

## **RICHARD HARDACRE:**

My name is Richard Hardacre. I am ACTRA's National President. And I'm proud to be a Canadian actor.

It's been almost three years since we've been around a table like this.

We have a number of things on our minds to say as these talks begin.

**The first thing I want to say is that we very much look forward to engaging with you as producers to talk about the next steps in our successful 50-year relationship.**

As we have proven on many issues – the CRTC, the Canadian Television fund, the tax credit file, and many others – there is much common ground between producers and performers.

We work in a cooperative industry.

We cooperate closely on set.

We share the goal to build this industry of ours.

And when we work together, we win.

That's how we won Canadian content rules -- together.

That's how we won public support for the art of making film and television – together.

That's how we're going to win the critical argument before the broadcast regulator coming in the next 18 months.

With the centrepiece of that fight being to increase the licence fees your companies receive from broadcasters.

And we're going to win that campaign together.

A key reason to get these negotiations done and over with on terms that work for performers and for producers in good time, is so that we can focus together on these bigger issues facing us all.

**That being so, the second thing I want to say is how disappointed we are that we find ourselves meeting**

**for the first time in late October, to discuss a contract that expires in December.**

I regret that you don't share our view of where the important fight really is.

I regret the strategically impoverished approach that led you to ignore our proposal to get these discussions started and an agreement achieved last spring.

And I very much regret the unfounded belief – expressed in the crudest terms across bargaining tables with other unions over the past year-and-a-half – that if they somehow were to succeed in eroding the pay, working conditions and rights of other workers – contributors – in this industry, that we at ACTRA would then agree to similar hardship upon our members.

You know us better than that. Our members don't accept rollback agreements. There is zero chance that such an

agreement would be ratified. So rollbacks are not what these negotiations are going to be about.

These negotiations are going to be about all of us reminding ourselves that the ACTRA contract is already extremely supportive of Canadian production.

And with our focused initiatives, we'll continue to support this industry in a reasonable form – while our members provide you with professional film and television performances that are second to none in the world.

These negotiations are going to move Canadian performers forward – not backwards.

We want the pay gap between foreign performers and us on our own sets narrowed.

We want to see progress on working conditions over the next three years.

And we want the residuals system strengthened.

Our members will not accept any suggestion that our contract help producers to evade it or undermine it as we head into a new digital distribution world.

So...

We're here to be positive.

We're here to build on our tradition of cooperation.

We are here with the solidarity of our members.

We're here to get an agreement before our relationship in this form expires.

And we look forward to doing this work with you.

I'm now going to invite my colleagues at the table here with me to say a few words, beginning with brother Ken Neumann, Canadian National Director of our strategic partner, the million-member United Steelworkers.

## **KEN NEUMANN:**

Thank you. My name is Ken Neumann and I'm a friend of Canadian actors, including my friend Richard Hardacre and our strategic partners at ACTRA.

I've had occasion to sit at bargaining tables with truly impressive management representatives.

People who were thinking deeply and carefully about their industry. People who were there in a spirit of full and complete disclosure and cooperation. People who come to talk with us about how we can handle the changes affecting industries across North America.

People with decades of experience.

Senior counsel, eminent in the law.

And then, there are the times we sit at bargaining tables with people who aren't like that.

But whether it's the thoughtful leaders of industry, or the suits you run into now and then, we always say the same thing.

We at the United Steelworkers can be your best friends.

Or we can be your worst nightmare.

In industry after industry, we work for the kind of contracts that ACTRA has crafted in the Canadian film and television industry.

Contracts that are smart about pay, without chasing the best people out of the country by underpaying them.

Contracts that are realistic about working conditions, while working steadily towards dignity in the workplace.

Contracts that are strategic and wise about industry-specific forms of pay, like residuals – without giving employers any unearned free rides.

That's what being "best friends" is all about. Securing fairness and dignity for our people – in return for the best,

most skilled, most productive, most committed workers you can get anywhere. Workers second to none. That's how the employers we work with build competitive advantage on the way up.

Instead of trying to build competitive advantage on the cheap – through exploitation, by trying to underbid the worst employers in the worst countries on prices and rates – an impossible proposition for any North American employer.

Every once in a while we run across an employer who doesn't see things this way. Who convince themselves that there's easy money to be made mining the working people they rely on to keep their businesses going.

We will partner with ACTRA to make sure that nothing like that happens in these negotiations.

More than a million workers belong to our union and our family of strategic partners, including ACTRA.



Take it from me. Far better for everyone – including your investors and your lenders – for you to take up the open-handed offer given to you today by President Hardacre. That's the road to a fair agreement and to a better future for this industry.

## **ERIC PETERSON:**

Thank you. My name is Eric Peterson. I was born in Indian Head, Saskatchewan. Where people are raised to say things the way they are.

Which is what I'm going to do today.

I'm one of the actors that you're negotiating with.

So I'm one of those people who is – so some of you seem to think – overpaid, coddled at work and undeserving of a share of success if my performance produces a hit show.

As you might imagine, my fellow actors and I don't quite see things that way.

So in an effort to promote a better understanding, I want you to understand what actors like me are saying to ACTRA, our union, about what we expect from this round of bargaining.

It's been explained to us that the last two rounds of bargaining were about "industry stability."

But as Tommy Douglas used to say, "[they] talk about a stable government but we don't know how bad the stable is going to smell."

You need to know that actors across this country are getting increasingly impatient with this particular stable of yours.

We would like a new form of stability.

A "new stable" that recognizes the contribution that performers make to this industry, and compensates them fairly for their work.

Here is what we've been telling ACTRA about that.

**First of all, we're telling our union – and, today, we're telling you – that minimum rates need to be increased, especially on productions with significant budgets.**

Why? Because those of us working on those shows have been systematically hammered down to scale rates in the past three or four years. We're now regularly told to not even bother turning up at the audition unless we're willing to accept scale minimum with no negotiations.

If you thought you needed a pay cut from actors, you already have it. Now it's time to start recovering lost ground.

**Second, we're telling ACTRA that we need to see some progress on the working conditions we encounter on set.**

Getting a good night's sleep would be an excellent place to start. Having a place to sit down. Staying out of the rain. That kind of thing.

**And third, we're telling ACTRA that we expect to see a real return when our performances produce a hit show.**

Not a token payment. Not a share of whatever might be left from sales after the year 2011. A real return.

Some important progress was made on use payments ten years ago – what producers like to call “buy-outs.”

But actors don’t want to be bought out.

We want to buy in – to the full value of our own work.

You’re going to be seeing proposals along these lines in these negotiations.

And I want you to hear this last part that I’m going to say especially well:

My friends, we are looking to make real progress in these areas.

**And actors like me, all across this country, in Saskatchewan and BC and every other province of this country, won’t ratify or agree to perform under a collective agreement that fails to do so.**

We're going to reach agreement and go forward into next year on the basis of fairness and progress. Let's do that, and then we'll all get along just fine.

## **KARL PRUNER:**

My name is Karl Pruner. I'm president of ACTRA Toronto. I work as an actor.

I want to talk today about what our pay means for you, and what our pay means for us.

### **What does our pay mean for you?**

Everything – and not much.

“Everything,” because the work we bring to the screen – our faces, our performances, what we can communicate in our roles – is what you have to sell.

“Not much,” because as the working producers here know to the nearest nickel, the cast budget is a fraction of the cost of a production budget. On a typical show you spend perhaps 3% of your budget on cast, excluding the leads.

### **What does our pay mean for us?**

“Everything,” and “less.”

“Everything” – because paying gigs are rare and precious things for actors.

As our colleagues at UBCP-ACTRA tried to explain to our American friends a few months ago, when one actor scores a paying gig, somewhere in the neighborhood of fifty others didn't.

We don't get paid to audition.

We therefore will not, we cannot, and our members will not permit us to accept that we're not going to be paid to perform, either.

“Less,” because as Eric has just pointed out, in an across-the-board industry trend that almost looks organized, there's basically no negotiating anymore on rates.



From series regulars to day players, most Canadian performers on most shows in Canada now work at minimum.

### **So what are we looking for on pay?**

We are looking for steady progress in this agreement towards full pay parity with the Screen Actors' Guild – with the foreign performers you are so keen to hire and stand next to us on our sets.

We intend to get there in an orderly, practical, realistic and step-by-step manner.

So in this agreement we will be focusing on well-funded productions. We intend to phase in a high-budget pay tier in our contract that steps us towards the prevailing North American rate for performances – in keeping with the ability of those productions to pay. We also intend to prevent a further erosion of rates at lower tiers, compared to prevailing North American rates.

Let me say a final word about low-budget productions.

### **What about those low-budget productions?**

It doesn't seem to be widely-publicized by your trade associations that our agreement is a heavily tiered contract that already offers deep discounts for low-budget productions.

We offer indie productions an 80% pay discount, through the "Toronto Indie Productions" and "ACTRA Indie Productions" agreements. This is a very generous, supportive tier for true low-budget indie shows, with budgets below \$250,000.

We also offer low-budget domestic Canadian productions a 15% to 30% pay discount through the "Canadian Independent Production Incentive Program" (CIPIP). This discount is available to domestic productions with budgets below \$1.9 million.

If there is something wrong with these tiers, we're prepared to talk about it. But let's be clear with each other about what "talking about it" means.

No combination of eye-rolling, antics, histrionics, or insult at this table is going to persuade us to invest more money into low-budget productions than the 15% to 80% discounts we already provide.

We're the professionals when it comes to performance.

On the other hand, if somebody from production wants to have a grown-up discussion about low-budget tiers, let's have it.

On the basis of full financial disclosure by the leading companies who do the bulk of production, full disclosure of real production budgets, and a demonstrated, persuasive business case that monkeying around with 3% cast budgets will have a real effect on the financial bottom lines of production companies.

That will keep us focused on the real pay issue in these talks – fairness.

## **WENDY ANDERSON:**

My name is Wendy Anderson. I'm a Canadian actor based in Saskatchewan and working across the country.

One of the interesting things about being on a series or a movie is that you see yourself everywhere.

It's an exciting thing for a Canadian performer when that happens, because it's pretty rare to see any marketing at all for our shows.

You get to wondering, when you look at all the activity on TV, in the theatres and especially in digital media and on the internet: Will my work, which made this happen, actually translate into a share of all of this good news?

I'm not making a specific complaint here about the production people I've worked with.

But I do have you people in mind.

It would seem that you have the idea that when it comes to royalties and residuals, we should work pretty much for free.

Or at least – in new media – for whatever our agents can bargain for, isolated and one-by-one, before the show starts and we know whether or not it will be successful.

I can see why you might want that.

I hope you're going to be able to see that "work for free" isn't on offer from Canadian performers. We do need to take another look at the residuals to make sure it fits the facts of today's film and television business. We have some detailed proposals to put to you on this topic in these negotiations.

I can report to you that actors all across this country, from B.C. to Saskatchewan and points east, feel very

strongly that what needs doing is to make the residuals system both up-to-date – and stronger.

That's what we're going to be looking for in these negotiations.

## **ALBERTA WATSON:**

My name is Alberta Watson. I'm a Canadian actor. I've worked all across Canada and in the United States. I'm fortunate enough to have worked around the globe.

Two years ago I was invited to Los Angeles – to work on a full season of a hit show, everyone knows it – *24*. I went. After the seventh episode, I decided it was time for me to come home.

So now I'm home. I want to stay home. I want to work at home. And I took an enormous pay cut and gave up other opportunities to come back. My choice, yes.

But now, I hear I'm facing a further cut in my pay. You're making it more difficult for me to live in Canada – my home. To make a living. A decent, fair living.

And I find that insulting.



But not all our proposals are about rates. Many of our proposals are about dignity and common sense. I'm here for a lot of people who don't even have that when they're working on set.

A major complaint, certainly on a series, is turnaround. We need a decent night's sleep to give you the performances that you're looking for.

It's common sense.

- A clean, safe set.
- Access to reasonable facilities, like a chair to sit down on, a washroom, shelter from bad weather.
- Water.
- Something to eat.

These issues are about common decency. And they're needed – not just for a privileged few – for the whole cast.

Because the whole cast works together, like the casts in the many successful shows I've worked on did.

The whole cast will be voting on this agreement.

Believe it.

## **STEPHEN WADDELL:**

Our purpose in making these statements today was to give you some insight into how our members see the realities of this industry as they really are, viewed from the perspective of a professional performer.

As I believe you are aware, we work closely with our colleagues in the other unions and guilds.

I want to join my colleague Richard Hardacre in expressing my dismay at what we've heard about the judgment and methods exhibited at other bargaining tables over the past two years.

The recent strong member votes to deny ratification to bad deals in both Alberta and Ontario shows you the futility of this approach.

Endemic show-jumping, poor morale, poor quality and other issues on set should have persuaded you of the self-defeating nature of that approach, even when it has produced temporary, ephemeral gains for producers of a certain type.

For our part, today we're going to present you with a serious package of proposals.

We're serious about the progress we are looking for in these negotiations, as are our members.

We intend to focus on these proposals in these negotiations.

We will of course give your own ideas the same respectful consideration that we expect from you with regard to our own.

We don't have as much time to do so as I would have liked.

We offered to begin these negotiations last March, with a view to agreeing to a new collective agreement before the summer. You chose instead to conduct these negotiations now, tight up against the expiry of our agreement. That was entirely your decision. Now you have to accept the consequences.

Which is unfortunate. But we do still have more than two months to work together before this contract expires.

We are prepared to meet with you each and every day, and each and every night, through to that expiry date.

We intend to negotiate in a positive, calm, normal tone – we hope you do as well.

We are committed to getting to a new settlement before the expiry date. Through good faith bargaining, focused on the real issues, leading to a balanced and good agreement that is going to be ratified – and that will provide us all with a base to work together on the broader industry issues we need to face together and win together.

So may I respectfully suggest that you also make yourselves available to do this work in the weeks ahead.

Let's get to it.