

PRODUCERS UNION

FAQs

Why do producers need collective bargaining?

Producers are the only people working in above-the-line (and most below-the-line) positions on a film without a union to join. Without union protections, producers are not afforded the same living wage, pension and healthcare employer contributions, creative rights, or safety policies as our collaborators are provided.

Collective bargaining would permit producers to come together as a unit to negotiate contracts with employers to ensure the work of the producer is not exploited. Negotiating collectively will allow the producing community to better advocate and enforce fair wages and best business practice by having leverage at the bargaining table.

What about the PGA?

The Producers Guild of America is a non-profit trade organization that represents 8000+ members spanning the full producing team in scripted, non-fiction, documentary, animation and new media sectors. The PGA is not a collective bargaining organization.

How can producers form a union when we are considered management?

As producers, we may be "supervisors" under the National Labor Relations Act and, as such, would be excluded from the protections of federal labor law. However, the right to self-organize and select a bargaining representative are fundamental rights predating the existence of any labor relations laws. The Supreme Court has recognized that supervisors have fundamental labor rights that exist independent of federal labor laws. So, while we would not be protected by the NLRA, we have an independent right to form a union.

Why has a union for producers not happened before now?

It's complicated. The PGA attempted to organize in the early 1970s but were shut down by the courts because at the time, the PGA's directors, officers and members of its negotiating committee were considered employer-producers and the National Labor Relations Act does not allow union organizers to sit on both sides of the bargaining table. Because of this, and at the recommendation of our lawyer, we have chosen to move forward as a union of supervisors without seeking certification under the NLRA. It is up to us and our collective efforts to convince employers to recognize our Union. You can read more about the PGA lawsuit [here](#).

In addition to navigating labor laws, the biggest hurdle in forming a Union has been defining the role of the producer. The role has been sliced up in endless ways over the decades and the lack of a clear definition of what a producer does has greatly hurt the profession. What we have set out to do is define the role of the producer in a way that is both forward-thinking, to accommodate the ever-changing landscape, and also specific to the work we do.

Who is the Producers Union for?

The Producers Union will protect producers working on scripted, feature-length motion pictures “produced in the United States” which is defined as either (1) the film was physically produced, in whole or in part, in the United States (including pre-production, production and post-production) OR (2) the film received at least 50% of its financing from a United States-based entity. We have defined the role of the producer as the producer who supervises a film from the script stage through delivery. See Appendix A in the Constitution for the full list of “Producer Responsibilities.”

Why is the Union excluding documentary and television producers?

We understand that producers in all areas of content creation deserve the protections of a union and our goal is to eventually include documentary and television producers. Each different type of producer will have different needs. Because of this, we chose to be very specific in our work with the assumption that we could get off the ground faster if we focused on one type of producer first. Once we have industry support, we can decide whether to expand our reach.

Who can become a member?

The Union will have two different types of membership: Professional Membership for those who have produced two or more feature-length, scripted motion pictures AND Emerging Membership for those who have produced only one feature-length, scripted motion picture. Eligibility and rights and privileges differ for each type of Membership. See Article III in the Constitution for details.

Does my place of residence factor into my eligibility to join the Producers Union?

No. Eligibility is not based on where you live. However, you will only be eligible to become a Member and covered by the (to be negotiated) Basic Agreement if your films are produced in the United States, as defined above.

How much will producers have to pay to be a Member?

No initiation fee or dues will be collected until the Producers Union has ratified a Basic Agreement. See Constitution Appendix C for exact dollar amounts once that time comes.

If I signed the Letter of Intent (circulated April 2020) and/or participated in the Constitution vote, am I automatically a member of the Union?

No. Each producer must complete a Membership application and have it approved by the Executive Committee to become a Member.

What do I get if I join this Union?

We are in the early phase of organizing. Our next steps will be to accept Members and draft a Basic Agreement. In drafting the Basic Agreement our focus will be on salary minimums, pension and health plans and clarifying our role and rights on the projects we produce. Only Members will have the right to vote on ratification of the Basic Agreement. The more immediate, yet somewhat intangible, benefit of being a Member of the Producers Union will be the ability to respond to the rapid industry shifts happening with one collective voice, ensuring that producers are part of any conversation that will affect our futures.

How do decisions get made?

The Producers Union's governing body is the Executive Committee, which is made up of the President, the Vice President, the Vice President, Emerging Membership, the Secretary, the Treasurer, and six (6) At-Large Executive Officers. The Executive Committee is authorized and empowered to conduct and manage the affairs of the Producers Union between meetings of the Membership. See Constitution Article V.

How do members participate?

Regular Membership Meetings will be held quarterly and one Annual Meeting will be held for Professional Members and a separate Annual Meeting will be held for Emerging Members. The Executive Committee may form committees or subcommittees as needed to aid in the advancement of the Union and may select Union Members (both Professional and Emerging Members) to participate in such committees and/or sub-committees. See Constitution Article VI.

Can Members work on non-Producers Union films?

Once a Basic Agreement has been ratified, Professional Members will not be permitted to maintain their membership in the Union if they work on non-Producers Union films unless

they are working in a role other than the role of the producer. For example, a Professional Member may work on a non-Producers Union film if they are fulfilling the role of line producer, associate producer, or executive producer etc.

Emerging Members will be permitted to maintain their membership in the Union if they work on non-Producers Union films.

Is the Union going to enforce a new crediting system?

No. At this time, the Constitution does not provide for a change in the crediting system. This is a complicated issue that requires involvement of other organizations such as the PGA and the Academy.

How do we ensure diversity in the Producers Union leadership and membership?

One of the goals of the Union, as stated in the Constitution, is to prioritize and celebrate diversity and inclusion among our Members and Executive Committee Members with respect to race, gender, age, religion, identity, and experience. To accomplish this, within one year after the ratification of the Constitution, the Executive Committee will form a Diversity & Inclusion Committee, which will include both Professional Members and Emerging Members. The Constitution also states that the Executive Committee will make diversity a priority in selecting Union Members to participate in committees and/or sub-committees.

Can I read the Constitution?

Yes! On March 6, 2021, 108 producers unanimously ratified the Union constitution. You can read the Constitution [here](#).