responsible for the industry's so-called downturn, the state of California's record level unemployment numbers, and the nation's recession." The movie industry has largely proven recession proof, as an aside.

Anyway, with an unrelated national recession on the horizon and the 2023 writer's strike ongoing, what can we learn here. For a start, studios employ people who spend time future-gazing, and they have consistently downplayed



industry developments in order to squeeze people making the product. They did it with home video, and they've done it with streaming – you might have seen striking writers showing off their 3 cent residual cheques from Netflix. Charles Bramesco, writing for the Guardian says, "Corporate greed, motivated by an untenable mandate from Wall Street to somehow sustain exponential growth forever, represents a suicide spiral for showbiz." If the WGA is concerned with AI and shrinking writer's rooms from their perspective on the ground, then they're right to jump on the studios early. Never trust management – they're not in it for you.

Moreover, I think the failures of the last strike partially come from a failure in solidarity. By breaking early the DGA weakened the negotiating position of every other union to follow, and it had a significant impact on both the outcome of the strike and the punitive measures taken by studios into the future. One of the things that's most heartening about this strike has been seeing early solidarity, not just from high profile SAG-AFTRA members (shout out to my good boys Colin Farrell and Chris Pine), but also from the Teamsters. Lindsay Dougherty who is the head of Los Angeles' Local 399 and the director of the Teamsters Motion Picture Division has pledged that Teamster trucks would not cross picket lines. That includes people like casting directors, location managers, prop warehouse workers and animal trainers. She said, and I quote: "What I'd like to say to the studios is: If you want to fuck around, you're gonna find out." She also has an enormous tattoo of Jimmy Hoffa and I'm in love with her.

But that's not the point. The point is: it's an interconnected industry and solidarity is important. That goes for every industry. They cannot reward people who wear the strike down or take punitive action against those who remain strong if we're all standing together. In our hands is placed a power greater than their hoarded gold. Greater than the might of atoms, magnified a thousand-fold. We can bring to birth a new world from the ashes of the old, for the union makes us strong. Solidarity forever.

Did I write an enormous script about unions because I just think it's important for us all to know and love our union? Yes. Yes, I did. Do I have much of an outro left after all that? Not really. But! If you'd like to talk to me about how the fact that without our brain and muscle not a single wheel can turn, and how we can break their haughty power and gain our freedom when we learn that the union makes us strong... talk to me about it next time you see me at the pub! Peace! Solidarity forever!



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