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**Subject:**

FW: GUILD BARGAINING BULLETIN: The company's turn to compromise

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Date: Wed, Feb 13, 2019 at 5:21 PM

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To: Guild Bargaining Committee

**THE QUICK TAKEAWAYS:**

- Intellectual property update
- We've identified areas of possible compromise, but the company has dug in its heels on the majority of its positions
- We need to see movement on issues crucial to our organizing effort in order to get a deal done

Colleagues,

Here's what's happening at the bargaining table.

**INTELLECTUAL PROPERTY**

Thank you to everyone who signed the group letter to the company on intellectual property. (It came to nine pages with all of your signatures.) We presented it to the company's lawyers today and they said they will review.

In the meantime, the letter has gotten plenty of attention on social media (including retweets by prominent media reporters and entertainment figures such as director Judd Apatow). It also generated [a piece](#) by Erik Wemple at the Washington Post, which gives valuable context about how the L.A. Times proposal is different from IP guidelines at publications such as the NY Times and the Washington Post.

**NOW ON TO THE CONTRACT AT LARGE**

For weeks, management has taken hard-line positions on issues such as intellectual property, surveillance, subcontracting, reduction in force and severance.

Today, we delivered a hard-line position of our own: In order to get a deal done promptly, both sides have to compromise. We have done our best to meet the company halfway. Now it's time for it to do the same.

**WE NEED GIVE, NOT ALL TAKE**

During weeks of meetings, town halls and calls for feedback, we heard your input on a number of the company's proposals including pay, vacation, benefits and telecommuting. You told us that these proposals aren't dealbreakers — provided that the rest of the contract is strong and provides other basic protections enjoyed by virtually every other unionized newsroom across the country.

We have told the company that we'd be prepared to consider their proposals on those issues with some tweaks — but only in exchange for progress in other areas that are so far unresolved.

Based on the company's repeated statements that it's offered all the money it has, we indicated that we'd be willing to work with its wage proposal, even though it doesn't include shift differentials or a pay category for employees with 25 or more years of experience. We said that we'd be willing to work with salary increases that weren't tied to cost-of-living indicators. We said we'd work with the flexible time off policy instead of accrued vacation. We said we'd consider

benefits language that would put employees on the hook for half of any medical insurance premium increase over 3%, even though we initially proposed that employee healthcare costs remain static.

We also suggested that we'd be willing to work with the company's telecommuting proposal with tweaks — despite the fact that it fails to guarantee telecommuting for employees in all departments.

But again, we'd be willing to move on those issues only if we also saw movement from the company in other areas.

In response, the company not only dropped the draconian intellectual property proposal in our laps at the last minute, it has hardened its position on issues that we need some flexibility on in order to get this contract closed. That latter group includes:

**Job security.** The company has refused to put anything except the most basic guardrails around who can perform bargaining unit work, meaning an entire department's worth of positions could, in theory, be subcontracted or outsourced.

**Revenue sharing and wage incentives.** You've seen our letter: the company is refusing to guarantee a share of revenue for employees whose work is published by an outside company or turned into a movie or TV series. Management would also like to retain veto power over all outside projects employees might undertake — whether they're related to those employees' work or not.

And it's not just work on outside projects that the company is refusing to reward. It's also rejected our proposals for additional pay for employees who are called into work on days off or required to change schedules without advance notice, as well as for those who are assigned to work on holidays. These wage provisions are a standard part of nearly every newsroom contract.

**Adequate layoff protections and severance.** We are excited that the company continues to hire much-needed new staffers (and bargaining unit members!). But a recent email celebrating its commendable gains in this area also referenced the need to "review all our operations to see where we can be more efficient."

Layoffs are an unfortunate reality in this industry, and we'd be foolish to think they're not a possibility here. We need to ensure that any reduction in force proceeds in a fair, consistent and transparent manner, and that managers are unable to single out and target our longest-tenured employees. It's only right that those who have stuck with this company through so many years of turbulence now have an opportunity to share in what will hopefully be an era of prosperity and success.

For starters, the company has proposed severance that's far below market rate: two weeks' pay for an employee's first year of service, followed by one week's pay for each additional year. That's a sharp contrast to the industry standard of 10-12 weeks pay, plus two weeks for each year of service.

Moreover, we still need to negotiate exactly how much discretion the company will have over how employees are grouped for layoff and how many can be exempted from whatever layoff order we agree on.

**A commitment to not monitor employees.** Given this organization's history of monitoring our phone calls and other communications, we proposed that there be no surveillance of employees, whether via video, electronically or over the phone. The company partly addressed our concerns on some things. But when it came to cameras at work, they proposed that they be able to put them anywhere they want, as long as they're supposedly not "for the purpose of monitoring employees' work or work product" — as if a video camera could choose to record some things but not others that happen in front of it.

**Basic scheduling requirements.** These include a commitment that employees will generally have consistent start times and consecutive days off, a minimum amount of time between shifts and advance notice of scheduling changes. We

initially proposed additional pay for any employee required to work a schedule that doesn't meet these standards. After the company rejected that, we compromised and suggested framing these protections as goals, but permitting managers to deviate from them when necessary. The company still declined all but a nod toward giving employees notice of schedule changes "when practicable." Management simply does not want to provide employees with regular and consistent schedules. These are also provisions that exist in virtually every newsroom contract.

**STAY INVOLVED!**

We have plenty more bargaining dates on the calendar. We will keep the pressure on the company at the table. But we need your participation to help us reach the finish line. Your signatures on the open letter on IP are making a difference. The campaign committee will be in touch about other actions that can help us seal this deal and move on.

Thanks for having our back.  
The Bargaining Committee