

Television Labor: Historical Trajectories and Contemporary Concerns in Global Contexts

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Since the late 1980s, reality television's mobile and non-union productions have defined the precarious nature of the television industry. Production crews are largely non-union and programs are shot around the U.S., taking advantage of tax benefits, labor law loopholes, and right-to-work laws. There have been attempts to organize reality workers and change the nature of this work. The Writers Guild of America (WGA) and the International Alliance of Theatrical Stage Employees (IATSE) have, since 2001, attempted to unionize behind-the-camera reality workers. The WGA has focused on organizing the writers and editors who shape reality TV storylines; IATSE addressed crews and drivers. The organizing attempts made headlines in 2006 when editors on *America's Next Top Model* struck and, recently, when editors from *Survivor* walked out in August 2014. However, this organizing has been piecemeal, with long running and high profile shows like *Top Model* and *Survivor* getting press and making strides toward unionization while workers on other reality shows struggle with grueling work conditions and labor without benefits or job security. While IATSE and the WGA have agreements with some production companies, reality TV offers, for the most part, strictly non-union work.

The work of reality writers, editors, crewmembers, and drivers has similarities to the work of their fictional counterparts, which allows workers and organizers to make clear arguments as to why reality workers should be unionized. These affinities make it easier for us as scholars to contextualize the struggles of behind-the-scenes reality workers within the historical trajectories of Hollywood writers and below-the-line workers. However the work of the on-screen reality talent is often harder to correlate with the work of non-reality actors due to its unstable position between amateur and professional – this instability makes reality performers and performances harder to unionize and monitor. However, these (occasionally) semantic distinctions between actors and reality performers have material consequences. The history of unionization in Hollywood (especially within the Screen Actors Guild) is one of boundaries and distinctions – the guild has historically looked for ways to exclude certain groups (notably extras) in order to strengthen its position and hone the professional identity of the union. The rhetorical maneuvers which keep reality work non-union reflect studio and producer imperatives rather than inherent qualities of the on-screen work. I am going to introduce two specific examples in which rhetorical strategies have played a key role in defining how, when, and why certain on-screen talent was or was not incorporated into SAG-AFTRA.

There is a fine line between unionized performers and non-union performers on reality programs. On some shows, such as *American Idol*, union and non-union talent coexist; while the hosts of *American Idol* are members of the union, the

contestants who perform are not. However contestants on *Idol* do become SAG-AFTRA eligible (i.e. they become professionalized performers) if they advance to the final twelve at the end of the season. AFTRA representatives in 2007 claim that in the early episodes of *American Idol* they are merely singing, but in the later episodes (once they make the final twelve), they are performing bits. While this may seem like an arbitrary distinction, from a legal standpoint, the *American Idol* example affirms the distinctions between directed *performances* (in service of a script) versus *responses* that are prompted by situations (which may or may not be artificial). The difference between union and non-union cast members in *Idol* demonstrates a semantic shift in professionalism and professional responsibility that has material consequences for media industry workers.

In 2009 the Pennsylvania Department of Labor responded to a complaint that *Jon & Kate Plus Eight* was in violation of child labor laws. At the center of this investigation was a question about the intersection of labor and location, namely whether or not the Gosselin children were performers under Pennsylvania labor laws. Investigators in this case had to determine whether the children were directed or simply “behaving naturally” on-camera. Historically, these questions are complicated in relation to child labor since child acting has been historically conflated with play, but reality TV production’s collapse of work and play contributes to the common sense position of reality performances as “not-work.” Ultimately these issues related to child labor speak to some of the same issues of reality work addressed in *American Idol*.

As television work and labor laws become increasingly regionally contingent, it is imperative that scholars consider how they can intervene and draw connections between labor conditions and struggles. It is also worth considering why certain groups get left out of these histories. My particular concerns about work on reality TV emerge from concern for my students who will likely enter the media industries as freelance workers as they attempt to build their careers. As scholars and teachers, I often wonder if and how we can best prepare our students for work under these precarious conditions.