

# DIGITAL MEDIA RISING:

HOW THE WRITERS GUILD OF AMERICA, EAST  
ORGANIZED DIGITAL MEDIA WORKERS AND WON  
INDUSTRYWIDE POWER AND STRONG CONTRACTS



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# Digital Media Rising:

**How the Writers Guild of America, East Organized Digital Media Workers and Won Industrywide Power and Strong Contracts**

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# Executive Summary

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In 2015, the Writer's Guild of America, East, had their first victory organizing in digital media when writers at Gawker Media voted overwhelmingly to form a union.

Five years later, it is clear that the Gawker victory was the spark that lit a fire of organizing across the industry. The Guild has won representation at 21 shops, including Vice, Vox, Salon, Gimlet Media, Huffington Post and Talking Points Memo, covering more than 2,000 digital writers, editors and producers. At a time when union density is falling in most industries the Guild has defied the odds and organized a new industry.

For the fifth anniversary of Gawker victory we spoke with union members and staff about the gains the union has won in these five years, and how they continue to fight instability in an ever-changing industry.

Before unionizing, workers were at the

discretion of individual managers who set pay rates and raises, at websites that had grown quickly into highly valued media companies while wages and benefits remained unchanged. The Guild has helped workers win salary floors and transparent steps to increasing pay. Companies are now required to bargain over health insurance plans and commit to them in writing. Workers won paid parental leave, time for taking care of sick family, and "recuperation time" for working unusually long hours.

Diversity and equity, long issues in the industry, have been central features in many of the campaigns. Contracts include company commitments to ensuring diversity in hiring and promotions, stronger anti-harassment language and a mechanism to enforce it. The Vox contract, for example, includes protections for appearance, credit score, housing status, history of drug use, and criminal record.



One of the more significant wins in Guild contracts is enforcement of successorship and severance. Mergers and acquisitions are common in the industry, leading to frequent layoffs. Many interviewees explained that this uncertainty is one of the main reasons they decided to unionize. The language in these contracts ensures workers retain their hard-won pay and benefits when the company changes hands and that if layoffs come, workers are not left out in the cold. Without a contract, writers had little control over editorial content and advertisers had undue influence. Writers fought for and won protections, including the right to be informed about major platform deals with advertisers.

In addition to concrete gains won in collective bargaining agreements, the Guild has had a major impact on the digital media industry. While having a unionized shop was once unheard of, it has become the new norm in digital media. Workers have solidarity across the industry, frequently supporting one another's campaigns or helping each other find work after lay-offs. Unionization has created community in the individual workplaces as well as across the industry, with support of freelancer organizing and collaboration with other unions extending the solidarity even further. The Guild has explored a range of tactics, leading to a blend of digital tools like Slack and Twitter with traditional escalations, walk outs and strikes. A strong digital presence amplifies union actions, lending increased transparency within workplaces and to workers across the industry.

Interviewees we spoke with noted several features of the Guild organizing model they

think are instrumental in the union's success. The Guild trusts workers to lead and gives them ownership of the campaigns. The union, and members, were committed to transparency as much as possible throughout organizing and negotiations. This created an inclusive atmosphere and strengthened solidarity, with social justice as central to the union drives as economic gains. And finally, the Guild has remained committed to building power for workers across the industry; helping workers build the capacity to decide for themselves what they want to fight for.

The pandemic poses new challenges for media workers but the Guild continues to organize. Justin Molito, Guild Director of Organizing, says, "Workers have seen concrete examples that organizing and building collective power works, especially in a precarious industry, so that precarity is definitely an accelerant."

Lowell Peterson, Executive Director of the Guild, says he is excited about the next five years. "We're going to keep organizing in the storytelling space. The boundaries around the companies and the distribution platforms are going to keep shifting, and we will keep adapting with them."<sup>[ii]</sup>

# Introduction

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On June 4, 2015, less than two months after declaring their intention to organize, workers at Gawker Media announced that they had voted to form a union with the Writer's Guild of America, East.

The announcement came as a surprise to some. Unionization had been steadily declining for decades, and newsrooms in particular had been devastated by changes to the industry and ruthless cuts. Gawker Media was an all-digital newsroom staffed by millennials; it was not the kind of workplace many people expected to be on the forefront of a union upsurge. But to many digital media workers, seeking the structure and support of an organized shop and a strong contract made sense.

Five years later, it is clear that the Gawker victory was the spark that lit a fire of organizing across the industry. The Guild had been looking to organize “new media” workers since it launched a national strike

in 2007/2008. After years of laying the groundwork, the victory at Gawker set in motion a remarkably rapid and successful organizing drive. Building on their long history of organizing volatile industries and encouraging worker-led campaigns, the Guild quickly incorporated a new suite of digital tactics and transparent strategies to sweep digital media.

In the last five years, the Guild has won representation at 21 shops, covering more than 2,000 digital writers, editors and producers. In those five years of continuous organizing, over 200 workers joined organizing committees, organized co-workers, and hundreds more took direct action to win union recognition and collective bargaining agreements. They worked with the Guild staff using traditional union organizing tactics, blended with new tactics using digital tools normalizing unionization in an industry that did not have a history of unionization.

# A History of Organizing In a Changing Industry

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The Writer's Guild of America, East was founded in 1954 along with its sister organization Writer's Guild of America, West, to represent writers and media professionals.<sup>[i]</sup> Today, the Guild represents creative professionals working in film, television, cable, broadcast news and digital media and works with them to bargain and administer contracts.

Over the years the Guild has worked to keep up with a constantly changing industry. Lowell Peterson, Executive Director of the Guild, explains that there were short periods when the industry was more stable, "when everybody watched Walter Cronkite," but those were the exceptions.<sup>[ii]</sup> Most of the time, the industry was in flux and the union had to keep up. Justin Molito, Director of Organizing at the Guild, says, "at one point that meant going from the big screen to

the small screen, and perhaps going from radio to television. As a union the Guild leadership has always put a priority on making sure that those areas were covered under union contracts and part of the union movement."<sup>[iii]</sup>

Guild members (East and West) launched a 14-week strike in late 2007 and early 2008. One of the main issues was jurisdiction over new media, and how studios compensated writers for products such as DVDs. The union won more rights to payment for online programming, and came out of the strike focused on learning more about what they ultimately came to call digital media. They hired Molito and got to work.

The Guild established contacts at Huffington Post and explored organizing at VICE. As part of the campaign to explore organizing

in digital media, a Guild organizer, Ursula Lawrence, came across an article about working conditions at VICE and contacted the author to see if he had leads for her.<sup>[iv]</sup> The author was Hamilton Nolan, a writer at Gawker. In the course of the meeting, Nolan asked, “why don’t you try to organize us? We’re better than VICE!”<sup>[v]</sup>

Nolan says that working conditions at Gawker were mostly good, relative to VICE. But there were issues to improve, and he says, “I just believed that we should have a union. My parents were lefties, and I grew up with the ideological affinity for unions.”<sup>[vi]</sup> Nolan and Lawrence called an initial meeting at the Guild offices and when 40 people showed up, they knew they were on to something.

Gawker Media began as Blogwire, an online media company and blog network, in 2003 and soon became Gawker Media LLC.<sup>[vii]</sup> The company quickly grew, acquiring subsites such as Jezebel, Gizmodo and Lifehacker. By 2014 it had grown to over \$44 million in revenue and \$6.5 million in operating income.<sup>[viii]</sup>

Gawker made money by selling ad space on their sites. But to draw readers, they needed the work of scores of writers, photographers, podcasters, videographers, and more. Sites like Gawker and VICE, which expanded to online editorial and video content in the mid-2000s, had set the tone for much of digital media that came after. Perhaps for that reason, even after over a decade of growth in digital media and with a large staff at both companies, they continued to offer low wages and the social capital of working for a “cool” publication instead of the real compensation one would expect of a highly

valuated company.

Many of Gawkers’ writers were young and highly educated. They enjoyed the editorial freedom and felt the wages and conditions were, if not decent, tolerable. But they knew the industry was not stable. They began hearing rumors that the company might be sold and worried about the changes that could come, from a curtailing of editorial freedom to mass layoffs. Some writers felt that if nothing else, a union contract offered some form of protection.

The campaign at Gawker moved quickly. After their first meeting with the Guild, Nolan published an article, “Why We Decided to Organize” on the Gawker site.<sup>[ix]</sup> Nolan argued “every workplace could use a union.” Employees wanted fair salaries, aligned with seniority and work responsibilities; transparent raises; and employee voice in company decisions. The company decided to not fight the effort and let employees decide for themselves.

The vote took place on June 3, 2015. 107 of the 118 eligible workers voted, and of those, 80 (75%) voted in favor of the union. The union began bargaining and settled its first contract with Gawker on March 1, 2016.

Gawker was the first major digital media website to unionize and the move opened the floodgates. Soon the Guild was working with digital media workers at VICE, Huffington Post, Slate and more. (See the Appendix for a full timeline). The Guild has been remarkably successful in organizing digital media workers, particularly in the context of a labor movement that is shrinking in most industries.

For the fifth anniversary of the Gawker victory we spoke with union members and staff about the improvements the union has won. We analyze some of the key gains, the ways in which unionization has impacted the industry, and the organizing model the Guild and members used to win. We conclude with assessment of the work so far and the road ahead.



# Winning Better Pay and Better Workplaces

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Unionization comes with costs. Workers fear retaliation for organizing, and for good reason. Even though it is against the law, employers sometimes go after workers for trying to unionize. Companies such as Google and Kickstarter have fired workers for organizing.<sup>[x]</sup>

But digital media workers have been eager to unionize despite the challenges. The victories have brought about impressive gains.

## Pay Gains and Equity

Kim Kelly was a writer for VICE in 2015. The company made a big deal about some of the perks of being on staff: a fancy office in Williamsburg, a party culture, swag like a VICE ring. But salaries were low, and as was later reported, sexual harassment and

other forms of mistreatment were prevalent.

<sup>[xi]</sup> While the company paid big rent for their office, Kelly says “there were some people making 35 grand a year in not entry level positions” – barely a living wage for New York City.<sup>[xii]</sup> In a piece about the company published before the organizing campaign, Hamilton Nolan wrote, “One such producer said that after waiting in vain for more than a year for a raise to push their salary up to \$30K, they left VICE last year after seeing executives spend what appeared to be thousands of dollars on drugs for a company party.”<sup>[xiii]</sup>

Pay was a central demand in the union drive for VICE Editorial staff. When bargaining began the union demanded a 10 percent wage increase each year over a three-year contract. VICE resisted, countering with one percent per year. Negotiations were

slow, and when VICE finally offered two percent a year, workers were outraged and planned a walkout. Their timing was perfect as the company was about to launch their new TV network VICELAND. Kelly remarked, “just thinking about that headline, ‘Underpaid VICE Workers Walk Out as Hipster Media Behemoth Launches New Network’ – it would have been so fun.”

<sup>[xiv]</sup> But management found out the plan and caved, sending bargaining team members emails in the middle of the night offering more money.

In the end the union won an immediate 14 percent pay raise for all bargaining unit members for 2016, followed by five percent raises in 2017 and in 2018. The contract also set a salary floor of \$45,000 for all full-time employees in the bargaining unit.<sup>[xv]</sup> It was a huge win.

The second contract goes further and addresses issues of pay equity and transparency, (along with a host of other gains). Says Kelly,

*... in the world in general, but especially at VICE, they had this history of underpaying and undervaluing workers of color, queer workers, underrepresented marginalized communities, anyone who wasn't a straight white bro named Jeff wasn't going to be treated as well. . . It wasn't as explicit, but people see how their coworkers are being treated and it was obvious that that was at play . . . We set up this tier system so for people on the lower end of the pay scale, it was less possible to fuck with them. We tried to make things more equitable in that way.*<sup>[xvi]</sup>

The contract creates job categories and clear raises. Jobs are divided into

five grades; each has a salary floor. For example, Grade 1 jobs include editorial assistants, assistant editor researchers, junior staff writer, homepage editor, and associate social editor. The contract stipulated a salary floor of \$52,000 for 2019, rising to \$55,000 by 2021. Grade 5 jobs are managing editor and deputy editor. These floors started at \$94,000 in 2019 and end at \$95,000 in 2021.<sup>[xvii]</sup> Regardless of internal politics, implicit biases or bad relationships with management, all workers are ensured base salaries and raises, leveling the playing field in a previously uneven workplace.

Kelly said she knew the first contract at VICE made significant gains, but the second contract was even more ambitious. “There were people saying, I can move out of my parents' house now! I can move into a new apartment with my partner and maybe we can have that baby we've always wanted,” she said. “We really won some life changing things in that contract.”<sup>[xviii]</sup>

There were similar gains elsewhere. Some of the Huffington Post writers won wage increases of \$10,000 to \$20,000 a year over the life of the first contract, settled in 2017. The contract set a salary floor of \$50,000 for entry-level positions, and all workers won a minimum of a 3% pay increase per year.<sup>[xix]</sup>

Caitlin PenzeyMoog, a former editor at The A.V. Club and the Onion, says that the highlight of the unionization experience was helping make a material difference in people's lives: “There were people making legit poverty wages.”<sup>[xx]</sup> The Chicago-based union won wage floors which raised some people's wages by a third. The lowest floor was set at \$45,000 for 2018 for entry level titles.<sup>[xxi]</sup>

## Diversity and Equity Achievements

Diversity and equity issues were central in many of the Guild campaigns. One interviewee told us how her bosses “had a vision of the multiracial workforce but they didn’t want to give anyone any power.”<sup>[xxii]</sup> People of color would be hired but expected to conform to very specific expectations. They had no space to offer their own ideas. “So we had a massive churn with people of color, and people of color were also constantly being asked to do unpaid recruiting work.”<sup>[xxiii]</sup>

Through collective conversations people learned that individual experiences were actually systemic. For Frida Garza, formerly of Gizmodo Media Group (GMG), the union campaign “definitely made me more aware of the way our working conditions affected women in our office more than men. And how it affected people of color, the few of us that were on staff.” She adds, “I felt motivated to have conversations with my coworkers about what changing that might actually look like.”<sup>[xxiv]</sup> PenzeyMoog said of the Onion: “There was a gender wage gap that became really obvious. The Onion overall is really white, that was obvious before, but we started looking at that as something the union could try to address because management wasn’t interested in addressing it.”<sup>[xxv]</sup>

A number of the contracts include specific language on diversity. For example, the Huffington Post collective bargaining agreement includes the following:

*The parties share a commitment to diversity and inclusion. In furtherance of this commitment, the parties shall create*

*a Diversity Committee within 90 days of the ratification of the Agreement. The Committee will consist of 6 members (three appointed by the Employer and three elected by the bargaining unit). The Committee shall meet at regular intervals, at least quarterly, to discuss such issues as recruitment, retention, advancement and mentorship, and the composition of the current Employer workforce. b. When the Employer chooses to seek external or multiple internal candidates for open bargaining unit positions, consistent with applicable law, regulatory obligations and Huffington Post Policies (as defined further below), the Employer shall make good faith efforts to (i) post such positions for a minimum of two weeks, and (ii) disseminate such postings and expand recruiting efforts to candidates from traditionally under-represented groups. Members of the Diversity Committee shall receive copies of these postings.*<sup>[xxvi]</sup>

Vox had a Diversity Leadership Group (DLG) in place before the contract, but according to Seth Rosenthal, it wasn’t meeting often and wasn’t effective. The union wanted to be sure that any gains on diversity would not just be lip service. Members conducted a salary study and found stark gender and race pay differences. They used the study as a bargaining tool to win contract language that requires the DLG to demonstrate that they are meeting quotas prescribed in the contract:

- The company commits that 40% of the people in the applicant pool to make it beyond the phone interview stage in the hiring process will be from underrepresented backgrounds.
- This number will be 50% for the highest-paid, most senior positions.
- If the company is not meeting this goal,

it will reopen the section of the contract to discuss options with the union, including increasing the diversity committee's budget.<sup>[xxxvii]</sup>

The contract established a union diversity committee with a \$50,000 per year budget. In the first year, the company hired a third party to do a climate analysis: interviewing employees from underrepresented groups and reporting on the company culture. They also conducted a pay study. According to Rosenthal, because the union was so effective in pushing on diversity issues in bargaining, "we spooked the company into just going out and starting those projects on their own."<sup>[xxviii]</sup> Some of the follow-up has been put on hold due to the pandemic and furloughs, but Rosenthal sees the diversity language in the contract as a major victory.

Other diversity gains in the Vox contract included company commitments to stronger anti-harassment language and a mechanism to enforce it, to honor preferred gender pronouns, and "industry-leading non-discrimination language, including protections for appearance, credit score, housing status, history of drug use, and criminal record."<sup>[xxix]</sup>

## Severance and Successorship

It was surprising to hear how many people we spoke to said that they mostly liked their jobs. They didn't get involved in the union because they hated the work, or because the conditions were unbearable. In fact, quite a few talked about how it was basically a good job.

But the industry is a volatile one. There is tremendous uncertainty about the future, and people knew that a good job could

disappear quickly. Given that many of the workers are journalists, they pay attention to the news. They read about mergers and acquisitions and layoffs, and they know the same is possible in their companies. In their statement about why they are unionizing, Gimlet workers wrote:

*As Spotify's reported \$230 million acquisition of Gimlet makes clear, however, Gimlet is no longer the small, scrappy operation memorably documented on the first season of StartUp<sup>[xxx]</sup>. Our union is an expression of passion for what we do, and a proactive effort to work with management to shape the future of the company. It's important for us to solidify the things that make Gimlet a great place to work, and to address whatever issues may arise.<sup>[xxxi]</sup>*

Rumors of sales put workers on edge and can also make them feel disposable and disrespected.<sup>[xxxii]</sup> Frida Garza of GMG told us:

*We had been reading all of these stories in the Wall Street Journal that Univision was looking to cut somewhere around 30, 33% of the newsroom specifically within GMG. We would have these big town hall meetings with people at Univision where we asked, "is this true?" and they said it wasn't. We would say, "well, it's in the Wall Street Journal. These are our colleagues. Won't you issue a correction?" They just beat around the bush, so it became very clear that layoffs were coming. We were being lied to and jerked around.<sup>[xxxiii]</sup>*

While the younger ages of the digital media workforce are often used as an excuse for instability, workers we interviewed told us that they and their co-workers would love job stability. They are used to living with



insecurity because they have never had the opportunity for anything stable. But they have rent to pay, bills to cover, and some have children or other family to support. Workers want to be able to grow with the job.

For many of our interviewees, winning protections and security clauses in the contract was the most important victory. Garza came into the union when her job at a Univision vertical was integrated into GMG after it was acquired by the company. She got involved when an empty committee seat opened up, and quickly became a part of mobilization around proposed mass layoffs. “We got them to offer an eighteen-week buyout, which was unheard of in digital media,” she said, citing the power of having a strong union. “Thankfully, one of the things we really fought to get in [the second contract] was a successorship clause so that the new owners would be forced to pick up our contract,” she added. “Actually, for two sales, even potentially thinking ahead to if that private equity firm that bought us sold us off again, they would still have to abide by the contract.”<sup>[xxxiv]</sup>

Vox workers won just cause for terminations and a minimum of 11 weeks of severance for layoffs (up to 18 weeks for workers with more seniority). They also won paid COBRA for the term of severance and recall rights for six months, if the company rehires into that position.

Workers at Thrillist knew layoffs were coming after their company went through a merger. Anthony Schneck says there wasn’t much to lose by unionizing, since it was the only possible way to get some protections. The company had already let people go in prior layoffs. “We heard that there were people who had worked with the company for almost 10 years who they

gave only two weeks’ severance,” explained Schneck. With their first contract, they made significant gains. Those with less than a year’s service would receive two weeks’ severance, but that went up: five weeks for one to two years service, up to eight weeks for three years, then increasing by two weeks per year of service after four years. All workers regardless of time served would have a month of COBRA covered by the company. “Those protections were pretty high on the list of priorities for everyone and getting that severance pay was a major victory,” Schneck said.<sup>[xxxv]</sup>

## Editorial Independence and Standards

Without a contract, writers had little control over editorial content. One problem was the influence of advertisers. Thrillist had a list of banned words that the sales department thought might offend advertisers. Stories might come back from legal suggesting writers rework wording to avoid litigation. Another problem was when management would take down published stories without explanation. There were no clear policies about process.

The Guild has won contract language giving writers some control over the editorial process. For example, the Onion contract makes explicit employee rights to make decisions about whether to publish or remove editorial content.

In order to protect editorial integrity, Huffington Post workers won contract language to provide some protection to refuse work influenced by advertisers: “Bargaining Unit Members will not be required to work on projects produced solely for or by advertisers, business partners, sponsors and/or for individual members of Huffington Post management to the extent

that such project involves work outside the manager's employment responsibilities as reasonably assigned by the Company."<sup>[xxxvi]</sup> The contract also requires management to inform employees of major platform deals with companies such as Disney, Clorox or Chipotle.

Another clause in the Huffington Post contract establishes a joint labor-management committee to discuss editorial content and resolve disputes. The Thrillist contract contains similar language establishing a process to resolve disputes.

Hamilton Nolan describes how having language in a contract is particularly useful when companies are sold:

*We had an editorial freedom provision in our [Gawker] contract from the first contract, which basically said that only the editorial side can make editorial decisions. Which, meaning that nobody from the business side can tell anybody on the editorial side to do anything, editorially. Which was really valuable! Especially when we got sold to Univision. And then we got sold to the private equity firm and they tried to test those things. It was really valuable for the person who was the head of editorial who was not in the union but could go to their boss and be like, 'we'd love to run your ad campaign but look, the union will blow up, sorry! We can't do it.'*

## Other Gains: Health Insurance, Time Off, Intellectual Property, and Non-Compete Clauses

Digital workers have made other concrete gains through bargaining. Companies

are now required to bargain over health insurance plans and commit to them in writing, enforceable through the collective bargaining agreement. Workers won paid parental leave, paid time for taking care of sick family, and standardized policies on paid days off including "recuperation time" for working unusually long hours.

In some of the digital shops, managers forced writers to put in long hours, allowing work to consume their personal lives. Brittany Cheng of Vox explained, "You work long hours so the job demands a lot of people who are willing to go above and beyond. It's very hard to convince people that they do need to take mental breaks and time to themselves."<sup>[xxxvii]</sup> At the same time, members at those shops did not want to adopt a rigid time-clock model; they wanted flexibility in reporting and leave times. So, working closely with the bargaining committees, the Guild crafted language to protect against overwork while preserving some flexibility. Brittany says it makes a big difference to be able to point to a contract and know you have the right to time off.

Another big victory for some shops was on non-compete clauses. Before unionizing, Thrillist made workers sign non-compete clauses that said they could not work for any other competitor company for two years after leaving Thrillist. Since they had a clothing line at the time, the list of competitor companies went beyond digital media and included companies like The Gap. The contract deletes this clause entirely.<sup>[xxxviii]</sup>

The union has fought to protect intellectual property as well. One interviewee from Gimlet Media explained how this was particularly important for writers in podcasting. "We find stories, we report them, and then they might get read by somebody else."<sup>[xxxix]</sup> If the piece is optioned, writers have no guarantee they

will be paid for their work. “The language around it is, ‘we’ll take care of you; don’t worry,’” she explained. But in reality, this wasn’t necessarily the case. It takes a union contract to make the rules and process transparent. Gimlet is still in negotiations but other contracts contain language on intellectual property. For example, the Vox contract states that bargaining unit members will be credited for their work. If the company sells content to a third party, the employees who created it will share in the revenue.<sup>[xi]</sup> The GMG contract specifies that employees would have rights to any book deals that comes from their work.

## Building Community in the Workplace

In addition to the concrete gains provided by collective bargaining, unionization improves work life by building community and improving morale.

Tanya Somasundaram is a member of the Guild at the Committee to Protect Journalists (CPJ). “Apart from the contract gains and protections that come with unionization, the relationships and internal community that has come out of this process has been and continues to be extremely rewarding and reassuring to all of us,” she explained. “I believe people at CPJ now feel more empowered and committed to be concerned with one another’s welfare, in a work context, but also on a more human level.”<sup>1</sup>

That kind of solidarity is crucial for winning a strong contract but also creating a more supportive work culture. Somasundaram explained, “While the pandemic and adjustments to new work styles have definitely made space for these levels of concern and care more recently, I credit

this in a large part to the cultural shifts that came with organizing our workplace. It’s not just a sense of top level down concern, but there’s a real sense of connection and care horizontally, across teams and departments, among unit members.”<sup>2</sup>

For Seth Rosenthal one of the highlights of unionizing Vox has been, “walking around the office and knowing a hundred more people than you did a year ago. People knowing each other more than they did before.”<sup>[xii]</sup> Anthony Schneck of Thrillist agrees. “Digital media day-to-day work can be very isolating even though you’re sort of on this platform of connectivity all day,” he says. The organizing made people talk face-to-face and get to know one another in a deeper way.<sup>[xiii]</sup>

After her experience organizing at Gimlet, Meg Driscoll reflected, “All of the people that were on our organizing committee are people that I would put as my emergency contact, at this point, on any important legal form because I trust them so much with their ability to handle a situation, and make sound decision, defer when necessary, and all of that. They are just so incredible, and they worked so hard.”<sup>[xiv]</sup>

When Vox media workers staged a walkout in the final week of bargaining, over 90 percent of employees – including many not in the bargaining unit – participated. Brittany Cheng remarked, “I think it was really cool to see how many people who don’t even know each other are willing to stick out their necks for each other and work together and I think that really encapsulates the power of a union.”<sup>[xv]</sup>

After their victory at Huffington Post, the union organizing committee stated, “Our campaign to win union recognition has

united us in many ways. We've come together as a community across regions, departments, and positions to work towards a shared vision."<sup>[xlv]</sup> Hamilton Nolan sees this dynamic as one of the most inspiring parts of being part of a union. While working at Gawker, he says his job was "to write why I'm right and you're wrong, and fuck you for being wrong." But when you form a union you need to learn to work together. "You have to shift your entire perspective," he says. "You can't just tell people to fuck off, you have to learn how to deal with people. That's, I think, probably the biggest thing that I've learned in unionizing and continue to try to work on."<sup>[xlv]</sup>

Unionization is about solidarity. Writers who liked their jobs and even liked their bosses learned by talking with co-workers that not everyone had a positive experience with management. German Lopez, a writer at Vox, wrote that he went from opposing a union to joining the bargaining committee in part for this reason: "The first thing I learned is not everyone had the same experience; even in a company that genuinely does try to be the00 best in digital media, things can slip through the cracks, and a bad manager can make a world of difference."<sup>[xlvii]</sup>

Eric Vilas-Boas explained how some of the digital media companies project an image of the workplace that is not the reality. "The difference between a non-union workplace community and a unionized one was night and day when I worked at Thrillist," he said. "It was and remains a lifestyle journalism brand obsessed with the idea of 'having fun,' but when I started, morale was often low and management rarely made real commitments to build relationships across teams, beyond corporate events." It took unionizing to find real connection.

"Unionizing flipped that dynamic on its head," he said. "Suddenly we had a lot to talk about! Almost immediately after we started organizing, members on separate teams within our bargaining unit quickly forged deeper connections that became generative, with editorial goals that felt mutually beneficial. All the corporate team-building exercises in the world couldn't match the solidarity our union found together and spun into award-winning work."<sup>3</sup>

Many might be surprised to hear that the sense of community can extend to management as well. Caitlin PenzeyMoog told us:

*During the process, the organizing committee, but also just in general, we started having Organizing happy hours and we started doing these events and actually speaking across departments. It was really good for everyone, but it also made the company better. Something bosses don't maybe fully understand or don't want to understand is that unionizing has made the company stronger. Editorial output is better, people communicate better, people understand other departments and the way they work. The company is genuinely better for going through the organizing campaign.*<sup>[xlviii]</sup>

Rosenthal had a similar perspective. "I think the company frankly appreciates this!" he said. "This has done so much for a unit that is spread out across space. Even people who rub shoulders every day are fairly siloed, and this has done so much to break down those walls."<sup>[xix]</sup>

Union contracts may even help managers do their jobs better. "Having a union contract



is super useful for managers who are not in the unit and have never before had an idea of where the lines are and what they should be saying when their employees ask them questions,” Rosenthal explained. “I think we made saying yes and no to things a lot easier for managers. The guidelines are there in writing and they apply to everyone.”

[1]

Beyond the material gains in the contracts and in workplaces, the wave of unionization has had a broader impact on the digital media industry, changing how writers view their work, their peers, and their employers.

# Impact on the Industry

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Given the constantly changing nature of the digital media industry, the Guild has to win recognition and bargain strong contracts, and they have to work to shape the overall industry.

## Protecting Workers Against Industry Restructuring

We have already discussed the ways in which the Guild has fought for strong successorship and severance language in collective bargaining agreements. But they understand that more is necessary. Dealing with the precarious nature of digital media takes an industry-wide approach.

Part of that means staying nimble to adapt to the industry and having a strategy to target key firms and growth areas. Their digital

media organizing began with digital news and has expanded to include podcasts. Now they see traditional unionized networks like NBC and CBS forming on-line 24/7 streaming services that are non-union. The Guild organized CBSN, the CBS streaming service, last year.

Corporate restructuring and consolidation mean frequent layoffs. The insecurity could scare people from organizing, but it seems to have had the opposite effect. “Workers have seen concrete examples that organizing and building collective power works, especially in a precarious industry, so that precarity is definitely an accelerant to unionization.” according to Justin Molito.

[11]

This means the Guild remains open to organizing groups of workers that come to

them looking to unionize, even if their shop is not a strategic target. This is what Molito refers to as “momentum-organizing,” and it has helped bring new energy into the union and create a sense of a labor movement in the industry. “Coming together collectively as a group across all shops is the only way we will have more power to push back against any merger, any acquisition, and all of capital together in however it’s manifesting itself at the current time,” Molito explains.<sup>[iii]</sup>

Workers know that a contract is valuable, but they also need more. They need to know they are part of a large group of people fighting together to make a better industry and a better world. In terms of dealing with job instability, Molito asserts: “this sort of intangible solidarity is as important to this group perhaps as the successorship and severance language.”<sup>[iv]</sup>

It also means campaigns build off one another to raise standards in the industry. Interviewees told us how they organized and bargained building on the shoulders of previous campaigns. Their gains are part of a continuum of improvements throughout the industry. Seth Rosenthal, a member of the Vox Media bargaining committee explains, “I think we have what was, certainly at the time we signed the contract, the best severance possible, I think probably the best in the industry. We were able to look at what Huffington Post has, that’s a comparably sized unit, they negotiated against the same lawyer that we did. We felt pretty safe saying let’s do a little better than that, and hopefully the next comparable unit will do better than we did.” Over time, this could raise the bar for all workers industry-wide.

## Building Solidarity Across the Industry

Industry-wide solidarity is the only way workers will eventually gain some protection against corporate power and restructuring. Guild members speak over and over about how they see themselves as part of a broader community, which includes other Guild members as well as members of other unions, such as the NewsGuild and the Department of Professional Employees/AFL-CIO.

This can be seen in social media, particularly Twitter. Workers use it to support each other’s struggles and union campaigns, and to teach one another organizing strategies, which we discuss below.

Workers also support each other through layoffs. People share names of anyone laid off in their shops to help them find other work. In the midst of the pandemic, Vox workers offered to take pay cuts to avoid furloughs during the pandemic. Management didn’t accept this, but workers created a fund for furloughed workers. VICE Union fought for job sharing. Again, this didn’t work, but given that writing can be such solitary work, and people are often in disparate workspaces, the level of solidarity is impressive and shows that it is possible to build collective identity despite the obstacles.

The Guild connects workplace committees together across shops to maintain and raise industry standards. According to Seth Rosenthal, “one thing the WGA has helped us do, is stay in touch with all the other diversity committees at other shops and we meet pretty regularly, once a month or once a quarter.”<sup>[iv]</sup>

Before the pandemic, the union held social events to foster cultural solidarity. “We have panel discussions and round tables and mixers just for the purpose of having people meet each other, exchange pleasantries and war stories, and get to know each other as colleagues, as brothers and sisters in the union,” explains Lowell Peterson. “There’s a spontaneity to a personal gathering that’s hard to replicate online.” This sense of community goes beyond digital media. Peterson said other Guild members are excited about the new organizing in digital media. “I’d go to TV writers’ rooms and they say, ‘yeah, I love that campaign!’ or lot of comedy variety people get their news from these verticals. When they get together in a room, they find common ground really quickly.” This kind of solidarity within the union cannot be taken for granted. In some industries older union members see new work as a threat. Digital media could be competition with “old media.” But the Guild has built community and solidarity that brings energy and excitement to the union and the labor movement.<sup>[iv]</sup>

## Creating a Strong Presence

While density in a constantly shifting industry is difficult to measure, the Guild has a strong presence in digital media. The past five years of growth aided in creating more entry points to organizing for new shops, a greater likelihood of mergers landing workers at an already unionized workplace, and an overall normalization of organizing throughout the industry.

When workers at digital media outlets start to explore unionizing, they know the Guild as the union of many of their peers. Says Guild Executive Director Lowell Peterson,

“So we’re not 100% sure how to map the boundaries of the digital universe. I would say we’re nowhere near 100% of any conceivable digital universe. But we have sufficient density so that everybody knows that we’re here. When we do organize, people have heard of us and they know people who have been covered by our contracts.”<sup>[vi]</sup>

Members often reach out to writers they know personally or follow on Twitter to ask about their organizing experience. Members without previous experience or knowledge of unions heard about how other shops were unionizing and wondered if that was an option that could help them in their workplaces. Hamilton Nolan, a labor reporter at *In These Times* and a member of the Guild council, has been guiding industry workers through the process since first publishing a piece on unionizing while at Gawker. Says Nolan, “I stayed pretty active in trying to help them connect with other people in our industry. I always even from day one would get a lot of emails from people who were curious, so I just did that informally. And still do that to this day.”<sup>[vii]</sup>

The mergers and acquisitions within the industry even brought some shops together under the same corporate owners. When Univision purchased the Onion was purchased in 2016, shortly after the media conglomerate had purchased Gawker Media, the Onion union was still mid-bargaining. Caitlin PenzeyMoog recalled that after the sale, “We were like cousins with them. And they obviously already had a really strong union. I reached out to someone from there that I followed on Twitter and was like, ‘hey, we’re corporate cousins, I know you guys have a strong union, can I talk to you or someone?’”<sup>[viii]</sup> Not long after in 2017, *The Root* and *Fusion*,



both verticals under the Univision umbrella, announced their intention to unionize and were later brought under the GMG contract during reorganization of the company.

Refinery29, which gained recognition as a Guild shop in early 2019, became a part of the VICE union less than a year later when they were purchased by the company. The Ringer was acquired by Spotify about a year after Gimlet, both shops having organized with the Guild. What was previously largely a destabilizing development is now also bringing together strong, active shops who draw on tactics learned from hard fought campaigns and contracts.

On the whole, the density of Guild shops has normalized unionization. PenzeyMoog explained:

*Now it's more unusual to work for a place that's not unionized. I think the Writer's Guild organizing – and the NewsGuild – have sort of set a standard in place that if you're on staff you have union protection. And if you don't, you should, because most of your peers do in the industry. I've talked to a few people at places that aren't organized and they are trying to organize. If they don't have a union, they're trying to get one and they want one.*<sup>[ix]</sup>

This has been a dramatic shift in the industry in just five years. “I think one thing is that it created the expectation that this is the type of work that is unionized,” said one interviewee from Gimlet. “I’ve been approached by folks who’ve asked, ‘should my shop have a union?’ And I say, ‘yes, actually!’” Gimlet was the first podcasting network to unionize and it created a benchmark for the industry: “taking a bunch of young producers and creating the expectation that they deserve more is good.”<sup>[ix]</sup>

After Vox Media announced furloughs in March 2020, writers across the industry offered support to the workers and union. Journalist Aaron Freedman explains, “Just a few years ago, this outpouring of not just support for, but identity with, a digital media union would have been unimaginable. In fact, three years ago, the Vox Media Union didn’t even exist.”<sup>74</sup>

## Informed Coverage and Increased Visibility of Labor Issues

As media has shifted in recent years, so has coverage of labor. Traditional newsrooms are less likely to have a labor beat, and even if they do, the shifts in the labor movement itself means the kind of labor reporting the movement needs has changed. Across shops, writers’ union campaigns have changed how they cover labor. Members’ experiences shifted both their views of themselves as workers and offered a new lens through which to view their work as it relates to the broader labor movement.

With union density trending downwards across the country, the average reader’s knowledge of the labor movement is likely sparse. Paired with layers of complicated laws, insider jargon, and union politics, labor reporting requires more than a passing knowledge of the subject. “In order to responsibly and effectively report those stories it really helps to have grounding in the history and what came before,” says Kim Kelly. “I think a lot of people, especially in the Writers Guild orbit, who’ve been through so many of these campaigns and worked together and have been supporting each other – we’ve built an interesting little labor movement inside the media . . . we’ve really been seeing the fruits of that in this new wave of labor journalism.”<sup>[ix]</sup>

Over the past year, both VICE and Vox have covered organizing and labor issues in the emerging direct-to-consumer sales industry, shedding light on an important new sector of precarious labor facing young professional workers.<sup>[ixii]</sup> From their own experiences as workplace organizers and union members, these writers bring expertise and insider knowledge to their reporting.

Beyond reporting, the Guild's shops bring "visibility to the modern labor movement and what it looks like in this century," says Caitlin PenzeyMoog. "It's not like your grandfather's union. Especially with the Writers Guild, I feel like it's a very cool scene to be a part of." The expanded representation of unions opens doors to others in the industry, normalizes their presence, and suggests to other young professional workers that a union could help them, too.

## Protections for Freelancers

As in other industries, media employers are replacing full-time positions with freelance. This lets employers shift costs and risks of a regular employment contract onto workers. When there is a lot of work, the company hires more freelancers, but when work is slow they are not committed to giving regular paychecks or paying for benefits. Some employers misclassify staff as freelancers as a way to avoid paying overtime and unemployment insurance or cover them under workers compensation. Some writers prefer working as freelancers for more flexibility, but no one prefers low irregular pay and poor treatment.

The Guild has made a commitment to work in solidarity with freelancers. This may sound simple, but many unions have a history of seeing this kind of work as the competition. For example, many university faculty unions took years to understand that adjunct faculty should have the same rights and protections as full-time faculty. The Guild understands that even though freelance workers do not have the legal rights to collective bargaining, they are part of the labor movement: "The movement to unionize digital media publications is committed to raising standards for every kind of worker, and the conditions of freelance labor is a top priority for the Guild. Solidarity between employees and contractors—whether the work is classified freelance, permalance, or temporary—is an essential element to our organization."<sup>[ixiii]</sup>

The Guild has worked to protect freelancers in a few ways. First, they make sure employers properly classify employees. This is an issue in a number of sectors the Guild represents, including reality TV, and the union has worked to expose the problem, including testifying before the New York City Council's Civil Service and Labor Committee.<sup>[ixiv]</sup>

They also negotiate standards for freelancers in collective bargaining agreements and have created workplace committees focused on freelancer issues. The Vox contract states that the company will set a clear process for hiring freelance workers from outside of the company. It also includes language to protect against the company laying off staff and replacing them with independent contractors.

Finally, the Guild has helped coalesce a group of freelance writers into a chapter under another union, the National Writers Union (NWU). Since freelance writers are independent contractors, they do not have the right to collective bargaining but the NWU helps members bargain stronger contracts for themselves and helps make sure contracts are enforced (including filing grievances).

Working with Guild leaders and staff, NWU members helped launch the Freelance Solidarity Project in 2018 which unites workers across media formats and across unions. The website notes, “As thousands of workers have unionized with the Writers Guild of America, East and the NewsGuild-CWA, the question of how we could stand in solidarity with staff workers while advocating for our own rights became more urgent than ever.”<sup>[xvi]</sup> A number of writers go back and forth between working as staff writers and working as freelancers. Frida Garza, formerly a Guild member while at GMG, is now a member of the Freelance Solidarity Project and served on their organizing committee until earlier this year. Kim Kelly was an active Guild member at VICE but is now a freelancer. While Kelly is no longer at Vice she serves on the Guild’s Council, which helps facilitate collaboration between the projects and keeps freelance issues a priority within the union.

# Organizing Model: Traditional and Non-Traditional Strategies

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Since Gawker first organized in 2015, Guild campaigns have blended traditional organizing strategies like internal escalations, walkouts, and strike votes with digital organizing tools like Slack and Twitter, as well as leveraging their own platforms and connections within the digital media realm for increased coverage. Throughout the many campaigns, a form of more transparent and digitally present organizing has emerged, always grounded in a strong ownership by the members.

## Digital Tools

VICE union was one of the first campaigns to experiment with using digital tools in their campaign. There was a learning curve, but now they are central in every campaign. According to Kim Kelly, “now it’s just intuitive. Of course there’s going to be a

Twitter account, with an avatar, with a Slack group who are doing these coordinated actions.”

Internally, many shops have weaponized Slack to move their campaigns forward. Slack, an internal chat platform for tracking projects, sharing company news, and socializing is standard issue at digital media companies. It’s also where several Guild members remember first hearing the clarion call of “union.” Seth Rosenthal remembers how Slack began the organizing conversation at Vox: “There were already a couple of us, some of whom hadn’t really known each other before, who came together simply because in some Slack meltdown I had said the word ‘union,’ and a couple people did the little emoji response and I just emailed those people and was like, ‘hey, I’m serious.’ So, starting from that



little nucleus, that project began.”<sup>[ixvi]</sup>

In a usual union drive, workers can rely on idle chatter about news and politics, friendships formed in the lunchroom, to assess co-workers’ openness to organizing. Twitter provides an alternative method when workers must organize across remote locations. Unlike many of the smaller shops in the Guild where most members are only one degree removed from their coworkers and used social connections to organize, Future was home to multiple sites acquired by a parent company with offices located all over the country. After exhausting social connections, the organizing committee began to scroll their co-workers’ Twitter feeds, “trying to make judgments about what their politics might be,” said Rafi Letzter.<sup>[ixvii]</sup> Letzter and the rest of the organizing committee made their assessments based off tweets and began reaching out.

When a new campaign launches with the Guild, they create a dedicated Twitter account which offers a very public point of escalation than can shake leadership into paying attention. At Gimlet, workers used Twitter to push their bosses for recognition. Said Meg Driscoll, “It honestly was the thing that made them pay attention. Them being outed directly on Twitter really made them be like, “uhhh!” . . . People want to believe that the brand is nice. I think that did hurt them, personally, and it did hurt their image a little bit there. That did make them come back to the table and be a little more serious.”<sup>[ixviii]</sup>

Vox similarly used Twitter to take worker testimony to a broader platform. Brittany Cheng recalled, “we had everyone in the unit write testimony to [Vox Media CEO]

Jim [Bankoff] about topics they were super passionate about or why they wanted cost of living increases and stuff. There were a couple of really moving stories. We ended up taking that public so people tweeted their stories at Jim.”<sup>[ixix]</sup>

As a union Twitter account for each new campaign has become standard, so has the usage of union logos in Slack. Says Kelly:

*We understand the medium and the possibilities of this technology in ways that maybe the people who are in charge of us, or above us, don’t. We all use Slack, this demonic messaging chat that everyone in media is glued to 24/7. One day we all changed our avatars to say ‘VICE union.’ And that just shook some of these higher-ups to their core because it was a visible example of, ‘oh they’re talking about us! They’re organizing, they’re planning something!’ And we’ve been able to replicate that a bunch of times throughout all these other campaigns.”<sup>[xix]</sup>*

What seems like a small gesture culminates in a sea of tiny pro-union avatars populating the digital workspace, not unlike the more typical escalation of wearing a union button to work.

Slack also becomes an ongoing campaign tool, as units use it to engage coworkers once they’ve gone public. Brittany Cheng shared how Vox mobilized Slack:

*We have a channel at work, called Vox Media AMA [‘Ask Me Anything’] Union. It is internal on the company server but when we first started, right after we got recognized, people had questions. We wanted it to be like a Town Hall even though*

*people were not in the same space. We also wanted it to be something that non-unit people could see because we felt that the more secretive you are about stuff like this the more shady it seems. If we wanted people to buy into the process, we wanted it to be an open forum.*<sup>[xxi]</sup>

It uses a familiar space to demystify the union, with a low barrier of entry for workers who otherwise might not have gotten involved.

As digital media continues to consolidate and workers remain stuck at home for the foreseeable future, the Guild's online organizing tools take on a new shine. Guild members have shown that organizing can forge ahead in the digital space, and to great effect at that. Digital media campaigns have leveraged the tools that their workers are already using, with the union spark jumping from shop to shop, creating a wildfire across the industry.

## Traditional Tactics

Aside from digital means, workers across the Guild used classic escalation tactics to move their campaigns forward. What was clear across shops was the willingness to commit to bold actions and the strong leadership of workers from within the shop. Pairing these tactics with a visible Twitter presence helped amplify their actions to create a greater impact.

Many of the campaigns reached the biggest points of escalation during bargaining. At Thrillist, after months of bargaining stalled out over economics, Anthony Schneck recalls thinking, "[Management] thought that we would we had no other options. No other arrows in our quiver. So it seemed doing [an escalation], and doing it quickly, would be the most effective way to catch them off

guard and make them realize how serious we were. We met on a Wednesday to decide if we wanted to do it, and on Monday we did our walkout/strike authorization vote."<sup>[xxii]</sup>

Management reacted by shutting off emails and Slack, which only bolstered the union's resolve. Before the strike, Thrillist lawyers insisted there was no money, and the best they could offer was a 2.5 percent raise per year, mostly merit-based.<sup>[xxiii]</sup> After the walkout, management came back to the table and offered 8.5 percent raises across the board.

Unionizing shops can leverage their connections across digital media to help their campaigns. Even the threat of media coverage was enough to push negotiations during the VICE campaign. As discussed above, VICE workers organized a walkout to put pressure on the company around pay issues in their contract. When the company found out and came back to the union, "We got a whole lot more money out of them," explains Kim Kelly. "It was a really interesting example of how powerful optics can be in this particular area of organizing, and this is a lesson that translated to a lot of ensuing campaigns at other shops you saw at Writers Guild over the years."

Workers used other kinds of workplace actions. Writers at Future didn't think their management would pay attention to Twitter, and didn't think it could be as useful of a tool. At one point during organizing management was fighting the definition of the bargaining unit. The union had about 70 names but management insisted it would only recognize the writers, about 30 people. So the organizing committee decided to make their support and presence visible in the workplace. They had posters made that said, "Time to Recognize the Future Union

– Announced February 21st, 2019.” Rafi Letzter explains:

*The idea being that that date would be further and further in the past, and pressure would mount. We said, ‘put this on your desks’ thinking that some people would and it would at least become visible in the office. And then these medium sized posters, they’re not small, they just WALLPAPERED. I brought in 200 because I didn’t know how many we’d need, maybe people would use them. And ALL two hundred got put up. People put them over bathroom mirrors, in the kitchen, they covered every structural column in the building with them, they went EVERYWHERE. Management had NO idea what to do about it.”<sup>[lxxiv]</sup>*

The posters stayed up for a week and set a tone. Letzter says, “It was the first radical action that everyone in the union took part in. Just weeks earlier, people were saying, ‘I don’t know if I want to be a part of this,’ and suddenly everyone was doing this thing.”<sup>[lxxv]</sup>

Guild members build power and solidarity build through these actions, and that becomes a form of power. After deciding internally that they would be willing to stage a walkout if management didn’t negotiate over layoffs, the GMG union won a reduction in layoffs, voluntary buy-outs and increased severance pay. Says Hamilton Nolan, “That was a pretty tangible example of winning something with the union power. And it wasn’t a contract fight, it wasn’t the lawyers that won it, it was really the unit being united and willing to walk out for that.”<sup>[lxxvi]</sup>

# Union Power

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Several themes came up repeatedly throughout our interviews about the power of unions and the particular strengths of the Guild.

First is the way in which the Guild is willing to trust workers. In Anthony Schneck's opinion, "I think one of the reasons the Writers Guild has had so much success in digital media organizing is their willingness to break from traditional tried and true organizing and unionizing tactics."<sup>[xxviii]</sup> The Guild listened to workers and helped them get information they needed to decide what to do next. Meg Driscoll of Gimlet described it this way: "They take the lead from us and they'll say, 'this is how we usually do it, but it's up to you guys what you want to do.'"

<sup>[xxviii]</sup> This is unusual for a union because it requires giving up a lot of control. It requires trusting workers. But as Lowell Peterson

explains,

*At the end of the day the decision about how hard to fight is up to the people who are organizing and negotiating, and what we try to do is make clear what the stakes are; what the options are. Set your priorities and commit to fighting for them. And then we'll help every way we can with our experience to get there. But it's your careers, your livelihoods, your sense of what it means to be in the union. That's what's at stake here so make that decision and we're here with you 1000% but ultimately, it's about what people want to fight for.*<sup>[xxix]</sup>

This was a risk, but it worked. "A lot of what wound up working pretty well was when they would ask us, "hey, what do you what do you think would get you to this point?"

says Schneck. “That’s kind of how the strike authorization vote came to be.”<sup>[ixxx]</sup> The Guild was willing to trust the workers and to try new things.

Employers often poison workers against unions by painting the union as a third party; as outside agitators who just want dues. But the Guild approach renders that strategy useless. It is impossible for employers to paint the union as an outsider when workers own their campaign. This helps in bargaining too. “The fact that we had organized so well, so thoroughly, I think pushed some of the employers back from a traditional retaliatory posture,” says Peterson. “When companies see that we have real strength on the shop floor and then it’s actually the people who work for them who care about it - it’s not me or Justin or Ursula or Megan - it’s the actual folks who work for them - they have tended to be less aggressive in their counterattacks. So it builds on itself.”<sup>[lxxxii]</sup>

It is often impossible for management to draw a line between the workers and union staff because the organizing is built on very close relationships. “There’s a very familial close vibe there,” says Kim Kelly. This helped form a collective identity and organizing culture. Kelly explains,

*For a lot of people that was their first experience [with a union] and they had to be able to call, text, email someone and say, “I have a problem” and [organizers] would respond immediately: “here’s what I can do to help.” I think that was a novel and really valuable experience to a lot of people. Especially those who’ve been stuck inside these unfeeling corporate machines for a long time. The thought that someone cares and they can actually back*

*that up, they have the law on their side, that’s huge! Not to sound too kumbaya, but it’s very empowering. It makes you think, “this person has my back, what else can I do? What can I do to help other people?” It causes a chain reaction.*<sup>[lxxxii]</sup>

A second theme that came up was transparency. Workers want more transparency in the workplace. They want rules about how pay is set and when raises happen. They want to know what employers expect of them, and they don’t want favoritism to play a role. In some workplaces, employers projected a progressive image. They said they wanted a multiracial workplace; they said they had a commitment to treating workers well. But then those things would not happen, and people wanted these promises on paper, in a contract.

Workers also want transparency in the organizing process and in functioning as a union. This was clear right from the start in the Gawker campaign, when Hamilton Nolan published his piece about organizing. In most union campaigns, the organizing takes place quietly, justifiably, as employers frequently retaliate and punish workers who try to form a union. But it is hard to keep secrets in journalism. And for the most part, workers did not want to remain too secretive for fear of seeming like something devious. Instead, in many shops they tried to be as open as possible. Some included non-unit members in discussions; some had open Slack channels to discuss the union. They tweeted updates on organizing and bargaining.

Says Justin Molito, “One thing that happened at Gawker and has been consistent



throughout all the campaigns, is to have the campaign play out publicly so that you could follow along at home! You know, if you if you're following it on Twitter it's pretty transparent what's happening."<sup>[xxxiii]</sup>

Interviewees said that their inclusive approach made them more effective. For example, at GMG, the Diversity Committee hosted a dinner in the office after work. Frida Garza says, "It was open to everyone, we opened it up even to people who were on the business side at GMG who are not covered under our contract. We asked, 'We want to know what your experiences have been like. What are the things actually make it difficult for you to come to work and also to stay here and see it as a long-term career path, potentially?' We got a lot of really, really good information."<sup>[xxxiv]</sup> As Brittany Cheng noted, non-unit workers even participated in the walkout at Vox.

A third common theme was a broader commitment to addressing power imbalances in the workplace. Many of the campaigns were started by people who are members of groups like the Democratic Socialists of America, or who have leftist parents, or who have simply grown up in a time when there is growing interest and support in unions due to massive inequality.

But even those who did not know about unions or didn't share the same left politics had a commitment to creating truly inclusive workplaces. Over and over we heard that while the economic gains were important, they were not the only motivation for unionizing.

Diversity and inclusion were issues in most of the union drives. Workers demanded that employers make a real commitment to

hiring more people of color and removing racial bias in career development. For some of the white workers, unionization offered a window into how it was for people of color to work in predominantly white workplaces. One person noted that working closely with co-workers of color on the organizing committee, "was a good education in racial politics." She got to know people better than she would have without the experience. "I think I also learned how to just stay quiet for a little while," she added. "People are talking about their lived experience. Just stay quiet and listen."<sup>[xxxv]</sup>

Lowell Peterson says that what a union can do is take some of the methods to address inequity and "make it very concrete in collective bargaining terms, too." They can win specific language that can create accountability for management to enact real change.. "It becomes less abstract and more like, 'we're moving things forward through this action,' and that is very fulfilling."<sup>[xxxvi]</sup>

Guild staff also helped shape political consciousness in the organizing campaign. Several interviewees commented on how useful it was when staff would help workers interpret management's tactics. "It was really helpful that Molly<sup>[xxxvii]</sup> was philosophically unyielding," said one interviewee. "When people lost their nerve, she would pick apart whatever it was and say, 'do you see how this is an anti-union talking point that you have internalized?'"<sup>[xxxviii]</sup>

Rafi Letzter had a similar experience organizing at Future. He says that the Guild staff were instrumental in helping develop workers' political consciousness:

*Having Arcy<sup>[xxxix]</sup> be this example of this confrontational approach to management*

*is itself such a powerful thing for me to see, for our members to see. On the flipside of that, Molly was incredibly good at talking people who were very nervous about a lot of this stuff, through revolutionary ideas. Talking people through radical ideas but putting them in terms of the material reality of their lives and just putting it in pure, practical, non-ideological terms and being very gentle with people who might not be all the way there.*<sup>[xc]</sup>

Finally, there is the basic theme of what a union is about: building power for workers. Peterson explains, “when you think about the purpose of building a union, it’s to build the power of the people you’re organizing. It’s not to build my power. Sometimes it’s called voice on the job. I like to say power. It is really about ensuring that the people who do the work have their collective power to make changes and to decide themselves what the most important issues are.”<sup>[xci]</sup>

The Guild’s success has shown that unions are still alive. There are workers who want to organize, and workers willing to take the risks to do so. Peterson says that the last five years provide “a working demonstration that collective bargaining is a meaningful thing. That it works. It affects change in people’s lives. That when people commit to it and do the work they make gains. That’s really inspiring. It’s not just slogans. It’s actual concrete progress.”<sup>[xcii]</sup>

Peterson says he speaks with other organizers around the world who are seeing some of the same thing: a growing interest in unions, in a range of occupations. Schneck believes there is a lot of appetite for a broader industrial wide organizing effort – perhaps an internet workers union. A lot of coders and other IT workers supported the writers

when they were organizing, and since these workers control the actual websites and deal with ads, they have a lot of power. Kelly adds, “We want to organize the whole damn industry! That’s the goal, wall to wall! This is my perspective, speaking for myself, but I’ve also spoken to a lot of colleagues – either people who work in the space or who are also on the Council, we want to take over! We don’t want a piece of the pie, we want the whole damn bakery.”<sup>[xciii]</sup>

The Guild is a craft union, organizing workers who are involved in storytelling. For now, says Peterson, this is their identity and their particular source of power. But they believe strongly in working with other unions, organizing collaboratively to build a stronger labor movement.

It hasn’t all been easy. In some shops, the employer recognized the union fairly quickly. But in other cases, the process was contested, messy and tense. The union drive at Gimlet was particularly challenging as it took place while Spotify was buying the company. Spotify made it a condition of the deal that they would not buy Gimlet if there was a collective bargaining agreement in place. Members on the organizing committee felt trapped in the middle: they were certain they would be blamed if the multi-million-dollar sale fell through. “I had literally a pain in my chest for two weeks,” said Meg Driscoll, while they waited to see if the sale went through and the union effort survived.<sup>[xciv]</sup>

Even when the results are worth it, organizing and bargaining can be difficult. Caitlin PenzeyMoog said of negotiations, “It was so long and drawn out. It was actually really fast in terms of bargaining a contract but it felt horrible. The last few days we

started at 8 in the morning and went until 3 in the morning. It was exhausting. My vision started going blurry. It was so stressful.”<sup>39</sup>[xcv]

But despite the hardships, no one regrets their decision to unionize. PenzeyMoog says, “At the end of it, it just felt so amazing to win all these things that we brought into existence.” She adds, “I’ve never felt more fulfilled about anything in my entire life.”<sup>40</sup>[xcvi]





# Conclusion: This is Only the Beginning

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In just five years, workers in digital media have defied incredible odds and transformed their industry. In 2015, national union density in the private sector was at 6.7 percent. Today, it is down to 6.2 percent. Density for newspaper publishers followed a similar trend and stands at 6.4 percent today.<sup>[xcvii]</sup>

The obstacles to unionize are many. U.S. labor law is weak and poorly enforced. Employers engage in union-busting with little recourse. Major corporations and private equity frequently restructure workplaces and industries to maximize profit, leaving workers vulnerable and precarious. Digital media workers tend to be young, dispersed and used to high turnover: not the population expected to unionize. Even more challenging, some might think, was the fact that many digital media workers liked their jobs. A few interviewees told us that while they were politically sympathetic to unions in general, they didn't initially think a union was right for their workplace because things were relatively good.

Despite all these challenges, the Guild has experienced extraordinary success. They have helped workers unionize 21 shops and have yet to lose a campaign.

What will the next five years bring? It is of course a difficult time for all unions and workers, as we are in the midst of a global pandemic and looming depression. Even before the pandemic, workers understood what they were up against. After VICE workers won their second contract, the company went through layoffs when a new CEO came in and restructured. But workers kept organizing. "When we fight, we win, and then they knock us back down.

And then we have to get back up, because there's no other option," said Kim Kelly. "Organizing is the only thing we can do to protect ourselves. Working together. No one is going to save us, all we have is us."<sup>[xcviii]</sup>

Hamilton Nolan agrees. "Unions aren't magic. Unions can only do the best they can in an inherently unstable industry," he said. "There are economic factors that are beyond the influence of the union."<sup>[xcix]</sup> But the fact that the industry changes so much and workers will likely be laid off is a great reason to unionize, he argues. And the only way the industry will ever change is for workers to keep organizing, trying to gain enough density that they can start shaping the industry itself.

Justin Molito understands that it is a difficult time for writers and the media industry. But that has been true before, and workers continued to organize. When we asked about his vision for the next five years, Molito stated his goals of continuing to organize and fight for better conditions in the industry. He hopes that, "people continue to support each other and that the narrative around organizing and what's possible through collective strength becomes even more present through the work that we're all doing."<sup>[c]</sup>

Lowell Peterson says he is excited about the next five years. "We're going to keep organizing in the storytelling space. It sounds like such a trite word but I think it's right. People who share a passion for news, fiction and comedy, are going to keep working in various formats and we will keep working with them. The boundaries around the companies and the distribution platforms are going to keep shifting, and we will keep adapting with them."<sup>[ci]</sup>



- [i] [Guide to the Guild](#).
- [ii] Lowell Peterson, Interview with the authors. May 11, 2020.
- [iii] Justin Molito, Interview with the authors. April 30, 2020.
- [iv] Hamilton Nolan, "[Working at Vice Media Is Not As Cool As It Seems](#)," Gawker. May 30, 2014.
- [v] Hamilton Nolan, Interview with the authors, April 9, 2020.
- [vi] Nolan, 2020.
- [vii] Nick Denton. "[Nano Wars](#)," Personal blog. March 8, 2004.
- [viii] Jay Yarrow. "[Gawker Reports Earnings!](#)" Business Insider. July 2, 2015.
- [ix] Hamilton Nolan, "[Why We've Decided to Organize](#)," Gawker, April 16, 2015.
- [x] April Glaser. "[Kickstarter Has Fired Two Union Organizers in Eight Days](#)," Slate, September 12, 2019.
- [xi] Kim Kelly noted that the union was able to make gains on sexual harassment in their second contract: „In December [2019] we ratified our second contract. We dug in and addressed a lot more of those issues around diversity, healthcare, workplace culture, ways to report sexual harassment. Which, as we all found out, is a big issue VICE has had in the past.“ Kim Kelly, Interview with the authors, April 8, 2020. See also Emily Steel, "[At Vice, Cutting-Edge Media and Allegations of Old-School Sexual Harassment](#)," New York Times. December 23, 2017.
- [xii] Kelly, 2020.
- [xiii] Nolan, 2014.
- [xiv] Kelly, 2020.
- [xv] [Collective Bargaining Agreement](#) between Writers Guild of America, East, Inc., AFL-CIO and VICE Media LLC, April 18, 2016 – December 31, 2018.
- [xvi] Kelly, 2020.
- [xvii] [Collective Bargaining Agreement](#) between Writers Guild of America, East, Inc., AFL-CIO and VICE Media LLC, April 18, 2016 – December 31, 2018.
- [xviii] Kelly, 2020.
- [xix] HuffPost Union, "[What We're Up To](#)."
- [xx] Caitlin PenzeyMoog, Interview with the authors. April 3, 2020.
- [xxi] [Collective Bargaining Agreement](#), Writers Guild of America, East, Inc., and Onion, Inc.
- [xxii] Anonymous, Interview with the authors. April 7, 2020.
- [xxiii] Anonymous, 2020.
- [xxiv] Frida Garza, Interview with the authors. March 25, 2020.
- [xxv] PenzeyMoog, 2020.
- [xxvi] [Agreement](#) between the Huffington Post and the Writer's Guild of America, East.
- [xxvii] [Vox Tentative Agreement Highlights](#).
- [xxviii] Seth Rosenthal, Interview with the authors. April 17, 2020.
- [xxix] [Vox Tentative Agreement Highlights](#).
- [xxx] The podcast following the creation of Gimlet Media hosted by co-founder Alex Blumberg.
- [xxxi] <https://www.digitalwritersunion.org/gimlet/>
- [xxxii] Rafi Letzter, a science writer, remarked: "Around August 2018, I'd been at Live Science, which was then owned by a company called Purch, for about a year. We got word that we were going to be acquired by this British company called Future. We didn't know

what the acquisition was going to mean, and there was a lot of nervousness about that.” Rafi Letzter, Interview with the authors. April 9, 2020.

[xxxiii] Garza, 2020.

[xxxiv] Garza, 2020.

[xxxv] Anthony Schneck, Interview with the Authors. May 8, 2020.

[xxxvi] [Agreement](#) between The Huffington Post and the Writers Guild of America, East.

[xxxvii] Brittany Cheng, Interview with the authors, April 25, 2020.

[xxxviii] Schneck, 2020; Writers Guild of America East, “[Thrillist Ratifies First Union Contract with Writers Guild of America, East](#),” October 10, 2018.

[xxxix] Anonymous, 2020.

[xl] [Vox Tentative Agreement Highlights](#).

[xli] Rosenthal, 2020.

[xlii] Schneck, 2020.

[xlili] Driscoll, 2020.

[xliv] Cheng, 2020.

[xlv] Michael Calderone, “[Huffington Post Management Voluntarily Recognizes Employee Union](#),” Huffington Post. January 14, 2016.

[xlvi] Nolan, Interview with the authors, April 9, 2020.

[xlvii] German Lopez, “[I was skeptical of unions. Then I joined one.](#)” Vox Media, August 19, 2019.

[xlviii] PenzeyMoog, 2020.

[xlix] Rosenthal, 2020.

[l] Rosenthal, 2020.

[li] Molito, 2020.

[lii] Molito, 2020.

[liii] Molito, 2020.

[liv] Rosenthal, 2020.

[lv] Peterson, 2020.

[lvi] Peterson, 2020.

[lvii] Nolan, 2020.

[lviii] PenzeyMoog, 2020.

[lix] PenzeyMoog, 2020.

[lx] Anonymous, 2020.

[lxi] Kelly, 2020.

[lxii] Zoe Schiffer, “[Emotional Baggage](#).” The Verge, December 5, 2019; Anna Merlan, “[We Are Treated As Disposable: Everlane’s Customer-Service Employees Are Unionizing](#).” Vice. December 20, 2019.

[lxiii] Writer’s Guild of America, East, “[Freelance resources](#).”

[lxiv] David Robb, “[WGA East Charges Reality-TV Producers With Creating “Sweatshop” Conditions For A “Beleaguered And Exhausted Workforce”](#) At NYC Hearing.” Deadline. June 4, 2014.

[lxv] Freelance Solidarity Project [website](#).

[lxvi] Rosenthal, 2020.

[lxvii] Letzter, 2020.

[lxviii] Driscoll, 2020.

- [lix] Cheng, 2020.
- [lxx] Kelly, 2020.
- [lxxi] Cheng, 2020.
- [lxxii] Schneck, 2020.
- [lxxiii] The offer was a one percent guaranteed and 1.5 percent as merit-based raise in the first year, then 2.5%, all merit-based, in years two and three).
- [lxxiv] Letzter, 2020.
- [lxxv] Letzter, 2020.
- [lxxvi] Nolan, 2020.
- [lxxvii] Schneck, 2020.
- [lxxviii] Driscoll, 2020.
- [lxxix] Peterson, 2020.
- [lxxx] Schneck, 2020.
- [lxxxi] Peterson, 2020.
- [lxxxii] Kelly, 2020.
- [lxxxiii] Molito, 2020.
- [lxxxiv] Garza, 2020.
- [lxxxv] Anonymous, 2020.
- [lxxxvi] Peterson, 2020.
- [lxxxvii] Guild Organizer Molly Katchpole.
- [lxxxviii] Anonymous, 2020.
- [lxxxix] Guild Director of Contract Campaigns Arsenia Reilly-Collins.
- [xc] Letzter, 2020.
- [xci] Peterson, 2020.
- [xcii] Peterson, 2020.
- [xciii] Kelly, 2020.
- [xciv] Driscoll, 2020.
- [xcv] PenzeyMoog, 2020.
- [xcvi] PenzeyMoog, 2020.
- [xcvii] Density data is from Barry T. Hirsch and David A. Macpherson, „Union Membership and Coverage Database from the Current Population Survey,” 2016 and 2020. In this same period, union density in internet publishing and broadcasting grew from 1.2 percent in 2015 to three percent in 2019. The sample size is too small to get density rates for the East coast region covered by WGAE.
- [xcviii] Kelly, 2020.
- [xcix] Nolan, 2020.
- [c] Molito, 2020.
- [ci] Peterson, 2020.

# Digital Media Rising:

**How the Writers Guild of America, East Organized  
Digital Media Workers and Won Industrywide Power  
and Strong Contracts**

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