Reflections on the Challenge of Organising Actors

BY MICHAEL CROSBY, AUTHOR OF POWER AT WORK AND FORMER GENERAL SECRETARY OF FIA
In 2020, FIA and other Global Union Federations published a very good document about organising workers in the Media Arts and Entertainment Sector – “Trade Union Organising in the Media Arts and Entertainment Sector.”.

It made me think about the work I did with performers as the head of Actors Equity in Australia and how my more recent work in the reform of unions applied to that work. What follows are some thoughts about the strategy and tactics that might be used by unions in a development phase as they seek to build their strength amongst performers.

I am not sure whether it will be seen as useful. Context is everything so my conclusions have to be applied in a local context of union history, law and the state of local entertainment industries. Nevertheless, it might stimulate thinking – even if only to work out what won’t work and what the alternatives are.

Michael Crosby
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BUT FIRST – ACTORS ARE IMPORTANT.

Actors are not just any worker. For me, they are essential to the intellectual and emotional health of a society. They are the face and voice of a nation's culture. They tell a nation their own stories. They reflect what it is to be a citizen of that nation. They hold a mirror to society so that it can see its true nature. They embody the intellectual and emotional struggles going on in each of our societies. Above all, they are the people who make us laugh and cry and as a result they often are much loved.

If all that is true – and I am sure it is – then we have a special responsibility to ensure that actors have power. That they can get for themselves their own right to work at rates of pay at least sufficient to ensure that they can keep on acting. That they can have to ability to give themselves the label of professional actor – because every country needs those people if their own nation's voices are to be heard.

ACTORS AND PERFORMERS GENERALLY

Outsiders to our industry refer to performers as 'atypical workers'. For those of us working in the industry of course, performers with a full-time job are in fact 'atypical'. Most people we are seeking to represent are freelancers. They live from short term job to short term job which added together over a year may lead them to earning an income on which they can at least support themselves and their families.

That freelance character drives everything there is to know about a union that seeks to represent them.

TARGETING OUR RHETORIC AND BEHAVIOUR

Our aim in organising performers is to get the vast majority of professional performers offering for work into the union in support of its work. So, we need to think about the audience of performers we are seeking to get on board.

There will be a third of them who are naturally sympathetic to the union. Their parents were union members or they are naturally left wing or they have suffered an injustice and the union has helped them or they are outraged at seeing their colleagues badly treated. These we can expect to join if we put in the work of talking to them.
There will be another group who can be swayed to join. They will listen to an appeal from their colleagues. They won't want to be left out. They see that being part of a professional union reinforces their identity as a professional performer.

There will also be a group of more conservative performers. They will vote for conservative parties. They are suspicious of the idea of collective activity. They will see themselves as rugged individualists. They will take pride in their own professional success and can't see why others can't achieve similar success through individual effort. They will be worried about retaliation. Can this union I am being asked to join damage my work prospects?

It is these last two groups that we have to work hard to get on board. We can't be seen as a bunch of radicals trying to blow up the joint. We have to work at sounding respectable. We have to make every effort to sound reasonable every time we speak or write about the work of the union. We must proclaim our willingness to work constructively with employers and Government to the good of the industry. We may even have to calm down our radicals and get them to see that we need the support of everyone to take action.

**PROFESSIONAL ASSOCIATION OR UNION?**

A constant debate that goes on is – Are we building a professional association of performers or a union.

In the 1950s, Lawrence Olivier and his then wife, Vivien Leigh came to Australia for work. The union organised a dinner when the members could meet the most famous and respected actor of their generation. Just before he rose to give the after-dinner speech, he asked the President of Equity, were there burning issues that he should address? The President, Hal Lashwood a famous Australian vaudeville and radio star, told him that there was a big debate about whether we were to be a professional association or a union.

Olivier settled the argument once and for all with his opening words. He stood up and addressed the crowd:

“My fellow Trade Unionists........”

We have to build a union. It is only a union that exercises collective power. It is a union that can determine whether an actor has enough to keep body and soul together. It is a union that can fight for justice for the actors’ profession.

Yes, it also fights on professional issues and it can exercise many of the roles of a purely professional association. It can provide training; it can help actors prepare for auditions. But we have to be clear that this is not an institution just about professional development. This is a union and we come together – like Olivier – as unionists.
ORGANISING

In organising theory, we speak of an ‘Organising Equation’ - Issues + Activists = Organising.

More correctly we should define Activists as “Leaders”. If we can identify real leaders amongst a group of performers then we really can get the organising task moving powerfully.

ISSUES

Organisers talk about issues that are ‘widely felt, deeply felt and winnable or partly winnable.’

In Australia, for me the key issue has always been about work and how much work is available.

Actors love their work. Economists even talk about their reward being non-monetary – psychic reward! If there was no professional work available many of them would be prepared to work for nothing. There is a deep, passionate need in the heart of every actor to perform, to express themselves, to get the reward of performing in front of an audience. Somehow, if a union of actors can work out how to put that passion at the heart of their work of union building, they will have found a driving issue that demands the involvement of every performer the campaign manages to touch.

There is a financial consideration to this focus. Freelancers are of course keen on earning a decent wage when they work. So, the pay rate and everything that hangs off that is important. But the key issue for a freelancer is less what they are paid when they work but how often they might work in a year. That is what will determine whether they have a decent income or not.

That issue motivates everyone from the star earning mega bucks right down to the actor fresh from drama school working for minimum rates.

Let me give some Australian examples of using work as a driver of organising.

In the late Sixties my Father, Don Crosby, played Merlin in the local production of Camelot. The four leading roles above him were all played by English and American actors. Not famous actors – but rather just actors of similar talent and prestige to actors like my Dad. That was typical. The employer liked to bill these imports as “Fresh from the West End” or “Star of Broadway” – even if they were no such thing. But what it meant was that no Australian actor could ever aspire to get a leading role in their own country in commercial theatre.

At the same time, if you turned on the television, all that could be seen were English and American programs. There was virtually no Australian content.

In cinemas there were no Australian films.
In theater at that time, outside the commercial productions, there was very little professional employment for actors. There were almost no Australian plays. So, it was not until the late 70s that Australian actors actually managed as a matter of course to perform with an Australian accent. Governments didn’t see the Arts as important and as a result funded them at a ridiculously low level.

That set of circumstances became the agenda of the union for decades.

We campaigned for the regulation of the content of television – the TV Make It Australian campaign.

We fought for increased Government subsidy – so that in 1972 when we finally got a reforming Labor Government, support for the arts and for theatre exploded and all of a sudden actors had access to work in Australian plays.

We fought for support for an Australian film industry so that the country could tell its own stories in its own voice.

And we demanded that Australian actors had access to leading rather than just supporting roles in both Commercial Theatre and in Australian subsidized film and television productions.

These campaigns united every performer in the union's work – whether it was in the streets in a Stage Crisis Day or in Parliament with our stars lobbying politicians.

So, there we have a possible set of issues – who do we turn to for leadership?

**LEADERS AND ACTIVISTS**

When a factory has been organised it is easy to find the leaders. We sit down with the shop stewards' committee. With freelance actors – apart from theatre – that is far more difficult. On a film or television production, there is a moving cast of people every day and little time for them to do much in the way of union work.

Instead we used industry leaders who could be relied on to do the work of the union whether they happened to be in work or not. In the campaigns I described above we had a roving cast of a couple of hundred activists ready to step in and help organise their colleagues.

Beyond that group of activists is a need to identify the real leaders of the profession. These will generally be the leading performers. Others look to them with admiration at their professional success or the quality of their work and on that basis will accept their leadership.

Go through the histories of the big actors’ unions around the world – Screen Actors Guild, American Actors’ Equity, British Equity and Australian Equity – all relied on their leading actors to get...
their union launched and taken seriously. When they spoke, employers had to listen and more importantly all the other actors took the union seriously.

Let me give you just one story about the importance of having leading performers as union advocates.

We were preparing for a strike and I was visiting every theatre in Sydney just prior to the half hour call. I turned up to the Theatre Royal where I was a little worried as it was a very young cast with almost no experience of the union. The lead was a famous Australian actor – Maggie Kirkpatrick. She had had a long running, (and notorious) role in Prisoner. As I was about to speak, she stood up and introduced me.

“Now boys and girls”, she said, “the Federal Secretary of Equity, the leader of our union, doesn't come out to a cast meeting every day of the week. What he says must be important. You all need to listen carefully to what he says and when he makes a recommendation, we follow it.”

Issues on their own are not enough – we need the leading performers too.

**UNIFYING FREELANCERS**

It is a tough job to get a group of freelancers all working in the same direction. In a factory it is easy. Call a mass meeting and everyone is there at the same time and can work out where they go next.

We need to work out whether there are mechanisms already in place that allow us as the union's organisers to reach a wide proportion of the total population of performers.

We used the agents to stay in close contact with the performers we were organising to action. Agents are generally trusted by performers – they are the people who are the link between performers and work so they have real influence over the loyalties of the performer. Every part of our campaign was discussed and sold to the major agents. Some of them became almost organisers for the union – prepared to talk to each of their clients to make sure that they understood what the union was trying to do and how important it was that the union win. Some just sat on the fence and passed on information to their clients and then left it up to them. Very few of them actively fought against what the union was trying to do.

We had to look for other ways to talk to actors. Yes, actors are freelancers but they do work in theatre for at least the run of a production so we can hold cast meetings and talk through what the union is trying to do.

We can do the same at film sets at lunchtimes and we need to find out when most members of the cast are there on a particular day.
We used mass meetings called for weekends and really worked to get people to turn up to them. There is something about having a reasonable sized crowd crammed together plotting their revolution that gives people the idea that winning is possible.

I know that my old union currently uses social media relentlessly to get the message out to its members.

Drama schools are another audience we must use. Each graduating class must be told the story of the union, how it is formed, who makes it up and what it aims to do. Just as they are starting to look for work, actors must be educated to see that they must look for work as professionals and that means that they must join their union.

We got the help of employers to organise the profession. We asked that they give us lists of everyone employed on a film, television or theater production and we would go through those lists to try to make sure that before they started work, they were financial members of the union.

In short, we used any and every means to work out ways of creating a collective from this freelance workforce.

**EMPLOYERS ARE NOT ALWAYS THE ENEMY**

When it comes to money, employers will almost always resist our demands. Every dollar we get is a dollar they lose.

In the struggles over the control of foreign artist importation they fought us fiercely. They saw us as impinging on their managerial prerogative. In order to get foreign money or access to foreign markets they felt that it would always be easier if the leads were American. The fact was that Government subsidy was given to the Australian industry not to a quasi-American industry. The more our films looked American the weaker the rationale for their continued subsidy.

But in struggles over the amount of work available they can be our ally. In all the fights for increased government support, employers helped. Our battle became stronger because the public and Government saw us a united force.

**FIGHTS OVER MONEY**

In most countries with strong performer unions, the union sets the minimum rate and the agent is responsible for negotiating a margin over that rate. The higher the bargaining power of the individual performer, the higher the negotiated margin.
As we became more successful, we started to negotiate for things above and beyond the basic minimum rate. So, we started to fight for residuals and repeat fees. A certain percentage was added to the minimum rate or a certain share of the producer's receipts were allocated amongst the performers. The producers wherever possible tried to buy out as much of these rights up front so that inevitably the individual margin that could be negotiated by the agent was reduced. The aim must always be then to negotiate for a share of revenue paid after exploitation of the program commences.

Employers in both theatre and film will constantly use the argument that the higher the minimum rate the less work there will be for performers. Actors have to be clear eyed in their response to this. They are professional actors. They have to be able to earn a living from what they earn. They can't afford to subsidise their own industry by working cheaply. They have to be prepared to demand decent minimum rates of pay if they are to be able to live and support their families.

In film we introduced a schedule of rates that were designed to reflect the increasing ability of producers to pay more depending on their sources of finance. For wholly Australian films dependent on Government subsidy and little foreign investment, the rate was low. As more foreign investment came in to the project, the rates became higher. For wholly foreign productions financed generally by American investors we invoked what was known as the FIA Better Rates Principle. We demanded that the producers pay us American Residual payments so that we were not undercutting our American SAG colleagues. This kept faith with our allies at SAG but it also meant that Australian actors got to share in a strong revenue stream over the years in which the film was in exploitation.

THE STRIKE WEAPON

Actors don't like going on strike. In theatre they have a reluctance to leave an audience without the chance to see a performance and in film and television the strike can simply be just too damaging. In smaller countries like ours, a strike in the middle of a film can mean that the film never resumes production. In a way, the actors have so much power that it is difficult to use it!

Yet at some point in the life of a union it is critical that the union exercises its power. Employers need to be reminded that actually, they can't do without professional actors, that this union is organised and they need to settle the union's demands. The exercise of power has to happen at least once in every generation as a new generation of producers arrive who think they can take the power of the actors for granted.

The way round this conundrum of having power but not wanting to exercise it, is to issue an instruction to members to refuse to sign contracts for future productions. So, every agent and every actor is advised that they are not to sign contracts for productions starting say one month in the future. That gives the employers a month to settle the matters in dispute and it gives the
members of the union time to get organised for a struggle. If no deal is done then no work can be done as no actor is contracted.

That strategy takes discipline. Every actor must hold the line and refuse to sign a contract. Any actor breaking ranks needs to understand that they are strike breaking. In the enforcement of this instruction, agents will obviously play a critical role. Every member needs to understand that if they are to win, then the producers need to be faced with an absolutely unified profession. As the clock ticks down and they face the reality that they can't start production the pressure on them becomes unbearable – all the better for the fact that it is slowly and remorselessly applied.

THE POWER OF ACTORS

Actors are used to seeing themselves as powerless individuals. Each one of them can go to audition and find themselves competing with a hundred of their colleagues. They know that every one of their competitors is desperate to work and many of them will work for the bare minimum.

They transfer that understanding of their lack of power to the power of the union. Even today you will hear Australian actors say – “Oh our union is not powerful.” This is wrong and they need to be constantly educated that they have enormous power – provided that they are all union and they act together.

Show business doesn't work without professional actors. Yes, some people will go to an amateur show but they understand that that is what it is – amateur. They make concessions for actors in some roles not being particularly good, forgetting their lines, upstaging each other and all the rest of it. They expect not to have to pay top dollar to see such a show.

In film or television, investors are spending sometimes millions of dollars in a very short period of time. Serious filmmakers simply cannot afford to start filming if they know that their actors are not professional and can't get a good performance down in the time available.

But it does depend on the rate of unionisation – which is why organising for actors is so important. If a producer has no alternative; if the supply of actors is dominated by their union; actors have power.

The task of the organiser is to paint that picture. Actors in some countries have that kind of power. There is simply no reason why all actors cannot have the same level of power. They simply have to see that as individuals they are utterly powerless. Together, they cannot be resisted.
ACTORS AS UNIONISTS.

It’s important to understand that actors are not your typical blue-collar workers. They love their work and they often like their employers. They want to see fair play on all sides and they can be quite innocent when it comes to negotiating with their employers. They expect that employers will see the reasonableness of the union’s case and give it what it wants.

That means that the process of campaigning for improvements in the treatment of performers has to be rigorous. Our members want to see that we are being reasonable. That we go to great pains to explain the justice and good sense of what we are asking for. That the negotiating process never consists of a take it or leave it demand but rather shows us painstakingly trying to reach consensus.

The performers need to see that process unfolding with their own eyes. We must have actors at the bargaining table. They must be able to report back to their colleagues just how unreasonable are the employers. That they speak rudely to our negotiators. That they treat the performers with disdain. That no matter what concessions are offered, no matter how reasonable our argument, the employers simply will not give in.

It is at that point that we are able to go to members and say – “Well, we have done our best. We have put forward our best case. We have conscientiously sought to get agreement. Talking alone has failed. Now the employers must see that we are united, that we will not tolerate the disrespect shown to our union. That we must fight to get what we need.”

The benefit for an actors’ union is that once its members are convinced that right is on their side, that their demands are just and that employers are failing to give them and their profession the respect it deserves, they will fight passionately.

THE PROBLEM OF VICTIMIZATION

Individual actors are worried that they will be victimized and not get work if they stand up for the union. This is a real fear.

We need to role play – particularly for our leading performers – often the leaders of the union – how to handle this.

During some of our fiercest battles, employers would tell me that they spoke to such and such a leading actor at a party and “They told me that they were horrified at how militant the union was being”. So, they should. They have the right if they want to, to hide behind the shelter of the collective. That is the point of being union. They don’t have to act as an individual, they do the
will of the majority. I don't care what is said at a party. What I want to know is, will that actor stand with their colleagues in solidarity.

The most common thing said to me by producers and employers was that “I didn't speak for the actors.”

They simply couldn’t believe that actors would really stand up to them.

A key part of my role was to demonstrate that in fact the union did have the backing of members. We did it in a number of ways. We used petitions with a huge number of signatures. We used mass meetings of actors. But the killer blow for that argument was the referendum. When we took a vote and almost every actor voted to support their union – that was when the employers had to shut up and sit down to talk about a settlement.

Producers stopped talking to individual performers. They had to deal with the whole of the union.

Where leading performers wanted to be seen to be standing up for their union’s demands we always tried to put them in a group. It was not just one of our stars standing up – it was every star. If you want to make your film and victimize our leaders then you had to do without every star.

**THE MEDIA**

We relentlessly sought to get our activity into the media.

The advantage that we have is that the media want to talk to our members – they are news already. If they are doing something unusual – like being part of a union campaign – then that is news in and of itself. Even more importantly, the general public look up to our members. They believe what they say. Producers look and sound exactly as they are – businesspeople with a vested interest. The actor can be portrayed as someone fighting not just in their narrow self-interest but for a nation’s culture, her profession, in defence of actors at the beginning of their careers.

Even when we got bad media coverage – and that was often – we were getting our message across to actors. Yes, the first part of the article might be an attack on us by the producers but at the end of the article it had our response. Members read the article or saw the television coverage, saw that we were being unfairly attacked, saw that we were standing up for them, became angry and wanted to help to fight back.

Being attacked in the media is good. It reminds our members that we are a force to be reckoned with.
Social media now is just as important and attention and time needs to be put into winning the debate going on there. But even now newspaper and television news set the agenda and if we can we should do everything to make sure that our message is heard there.

**THE FIRST STRIKE**

It is critical for young unions to win their first strike. Sounds simple but it really does set the union up for a successful future. The first time you decide to flex your new found muscle, it needs to be over an issue with widespread resonance but above all, one that is winnable and if possible, easily winnable.

You need to plan the victory carefully. Role play the employer’s response. Work out what they are likely to do and prepare your counter. Get your members ready for what they will do. Can you get the public on your side? Do they understand that you are good guys and the employer is behaving really really badly? If you can, get an experienced union campaigner to come in and have a look at what you are doing. Are you on the right track? Are there things that she can suggest which will help you get success?

Once you have decided to go ahead then everything has to go into making it a success. Every activist must be mobilised. Every dollar you have in the bank spent. Every sister union who can help should be roped in to help. If FIA can help – if only by organising solidarity messages, then you should call them.

When you win – celebrate. Make sure that every actor understands what you have achieved and how you did it. Every member should get a thankyou email. The story of your victory becomes the foundation for your growth in union power. It is the story that is told to every class of young actors in drama school.