

Thank you all for being here. We're going to begin this evening by spending about half an hour talking to you about the Guild's assessment of the state of the industry and our recommendations for the goals of this upcoming negotiation. It may seem as if this process begins tonight. In fact, it has been going on for years -- with the work of the Guild staff, and member outreach in all areas of the business, including a member survey last spring that gave us a broad and detailed map of the landscape of the business as it exists now -- and as it has changed over the last few years. After that, we want to hear what you think about what we are about to propose. As always, it's your active participation in this process that gives the Guild its power.

Fortunately, the work of previous negotiations has left our health and pension plans in good enough shape that they should not need to be a focus of this negotiation. What you will hear tonight are proposals in the areas of features and television, both comedy variety and episodic.

Driven in large part by the shift to the streaming model, writing is being devalued in every sector of the business: in features, with its insufficient streaming residuals and continued reliance on free work -- in comedy variety, whose writers remain

unprotected by Guild standards on streaming platforms – in episodic television, where short orders, endless production calendars, the decoupling of writing from production, and the related rise of the mini room, are an existential threat to writer compensation and power.

Let me be more specific. Our survey tells the story – your story. Almost seven thousand of you responded. You wrote to us in detail, with anger and sometimes with anguish and fear. Here’s who we heard from:

The screenwriter who’s on a one-step deal, who’s been writing for months while their delivery money is held hostage to the next free rewrite, whose residuals on streaming are capped at the movie-of-the-week rate, even with its A-list star and theatrical budget.

The comedy variety writer, employed on an endless string of short-term deals – who, after twenty years in the business, finds themselves on a streaming platform and working without Guild minimum, for the exact same work they used to do on broadcast and cable.

The staff writer who's kept at the same level on short orders, year after year.

The lower-level writer who is going from ten-week job to twelve-week job to twenty-week job. Who sometimes can't even get those jobs because mini rooms, with their small staffs and uniform salaries, tend to favor higher-level writers. Who gets a script – maybe.

The mid-level writer who no longer makes above Guild minimum, despite their experience. Who's never been to set.

The Co-EP, who's on a twenty-week deal, and who's released from their production even though there's still writing to be done. Or who's on an episodic contract and, with no span protection, sees their salary amortized down to Guild minimum. Who's paid less today than their showrunner/partner was paid for the same job, fifteen years ago.

The showrunner: who races to do all the creative work on their series in the short time before they have to say goodbye to their writers – who's left for eight, nine, ten months after that with perhaps one person to share the burden of making

that show – who, if they're not on an overall, works seventy, eighty hours a week, while their salary is amortized to minimum.

All the showrunners who worried about their writing staffs: writers who will never learn how to run a show, who have no security, who can't afford to live in LA, who see writing not as a promising career, but as a series of short gigs.

Seven thousand individual stories – your own private economies. With one repeated theme: the business is broken. Writing is broken.

So, now we come together to fashion a Guild-wide response. Now we have to take care of each other. That is solidarity. The essence of what it means to be a union.

Because taken all together, your survey answers describe the deepest, most deliberate, comprehensive devaluation of writing and writers we have ever seen.

So, the fight to put money back in writers' pockets, and power back in writers' hands, begins here.

As I said, our proposals leave no one out. But by necessity, the most complex of them focus on defending weekly compensation in episodic television, where 75% of our members work in a given year. And where, in the last five years, the ground has shifted dangerously under our feet. Those who work in episodic know what I mean:

The cold calculation on the part of the companies of the fewest weeks they can pay a staff of writers and still come out with a television series on the other side. Protected by the fact that our pride in our work -- our sense of authorship -- runs deeper than even our demand to be paid. Of course, the companies don't see the effect of how they treat us reflected in the product we create -- of course we make the show good -- it's ours!

The unconscionable practice of cramming a bunch of writers in a mini room, giving them ten weeks, and saying, we want a show on the other side. Give us the ten most valuable weeks of work in the life of a series -- give us the map to our treasure -- and we'll pay you minimum and send you home. Worse than that, while we sit in our offices, paid every day, we'll send you back out into the market

to scramble for a new job, month after month. That's the respect we pay to the creators, of the only product we make.

Finally, the systematic elimination of above-scale income – by phony-definition in a mini room, where it's falsely claimed that no producing gets done – and by the lack of span protection for those who now need it most – and by the new practice of hard ceilings on weekly compensation that make a mockery of quotes and our hard-earned experience. No wonder writer budgets have stagnated.

And all of this while show budgets have ballooned by 50% over the past decade.

It turns out, for all their cries of poverty, they are perfectly willing to spend money, just not on us.

These changes have robbed writers of the ability to do three things that the Guild fights for.

And they apply to all of us, without exception – in features and comedy variety as well as episodic:

First, the ability of every working writer to make their year. It's hard enough to get jobs in this business. But if you get the job, the job has to pay enough to support you and your family.

Second, the related ability of that working writer to put together a career – a life in this business – where good years pay for bad, where experience and expertise, hard-won by years of dedication to a craft, means a climb up the ladder, not just across some rickety bridge to nowhere. And if you reach the top – if you become a showrunner, get your own show – that brass ring needs actually to be brass, maybe even gold – but not tin.

Finally, the right to be equitably compensated for the value we create. We, alone, stare at the blank page – of a screenplay or a series, or a season, or an episode. We make something out of nothing. And when that something is worth tens or hundreds of millions of dollars, on average, we cannot be compensated as merely drafts people – just the first step in the process, paid poorly and sent away.

These three basic rights we will defend in this negotiation.

In a couple of minutes, I'll talk about the specific proposals we'll make to defend writer compensation and writer power going forward – in features and in television. They will cost money – a fair amount on the scale we deal with, very little on the scale on which our employers operate. But before I do that, I want to turn the microphone over to Ellen Stutzman to discuss the state of the business – and what our employers can afford.

ELLEN PRESENTATION

Before I move on, I want to say a few words about what Ellen's just told you.

Despite all of it, over the coming weeks, you are going to hear relentless rumors of the demise of the streaming business. They will be used as a weapon against you – against all of us.

We have no money. We can't afford to pay you what you're making now – let alone what you're asking for. They're spending \$20 billion on streaming content this year. They've spent 71 billion for Disney to buy Fox – 43 billion for Discovery to buy Warner – over 110 billion dollars to fulfill their monopolistic dreams.

They've spent money like maniacs and are leveraging themselves withing an inch

of their lives. And now they want to pay for it with layoffs and tax write-downs, by squeezing the very people who actually imbue their companies with value. They want to tell us we don't deserve our 1% - our couple of hundred million dollars. That we're greedy and inappropriate, that we should be grateful and silent, that we don't deserve our fair slice of the pie we made for them. That's not the truth – it's a line. It's a lie. It's the death of labor and of unionism. And it only works if you believe them.

Here's a way of thinking about it that has the virtue of being both economically sound and fair to boot: no one compels any of our employers to make any given television series or feature film. But if they choose to – if they spend the tens of millions or more it takes to make that project – they must also find it in the budget to pay us for the value writers created.

We all know that writers were far better compensated in decades past – when the business was far less profitable and the risk to our employers were far greater. They would like you to believe they gotten less good at their own business since then, so we must accept less. The truth is, they've just gotten better at defending a bottom line. Regardless of the cost to us.

So, what are we going to do about all of this? Well, it's one thing to talk about problems and another to fix them. We should be prepared to fight for the following agenda, which comes straight out of your own comments in the surveys.

With this reminder: that what you are about to hear is only part of -- and not the full extent of -- what we will propose to the companies -- here is our agenda in film and in television. First, features:

(FEATURE HEADLINE SLIDE)

Those who work in this sector of the business know how traditionally intractable its problems have been to solutions in the negotiating cycle. Market forces the Guild cannot control put pressure on screenwriters to do free work. Much of our greatest success has been in using a powerful Guild to enforce our rules and win judgements against the companies, such as last year's arbitration against Netflix that earned screenwriters \$42 million in underpaid residuals.

But this agenda is inclusive. And it's tough enough being a screenwriter, without having to endure the endless abuses that have become the norm. So ...

1. We will propose an outsized increase in minimums for all screenwriters.

2. Propose mandatory two step deals for all writers working under a certain threshold.

Because the idea of not giving those emerging writers a second step, to keep stringing them along, is unacceptable and abusive, and it has to stop.

3. Propose that screenwriters compensated under that threshold be paid weekly on their deals.

Because no one should be held hostage to endless free work by the money they are owed.

4. Propose to bring streaming features up to theatrical terms – on both minimums and residuals.

Because a movie is a movie is a movie – and if our employers decide those movies are worth more when they're released on streaming, we should not be worth less.

Screenwriters should be able to plan their lives, pay their rent, stand up for themselves against abusive behavior, without wondering when that next paycheck is finally coming in. And if they succeed, if they see their movie made, they should be paid for it, fairly and fully, regardless of the platform on which it's released.

Before I move on to television, let's stay on the subject of residuals – across the entire business.

Because they are greatly and unjustifiably undervalued in our current contract...

We will propose a substantial increase in residuals for high budget SVOD -- for streaming – in both film and television.

And we will propose a substantial increase in residuals for international reuse, on streaming, in both film and television.

(TELEVISION HEADLINE SLIDE/COMEDY VARIETY)

Turning to television. First, Comedy Variety:

1)A Proposal to Defend the Value of Work Done by Comedy Variety Writers

We will propose that MBA minimums and residuals apply to all Comedy Variety writing on streaming.

Why do we need to do this? Because the move to streaming is full of risk to our members in Comedy Variety. Because they are still not afforded basic MBA minimums, residuals and full pension and health on those platforms. Because that is an insult and an outrage, and it cannot remain.

(TELEVISION HEADLINE SLIDE/EPISODIC)

In episodic television, what we are about to propose goes further than the Guild has gone before – ever been forced by circumstance to go – to safeguard writer compensation and responsibility.

We take some lessons from the old broadcast model, though we do not seek to reproduce it.

In that model, complexity of story and time constraints on production meant that it made both creative and practical sense for a showrunner and a writing staff to oversee the entire course of a season. What this structure got right was that it acknowledged that writing happened all the way through: in the room, on set, in the editing bay. What's more, the amount of time writers had to be employed to complete the job – had to be – was sufficient to compensate them for the value they created.

Writers are no less at the heart of the creative process of creating and running a television show today than they ever were. Writing still takes place from beginning to end. But shorter orders and longer, indeterminate production Seasons have opened the door to all the mischief I outlined earlier.

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In response, we will seek to uncap the writing budgets of our television shows that the companies have kept capped for so long.

To do that we'll make a series of interlocking proposals with a single purpose: to put money back in writers' pockets and power back in writers' hands.

There are more details than you will hear tonight. But this is the heart of it:

1) INCREASE WEEKLY MINIMUMS

We will propose a substantial increase in weekly minimums for all writers.

I'm not talking about a 3% increase, which doesn't even keep up with inflation anymore. I'm talking about an increase that will return tens of millions of dollars to writers.

Why do we need to do this? Because writing has always been undervalued in the MBA. Because the above scale pay that used to compensate for that is no longer available to 50% of us and growing. Because if the companies insist on paying us at minimum, that minimum must reflect the value of the work we do.

And we will propose three weekly writer classifications, instead of the two we have now: staff writer, story editor/executive story editor, and a new highest level, writer-producer.

And we will propose limits on how long a writer may be employed as a staff writer or story editor before they move up to the next level.

Why do we need to do this? Because a writer in the twentieth year of their career shouldn't be paid the same as they made in the first.

And because the use of the staff writer position is broken and abused. Used against so many new writers, but particularly writers of color, who have found that what was meant to be a springboard, a promise, has turned into a trap.

Still on minimums:

2)REGULATE MINI-ROOMS

First of all, a writers room is a writers room is a writers room – and we're going to keep it that way.

We will propose even higher minimums for pre-greenlight rooms.

And we will propose a premium for writers who work in those rooms and who don't return when the show is picked up.

Why do we need to do this? Because development is paid for at a premium, not a discount. A pilot script costs more than an episode, not less. So, too, with a development room!

If you are there, in that room, at the birth of the show – or of a season – you need to be fully and fairly compensated for that – for the most valuable work a writer can contribute.

Because when development leads to production, all those who contributed to that success must be rewarded.

That's minimums. Here's the next piece:

3)A PROPOSAL ON DURATION OF EMPLOYMENT

We will propose a guaranteed minimum number of weeks of employment, based on the episode order, for all writers.

And we propose to require a minimum number of writers be employed during production.

Why do we need to do this? Because your weekly rate times the number of weeks you work equals your compensation. And that compensation must reflect your true value.

Because in television, writing happens from the beginning to the end of the process. Because too many writers have never seen a set – and too many showrunners have no help.

Because nothing has done more to decrease writers' power and decrease writers' pay than the deliberate, systematic reduction of the number of weeks we are

employed. Give us all your ideas as fast as you can and then we'll send you packing, the companies say. And that's theft, plain and simple.

Those three proposals are how we put money back in writers' pockets and power back in writers' hands.

The final two proposals are protection against the companies finding workarounds - loopholes in the MBA - that permit them to avoid paying all the money I just talked about. We must close those loopholes.

4)A PROPOSAL ON STAFF SIZE

We will propose a minimum staff size related to the size of the order – and in pre-greenlight mini rooms.

Why do we need to do this? Because there is nothing in the MBA that requires the hiring of a writing staff. Nothing, period.

Because none of the proposal I just mentioned: on minimums, on guaranteed weeks of employment, will mean a damn thing if writers are not hired in the first place.

Because companies moving to a freelance model, where one or two writers supervise a bunch of other writers who are paid only for their scripts, will devastate this Guild's middle class.

If you have any doubt about the risk, look how blithely the companies have removed writers from most of the writing process and are content to rely on overworked showrunners.

Let me be clear, we are not looking to tell showrunners how to write their shows. Nor is this a proposal to increase the size of writing staffs, as they exist, largely, now. It is, as I said, simply protection against an unacceptable future.

Finally...

5) UNIVERSAL SPAN PROTECTION

What do I mean by this? Span protection means that if you are paid episodically, that fee can only be amortized to cover to 2.4 weeks of work. After that, additional compensation is owed. So...

We propose span protection for all writers employed on an episodic basis. No exceptions.

Why do we need to do this? Because the span protection we negotiated in 2017 was a start, but it was not enough. Because too many writers – showrunners – Co-Eps – are unprotected, employed for endless weeks while their episodic quote is amortized down to MBA minimum. Because all the good that agents do in negotiating above scale income can be undone by this loophole in the MBA. We're closing that loophole.

A number of pieces, as I said, but not complicated.

Based on the episodic order, a certain number of writers must be employed for a certain number of weeks at a certain pay.

Why do we need so many new rules? Because it turns out that so many of those things that ensured that writers were treated fairly and paid adequately: the acknowledgement that writing happens from beginning to end, the writing staff itself – those were just norms. But now we live in age where the norms that made life bearable are being torn down – in every corner of our lives. You're living in the past, the companies will say. This is the new business model. It's not a business model. It's bad faith. And so, we will take those norms and turn them into rules.

And that puts money back in writer's pocket – ten and tens of millions of dollars – and power back in writers' hands.

We have no choice but to do these things. At this moment, episodic television employment, writer primacy in television, is the bedrock of our business. It is the thing that gives more than seven out of ten us a chance to make a career out of the thing we love.

It's a tenuous career, sometimes, of course. But a career where the possibility of success, even of great success, balances the tough times and makes it possible to

plan a life: to raise a family, if you want, to buy a house, to have health insurance, to retire.

But the idea that writing can be segregated from the rest of television's production process. That writers are fungible – without quotes, without titles that mean anything really, because you're all paid the same anyway, with limited hope of career advancement. The idea that the blueprint for show after show – the thing we do – the sometimes magical, beautiful process of making something out of nothing, of creating whole worlds – that entertains billions and makes our employers rich – should be squeezed out of writers in a matter of weeks and always at the lowest rate comprehended in our contract.

All the related abuses in features and comedy variety – the overwork and under compensation – the unjustifiable discount for working on streaming.

These things are an existential assault on the dignity of what we do, on the value of what we create, on our ability to make our year, to fashion a career, to earn a living in this business. It is egregious, inequitable, and untenable. And it cannot stand.

The MBA, our contract, never contemplated these things, and so the MBA, itself, must change.

The challenges I've set out for you are daunting. But this is what gives me hope: no union in the business is better at looking out for its own interests than the Writers Guild. We did it in 2007/8 -- in a 100-day strike that won us jurisdiction over the internet. We did it again, less than two years ago, in an agency campaign that demanded and then succeeded in making sure that those who represent us, represent us, first and only.

Consider this: Because of what you did, the major agencies have relinquished control of their affiliated studios. And with the sunset on packaging having ended in July, our agents' interest will, soon, for the first time in memory, be fully aligned with our own. Now, as they negotiate our above scale income, their own livelihoods will also be at stake.

As for the strike of 2007/8: fifty percent and growing of the work we now do is covered by MBA terms made possible by the jurisdiction gained in that strike.

Minimums, residuals, pension, and health. Fifty percent. Is there any doubt how the companies would have treated us and that work, if we were unprotected?

To all our newer members, who didn't walk with us in 2007/8, who never lived through some of the better times I've talked about – take heart in this: Writers fix their own problems. We worked for decades without residuals, or minimums, or pension and health, or family leave. All of that was won by other writers. No other Guild in the industry can say that. This Guild has a lion's heart. And you are part of that now.

And now the time has come again – and, again, we have to act to make things better – to save ourselves.

What we are asking for is a lot – because a lot has been taken from us.

Can they afford it? Yes. Almost everything we are asking for is something we had before.

Think about this: what we ask for is less than 2% of the companies' annual revenue – in fact its less than 2% of their annual profits on our business.

So, we will make our proposals. We will do everything we can to make a fair deal.

But if the companies are unreasonable in response, it may require us to demonstrate our resolve – and we will come back to you for a strike authorization vote. We will still work to make a deal. That is always our goal. But if the companies' answer is still no, then to get what we deserve, what we need to survive, may require a strike.

We know it's hard for all of us to contemplate a strike, an economic struggle. If the time comes, it will be hard for us to say to all of you, the Guild thinks this fight is worth the sacrifice.

A strike is a brutal thing and it's not always a fair thing. It's okay to be afraid of it.

Like a war – it takes its toll on all of us – but it also punishes some of us more than others. And yet, here is the simple truth, it is our willingness to strike, and nothing else, that gave us our health and pension funds, our minimums, and our jurisdiction over the internet.

Now we need to exercise writer power again. Together, we must recapture the value that writers create. Put money back in writers' pockets and power back in writers' hands.

There will be those who warn against this fight. Some will say the companies want us to strike. That they want an excuse to shut down production. As if anyone's stopping them from doing that now. As if anyone's compelling them to spend 20 billion dollars on new content in 2023 alone.

You'll be punished, some people will say. We are being punished now. This is what punishment looks like. And anyone who thinks this is the limit of what the companies can concoct to pay you less doesn't know the companies.

This is the third time I have sat up here in MBA negotiations – and once for the Agency Campaign. David too. We asked you for a Strike Authorization Vote in 2017 and you gave it to us. We used it to save our health care plan, but we did not strike. You stuck with us through the Agency Campaign until every last agency signed with the Guild. We have been honest with each other – and we have

trusted each other. We are not immoderate people. We speak for a negotiating committee – East and West – screenwriters and television writers – the most experienced group David and I have ever seen assembled. They are not immoderate people. But nor are we timid. Timidity is not what the times demand.

There are moments in the evolution of the business where change is possible. Not easy. Not guaranteed. But possible. We lost our opportunity to fight a more aggressive battle over the pernicious implications of the streaming model in both film and television in 2020 because of the pandemic. That's how history works. We have another chance in 2023. If we do not take it – if we allow the changes in the business to ossify – to become the norm – it will be exponentially harder and maybe impossible to go back. You accepted this, the companies will say. This is how things are.

But how things are is death to the writer business as we know it.

There is, I'm afraid, no other guild membership, in some other hall, in some other year, who will save us. It is just us. Here. Now. And we will write our own future, or it will be written for us.

Which one will it be? I know the answer. You know the answer. Writing is broken.

And we're going to fix it!

Because writers know their own worth. We rise to the moment. We hold together.

We defend ourselves. And we do not back down. One more time, my friends. One more time.

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