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Actors' Labor Plan in Need of a Rewrite

By JONATHAN HANDEL

Hollywood's labor troubles seemingly haven't been so bad since the days of police brutality at studio gates, when actors, writers and directors were first trying to unionize. That's an exaggeration, of course (and there has been much turbulence in the intervening years), but even in the dark and primordial days of the 1930s, it would have been hard for organizers to imagine the paradox of 2007-08: a writers strike over new media – the Internet and cell phones, both unimaginable 70 years ago – that lasted 100 days despite the fact that there's been scant money in these media to date and not much likely for the next few years.

The writers strike settled in February, but in the months since, the Screen Actors Guild has been flying apart at the seams like a rag doll spun through the air by a petulant 2-year-old. First came SAG's ill-fated attempt to marginalize a smaller actors union, an effort that only succeeded in helping that union, the American Federation of Television and Radio Artists, become a more effective rival of the guild. AFTRA ended up reaching a deal with the studios, while SAG bought itself a continuing stalemate. As a result, SAG members work under a contract that expired almost three months ago, while AFTRA members have the benefit of wage increases and other improvements under a new agreement.

The key sticking point? New media, again. SAG has rejected several portions of the template deal accepted this year by the Writers Guild of America and the Directors Guild of America, and by AFTRA in two separate agreements (one for daytime TV, the other for prime time). The studios refuse to back down, and so does SAG – yet the guild has little leverage (despite making some valid points), because it has no apparent ability to strike.

High threshold

That inability arises because a strike authorization, under SAG rules, would require a 75 percent affirmative vote of those members voting. It's a high threshold that SAG is evidently afraid it can't meet, since the leadership hasn't even sought an authorization. Instead, they've sent out a 12-page booklet attacking the studios' proposed deal, accompanied by a postcard that purports to ask members for an advisory vote on that deal. However, the wording all but preordains the result, and in any case the intent seems less to solicit members' opinions than to shape them. That's what political strategists call a "push poll."

The result of an intransigent yet deleveraged guild has been stalled contract talks. Now we're in the middle of the SAG board elections, further impeding negotiations – particularly since the hostility between the two main electoral factions, Membership First and Unite for Strength, rivals that of the Hatfields and McCoys. Riven by factionalism, split along geographic and economic lines, and divided on how to deal with AFTRA – merge with it? lay waste to it? wish it away? – SAG seems unable to maintain focus on the studios, its ostensible opponents. No such difficulties bedeviled the Writers Guild, let alone the staid Directors Guild.

As a consequence, the actors' blogosphere seethes with resentment, and the entire SAG ecology hurtles along on the denigration express, where name-calling and fear-mongering abound, endless blog comments are the norm, and calm analysis is in short supply. Journalists and commentators (this author among them) are routinely vilified, and at least one prominent journalist-blogger is herself fond of the reportorial equivalent of long knives.

Election ballots are due back Sept. 18, so the results will be known soon. Meanwhile, the advisory survey postcards are due back today, the 15th. Given the timing, the 12-page booklet – which unsurprisingly mirrors the platform of the dominant Membership First faction – amounts almost to an electioneering brochure paid for with union funds.

In any case, the election will probably settle nothing, at least in the short term. Dissension, and the long process of seeking a strike authorization, or restarting negotiations with the studios (depending on who wins the elections), all but guarantee that there'll be no deal before January at the earliest, or perhaps longer, since neither faction is likely to score a knockout punch. That timeline means more uncertainty in Hollywood for months to come, while at the same time driving the apparently-toothless SAG toward declining relevance.

The entertainment industry can ill-afford this continuing disruption – and is ready for it to end – but this particular television series will be on the air for at least the remainder of the fall season. The plot's turning out to be a tragedy with elements of farce, and it seems the show must go on whether the audience wants it to or not. Stay tuned – if you can stand it.

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