

HOLLY

Script Girls, Secretaries and Stereotypes

Gender Bias in Pay on Film and Television Crews

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**WORKING
IDEAL**

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IATSE LOCAL 871

Script Supervisors/Continuity, Coordinators,
Accountants & Allied Production Specialists Guild

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Executive Summary

Overview

Gender pay equity is a significant issue in media production -- in front of and behind the camera, and above and below the line. Existing and historical gender-based job segregation, gender stereotyping, and differential negotiating power can lead to wide differences in pay for individuals who play similar roles or work at similar levels - due to different scale rates, different negotiated rates, or both.

In light of these concerns, Local 871 of the International Alliance of Theatrical Stage Employees and Moving Picture Technicians, Artists and Allied Crafts of the United States, its Territories and Canada (IATSE) retained Working IDEAL to perform an in-depth assessment of gender bias in compensation for four female-dominated Local 871 crafts involved in film, television and other media production: Script Supervisors, Production Coordinators, Assistant Production Coordinators and Art Department Coordinators.

The Working IDEAL study, conducted between November 2016 and January 2018, included interviews with members of these crafts and with other individuals working in potential comparator roles on productions, as well as an online survey of Local 871 members, analysis of payroll data,

review of collective bargaining agreements and rates, and other industry research.

Through these sources, we identified a history of gender segregation and stereotyping, and a culture of gender bias and sexual harassment, which affects the work members of these crafts do and influences the industry perception of its value.

We compared the work performed by these Local 871 crafts to certain other higher paid and frequently male-dominated roles involving similar skill, effort and responsibility -- in particular Assistant Directors. We identified Key Assistant Location Managers as an additional point of comparison.

We analyzed the legal obligations studios and production companies may have under federal and California law to address this disparity and we developed some recommendations for how they could best do so. We also flagged a set of questions we were not able to fully answer, but that may be important to fully understand the scope of gender bias and how it impacts compensation for these crafts.

We reached three main conclusions:

- ▶ **Conclusion 1:** A long history of gender segregation and stereotyping – and a current culture of gender bias and sexual harassment in film and television production – affects the work opportunities available to members of these female-dominated crafts and how the industry values their contributions.
- ▶ **Conclusion 2:** These Local 871 crafts are paid hundreds or even thousands of dollars per week less than counterparts in comparable male-dominated crafts, even though California's Fair Pay Act generally requires equal pay for men and women performing substantially similar work, and federal law bars gender discrimination in pay.
- ▶ **Conclusion 3:** The industry should undertake a thorough review of pay for male and female dominated crafts in light of its obligations under California and federal law and correct any inequities.



About the Local 871 Crafts In this Study

Script Supervisors track and report essential information during filming, especially for the Editors, Directors, and the Camera Department. Script Supervisors work closely with the Directors and keep an annotated version of the script and other logs and reports that provide a complete record of each take. The annotated script and logs are used to identify the takes the Director preferred, their length and other notes, any script changes, each camera angle, and other important information. This highly complex work saves significant time for Editors who can avoid reviewing each individual take. Script Supervisors also ensure continuity.

Production Coordinators are in charge of setting up and running the production office during the run of a production (film, television or commercials). This includes everything from setting up offices to ensuring key paperwork like time cards, schedules, and invoices gets properly executed and routed, to managing the Production Assistants (PAs), to handling and troubleshooting a staggering number of logistical and operational details that are essential to production operations. One or more **Assistant Production Coordinators** will also perform many of these tasks working with a Production Coordinator.

Art Department Coordinators serve as project/office managers for the Art Department and work closely with the Production Designer and Art Director. Responsibilities include setting up work space, ensuring technical requirements are taken care of like large format printers and digital asset management, handling the budget and vendors for the art department, managing invoices, time reports and schedules, coordinating with individual artists who are producing physical or digital artwork, handling legal clearances and taking care of any other operational needs of the Department.

About the Comparison Crafts

Assistant Directors (often referred to as "ADs") are a team responsible for managing all operational and logistical aspects of shooting and coordinating cast and crew, including the daily schedule and call sheets that guide all aspects of the production. The **First Assistant Director** is the head of the crew on set and manages a staff of **Second Assistant Directors** and PAs. The **Key Second AD** creates each day's shooting schedule, and works primarily behind the scenes on logistics and paperwork. Other Second ADs (the **Second 2nd Assistant Directors**) are on set supporting the First AD and may also handle time cards, sign in sheets, hiring paperwork for extras, vouchers for extras to get paid, and contracts for actors. The Assistant Directors also have a creative impact on the production by "setting background." Assistant Directors are members of the Directors Guild of America (DGA).

Location Managers, Keys and Assistants perform three main categories of work: 1) scouting and selecting locations 2) preparing locations for shooting 3) managing locations during shoots. Certain **Key Assistant Location Managers** serve as liaisons between the Location Department and others inside and outside the production. In this role, the Key Assistants work in the production office and coordinate with assistants, legal, risk management, and vendors, handling paperwork, budgeting and finance, and logistics - like the Local 871 coordinator positions. Location Managers, Keys and Assistants are members of Teamsters Local 399.

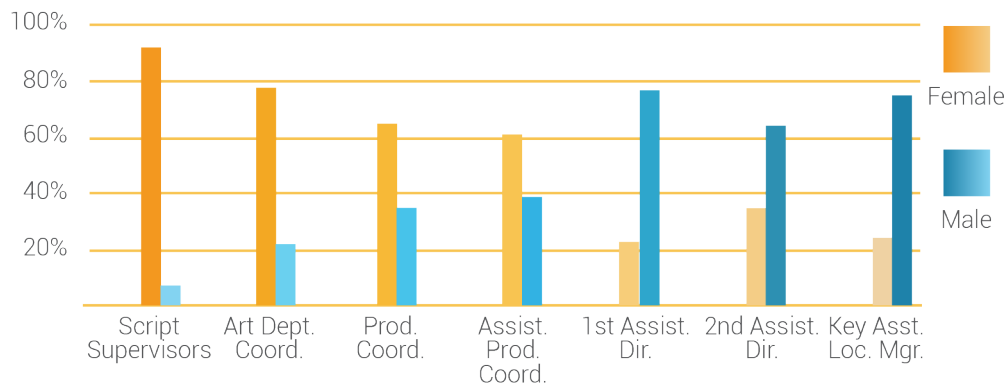
Conclusions

Conclusion 1:

A long history of gender segregation and stereotyping – and a current culture of gender bias and sexual harassment in film and television production – affects the work opportunities available to members of these female-dominated crafts and how the industry values their contributions.

Gender Breakdown of Study Crafts

Source: Local 871, Teamsters 399 and DGA rosters



We found a high level of gender segregation on film and television crews in the crafts we studied. Script Supervisors are over 90% female and Art Department Coordinators are nearly 80% female, while women make up two-thirds of Production Coordinators and about 60% of Assistant Production Coordinators. By contrast, Second Assistant Directors are only about one third female. First Assistant Directors are less than one quarter female and Key Assistant Location Managers are 25% female. This mirrors broader data on gender segregation and female underrepresentation in media production generally.

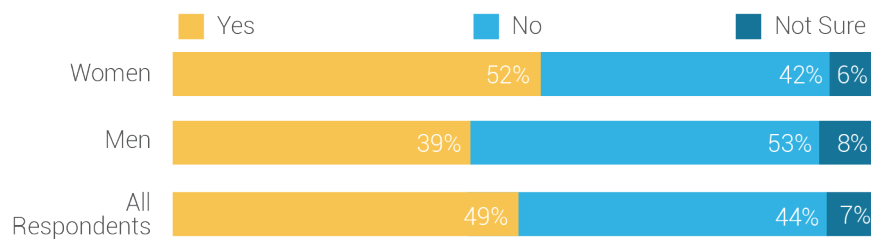
This gender segregation is linked to a broader phenomenon within the industry, which views the Local 871 crafts as lower status “women’s work” both historically and currently. Script supervisors grew out of the “script clerk” or “continuity clerk” role in the early 20th century – often filled by women working as the (male) Director’s assistant and stenographer. Archaic terms like “script girl” and “continuity girl” may no longer be used but the nickname “scripty” still exists, as does the perception that Script Supervisors are glorified secretaries taking notes for largely male Directors. Production Coordinators and Art Department Coordinators similarly struggle to escape

the perception of their work as the gendered performance of female secretarial support for male producers and designers.

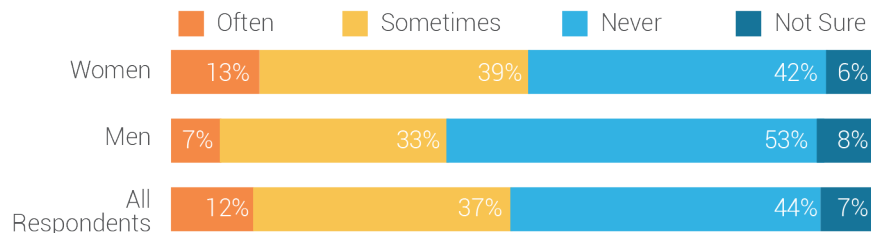
Adding to the negative climate for women, we documented high numbers of individuals witnessing or experiencing sexual harassment in media productions, consistent with recent high-profile press accounts of egregious sexual harassment by writers, producers, actors and others. Over half of the women responding to our survey of Local 871 members reported witnessing or experiencing sexual harassment in the last three years; 13% reported that happening “often.”

This harassment is taking place within a highly gendered industry culture that places a lower value on the contributions of these historically female crafts. And the lower pay and status of these crafts reduces the economic and social power women have to challenge harassing and abusive behavior - especially given the high fear of retaliation and the informal and highly networked hiring practices on these productions. (Note: Our interviews and survey took place several months before the Time’s Up/MeToo advocacy heightened media attention on this issue.)

Witnessed or Experienced Sexual Harrassment in the Last Three Years



Frequency of Witnessed or Experienced Sexual Harrassment



From participants in a 2017 voluntary online survey of Local 871 members

“[A culture of harassment is] very much alive and well in the film industry.”

Conclusion 2:

These Local 871 crafts are paid hundreds or even thousands of dollars per week less than counterparts in comparable male-dominated crafts, even though California's Fair Pay Act generally requires equal pay for men and women performing substantially similar work, and federal law bars gender discrimination in pay.

Through the interviews, survey data and industry research, we identified comparable male-dominated crafts requiring similar levels of skill and effort, involving comparable responsibility, and performed under similar working conditions. Using Local 871 payroll data and published scale rates, we found a significant wage gap between the female and male dominated crafts. Indeed, individuals in some of these crafts - particularly Assistant Production Coordinators and Art Department Coordinators are extremely low paid compared with others on the crew and some may earn below a living wage for Los Angeles.

Both Production Coordinators and Second Assistant Directors ensure in various ways that the production runs smoothly and carry out a range of managerial, administrative, operational and logistical tasks that support the work of all of the departments. Key Seconds, in particular, play a more behind the scenes management and logistical role akin to the Production Coordinators. The path into higher level positions in production runs through the Assistant Directors, further reinforcing the overlap of skills and responsibilities.

While there are some differences, the work is likely to satisfy the legal test in California of "substantially similar work," meaning an employer would be required to equally compensate women and men (and to ensure equal pay without regard to race or ethnicity). Despite their comparable role, Second Assistant Directors are paid hundreds or thousands per week more than Production Coordinators.

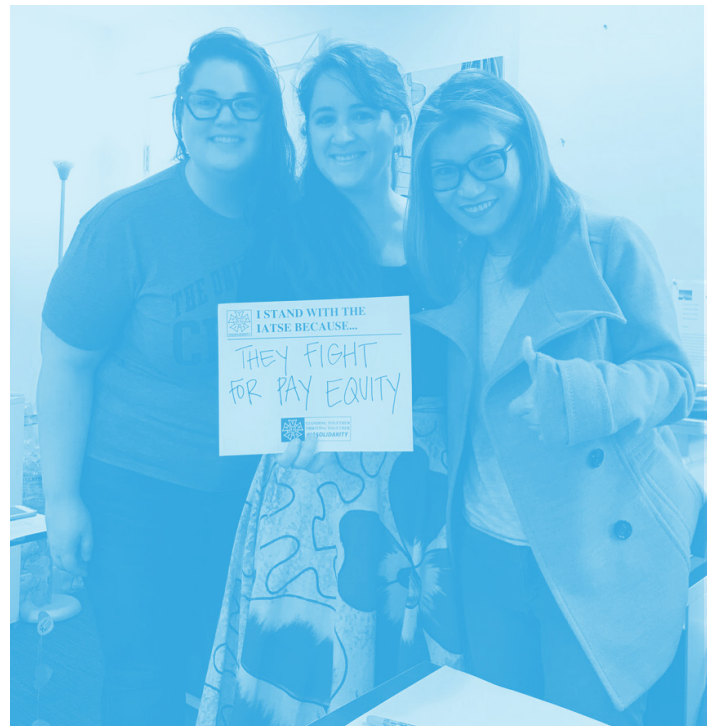
Assistant Production Coordinators also earn substantially less than the Second 2nd Assistant Directors who support the Key Seconds and the First ADs.

Similarly, certain Key Assistant Location Managers work in the production office as a Location Department Coordinator, performing important coordination, administration and management

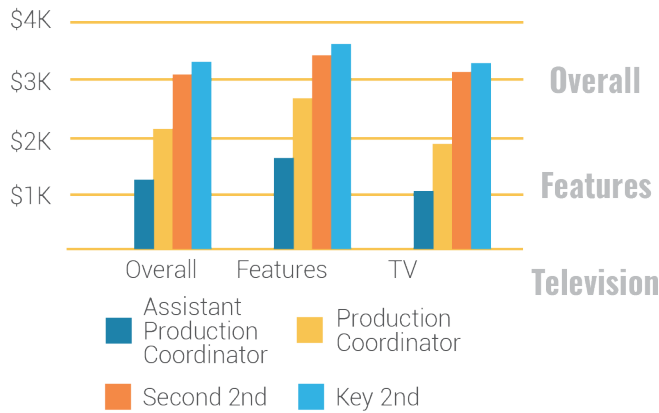
tasks for the Location Department, just as the Art Department Coordinator does for the Art Department. Key Assistant Location Managers typically earn more than Art Department Coordinators.

Under the California Fair Pay Act, an employer cannot pay men and women different wages for jobs that involve substantially similar work – based on a composite of skill, effort and responsibility - performed under comparable working conditions.

Because of their specialized contribution to a production, Script Supervisors are less likely to have clear counterparts performing substantially similar work, but they still experience significantly lower compensation than others at a comparable level on a production like the male-dominated Assistant Directors. Federal law and California law prohibit intentional gender discrimination in pay, and if the wages of Script Supervisors are lower because of gender bias, that could be a legal violation.

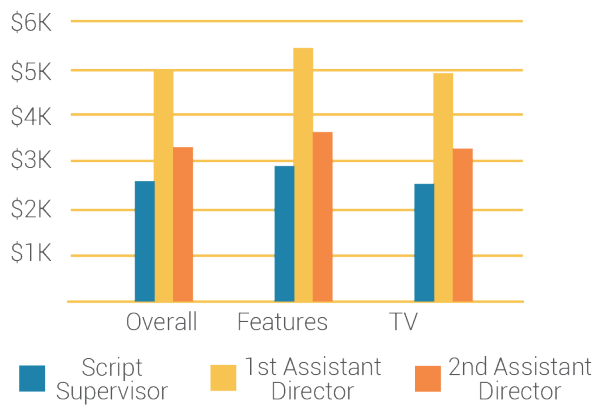


Comparing Weekly Rates for Production Coordinators & Assistants & 2nd Assistant Directors



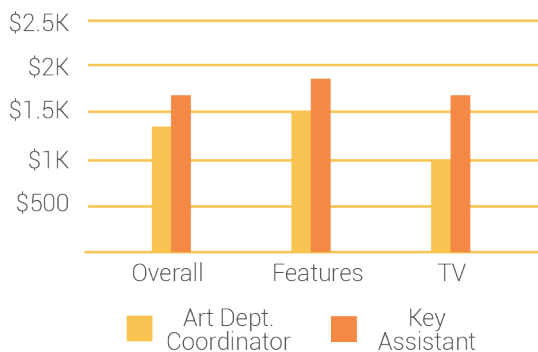
	Assistant Production Coord.	Production Coord.	Second 2nd AD	Key 2nd AD
Overall	\$1,294	\$2,119	\$3,114	\$3,298
Features	\$1,598	\$2,660	\$3,425	\$3,628
Television	\$980	\$1,824	\$3,114	\$3,298

Comparing Weekly Rates for Script Supervisors & Assistant Directors



	Script Supervisor	1st AD	Second 2nd AD
Overall	\$2,574	\$4,921	\$3,298
Features	\$2,873	\$5,413	\$3,628
Television	\$2,506	\$4,921	\$3,298

Comparing Weekly Rates for Art Department Coordinators & Key Asst. Location Mgrs.



	Art Dept. Coord.	Key Assist. Location Mgr.
Overall	\$1,374	\$1,738
Features	\$1,591	\$1,912
Television	\$1,015	\$1,738

Estimated from 2016 Local 871 payroll records and published DGA 2015-2016 scale rates

Conclusion 3:

The industry should undertake a thorough review of pay for male and female dominated crafts in light of its obligations under California and federal law and correct any inequities.

Studios and production companies should take a hard look at their obligations under the California Fair Pay Act and federal law to ensure that gender (and racial) bias does not affect compensation. If there are gender-based pay disparities that cannot be justified under the law, the industry has a clear obligation to correct them. This study has identified some concerns about pay equity that should be further explored through an in-depth internal analysis. The industry should replicate and expand the analysis in this report and we provide some specific guidance for that self-analysis in the final section.

Recent public revelations about a gender pay gap for top female on-screen talent and a failure to address egregious sexual harassment show how the contributions of women have been undervalued in the industry for decades. The pay gap we document in this study is just one example, but it is one that deserves a full and fair reckoning.



Background and Scope of the Study

This study assessed four IATSE Local 871 Crafts – Script Supervisors, Production Coordinators, Assistant Production Coordinators, and Art Department Coordinators (the “target crafts”) between November 2016 and January 2018.¹

We used survey data, interviews, data analysis, industry research and legal analysis to assess potential gender disparity impacting the wages paid to these four majority-female trades in Local 871, compared to other crafts and classifications working on production crews, looking at film, television, and commercial production.

Job comparison:

We analyzed the skills, responsibilities, effort, and working conditions for the Local 871 target crafts and comparator crafts. We conducted 52 in-person and telephone interviews: 30 with members of Local 871 in Script Supervisor, Production Coordinator, Assistant Production Coordinator, and Art Department Coordinator positions, as well as 17 comparator interviews and 5 interviews with industry experts for broader background. We conducted an online survey of Local 871 members in the four target crafts that yielded 431 responses about their duties and responsibilities, working conditions, effort and skills, plus perceptions about compensation and gender equity. The response

rate for the survey was 30% and was relatively evenly divided among Script Supervisors, Production/Assistant Production Coordinators and Art Department Coordinators.

Data analysis and Industry Research:

Working Ideal analyzed Local 871 payroll records for 2016 compared with published scale rates for the comparator crafts. We also conducted an independent review of the available reports on the gender breakdown of behind-the-camera positions, and searched for other publicly available wage and diversity data, including analyzing the DGA roster. We reviewed industry handbooks and some historical background on women in the industry.

Legal analysis:

We evaluated the potential legal obligations to address gender-based pay disparities under federal law (Title VII and the federal Equal Pay Act) and under the California Fair Pay Act, including the potential approach for job comparisons and the likely evidence of gender bias and stereotyping.



How Gender Bias Impacts These Crafts and Their Pay

The fact that the female-dominated Local 871 crafts earn less than many male-dominated positions in media production, including work that plays a comparable role in the success of a movie, television show or other production, is part of a larger story of gender and the industry. This historical and structural imbalance is gaining greater public attention, but the pay gap for women on production crews remains largely below the radar. The pay gap we document in this study is inextricable linked to the way the contributions of women have been undervalued in the industry for decades. Reducing women's economic security and power also makes it harder for women to challenge harassing and abusive behavior.

The industry and the nation are increasingly tuned into the lack of diversity in the entertainment industry on and off camera. The Writers Guild of America has been publishing periodic analyses of racial, gender, and age disparities among writers for several decades.² The Southern California ACLU, working with academics, has conducted annual reports on aspects of the industry and its woeful track record and has asked the U.S. Equal Employment Opportunity Commission (EEOC) to investigate the lack of gender diversity among film and television Directors.³ Campaigns challenging the lack of diversity in the industry have created controversies for the Oscar awards (such as the #OscarsSoWhite campaign).⁴ The Sony hack revealed a significant gender and race pay gap in

Hollywood yielding major stories about gender bias for women in acting roles.⁵ The 2018 Oscars kicked off a visible public campaign encouraging top talent to incorporate "Inclusion Riders" in their contracts, which require greater diversity in casting and a few specified crew positions.⁶

These concerns about gender bias and pay and representation acquired even more significance when sexual harassment revelations rocked the industry this past fall. In the wake of news stories about Harvey Weinstein's long history of sexual harassment and assault, more women have come forward to report harassment by producers, directors, actors and others. These stories reveal how studios and production companies have long failed to protect women (and men) from often widely known predatory behavior.⁷ Several prominent leaders in the industry allegedly have a history of sexual assault. Part of that story is the overwhelming gender segregation across the industry, where, as the Los Angeles Times recently wrote: "Men overwhelmingly dominate nearly every portion of Hollywood, from movie sets to the corporate suites."⁸

We identify all of these larger trends – gender segregation, sexual harassment and a gender wage gap – in our analysis of the four Local 871 target crafts.

Gender Segregation on Film and Television Crews

Although more public attention has been drawn to the lack of gender and racial diversity on screen, and among Directors and Producers, other behind the camera work also remains heavily gender-segregated and male dominated. A few statistics show the bigger picture of lower overall representation, with women largely clustered in certain departments or areas:

- ▶ In an analysis of the 100 highest-grossing U.S. films each year between 1994 and 2013, Stephen Follows found that women made up just 23% of film crews, and that “jobs performed by women have become more polarized” with departments like art, costume and makeup increasing representation of women and more “technical” areas such as editing and visual effects decreasing female representation.⁹
- ▶ In its Celluloid Ceiling reports, the Center for the Study of Women in Television and Film has analyzed gender segregation in film and television production, including a number of reports documenting how few women hold major roles such as Director or Producer. In a report on the top 250 grossing films of 2008, the Center also identified low representation of women in key crew positions including production managers (25%), production designers (20%), supervising sound editors (5%), sound designers (5%), gaffers (1%) and key grips (1%).¹⁰

Gender Segregation in Local 871 Crafts

Gender segregation is similarly a clear trend in the Local 871 crafts. The Art Department Coordinators and Script Supervisors are substantially female-dominated. While the Production Coordinator craft includes a larger proportion of men, a majority of women still occupy Production Coordinator and Assistant Production Coordinator positions.

Script Supervisors are over 90% female according to Local 871 data. The Art Department Coordinators are nearly 80% female. Approximately 2/3 of Production Coordinators and 60% of Assistant Production Coordinators are female.¹¹

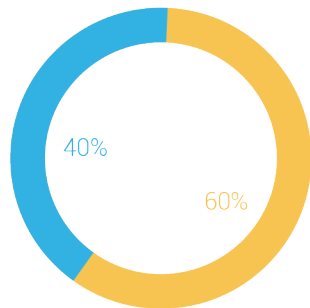
Gender Segregation in Comparable Positions

Although women are increasingly becoming Assistant Directors, the role remains male dominated overall. First Assistant Director is a male-dominated classification – approximately 23% of First Assistant Directors in the Los Angeles area are women according to the DGA online directory.¹² The Second Assistant Director classification is only slightly less male-dominated, with about a 35% representation of women in the Los Angeles area.¹³

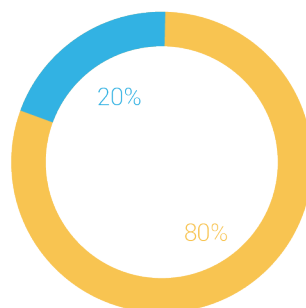
Note these are overall numbers that aggregate all production types. The interview data suggests that the representation of women may be higher in television than in features.

The Key Assistant Location Managers classification is predominantly male, with only 25% female representation, according to information provided by Teamsters 399.¹⁴

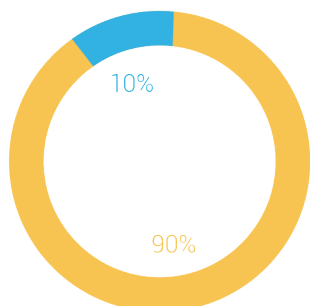
Assistant Production Coordinators



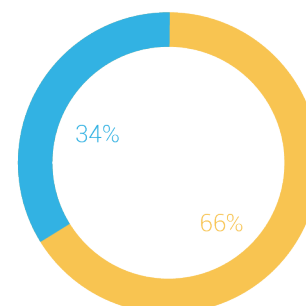
Art Department Coordinators



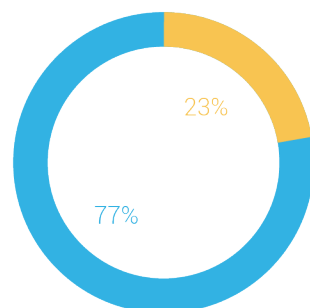
Script Supervisors



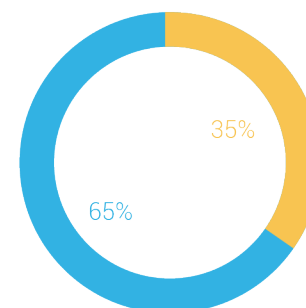
Production Coordinators



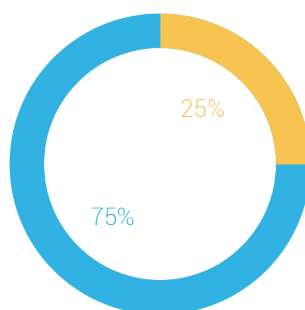
First Assistant Directors



Second Assistant Directors



Key Assistant Location Managers

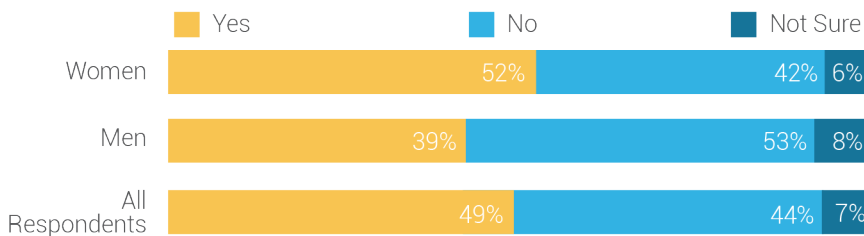


■ Male
■ Female

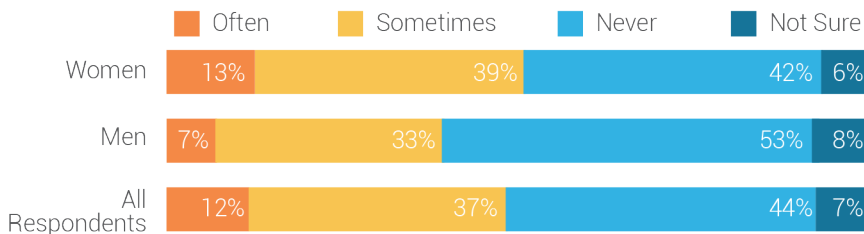
Sexual Harassment

**“When you
report it,
they do
nothing.”**

Witnessed or Experienced Sexual Harassment in the Last Three Years



Frequency of Witnessed or Experienced Sexual Harassment



In the wake of current revelations of egregious incidents of sexual harassment in film and television by actors, directors and producers, our findings regarding sexual harassment in this study of Local 871 female dominated crafts are particularly significant.

Interviewees identified examples of sexist behavior and incidents, as well as general disrespect for their work as highly gendered, and specific examples of sexual harassment. For example, one Script Supervisor said she was sexually harassed by a Director but kept it quiet because she did not want to open a “can of worms.” Coordinator interviewees

responded that they had not only witnessed incidents of harassment and intimidation based on gender, but that such a culture is — in one interviewee’s words — “very much alive and well in the film industry.”

Interviewees viewed procedures for reporting and responding as inadequate. One individual noted that while there are training sessions on appropriate workplace behavior and official avenues that employees may use to lodge complaints, “when you report it, they do nothing.” Another interviewee went even further than suggesting mere inaction resulting from complaints, explaining that a culture of fear-driven silence exists around reporting. We found concern that filing complaints could lead to “blacklisting” and an inability to get hired in the future. Some of the female Assistant Directors we interviewed reported being harassed and propositioned and witnessing sexual harassment -- although they stated it is getting better and their view was that studios are doing more to address it.

In the survey responses, the majority of women reported experiencing or witnessing recent incidents of sexual harassment. Nearly half of all respondents (female and male) reported experiencing or witnessing sexual harassment in the last three years. And among the female respondents, nearly one in seven (13%) reported experiencing or witnessing sexual harassment “often” in the last three years.

Historical and Current Gender Stereotyping in the Crafts

Script Supervisors.

Historically, the Script Supervisor role started as a “script clerk” or “continuity clerk” who worked at the right hand of the Directors to record key information. Women often filled this role in the early 20th century and it became heavily gendered. As Erin Hill, a historian of women in media explains, it was viewed as a low status role and a “soft” position compared with the more physical and technical work performed by men on the crew.¹⁵ The need for stenography, the position as the Director’s assistant, the requirement for fine detail and the implicit or even in some cases explicit link to secretarial positions reinforced this dynamic. Archaic terms like “script girl” and “continuity girl” may no longer be used but the nickname “scripty” still exists.

Gender stereotyping remains a significant dynamic – the perception that Script Supervisors are glorified secretaries taking notes for largely male Directors. Interviewees and survey respondents frequently cited concerns about the perception of their role as “overlooked” and undervalued because it is female dominated. With regard to gender issues, almost all of the interviewees reported concerns about equal opportunity and experience in the film industry generally, reporting that women have to work harder to earn the same respect in the male-dominated film industry and that the industry generally offers men more opportunities. Two-thirds of Script Supervisor survey respondents agreed with the statement that gender affects what they earn personally and three-quarters agreed it affects what the craft earns. On an open-ended response question, many cited the gender breakdown of the craft as a reason for lower pay, or the fact that their work is less respected – or both.



Terms like “script girl”... may no longer be used but the nickname “scripty” still exists.

Production Coordinators and Assistant Production Coordinators.

Stereotyped as a more clerical role in supporting and assisting producers, the position retains gendered conceptions of work. As one (female) interviewee said, "old timers still think I'm the secretary." In *Never Done: A History of Women's Work in Media Production*, Erin Hill writes:

[B]y the 1960's and 70's . . . women who had begun as negative cutters, secretaries, "script girls" and casting assistants were fighting their way into mid-level jobs as junior story executives, production coordinators, editors, casting directors and publicists. However . . . the low pay and gender stigma associated with their former sectors followed them into these new fields. . . In twenty-first century film . . . more gender-integrated jobs, such as producer's or director's assistants, retain the stigma of having been women's work in the past, an association that contributes to continued low pay and poor working conditions.¹⁶

Interviewees widely reported that they see the film industry generally as being male-dominated but view the Production Coordinator and Assistant Production Coordinator role as a traditionally female role within a production. Most interviewees also report seeing increasingly more male coordinators in recent years — and, consequently, one interviewee reported that the craft was being "less looked down on than it used to be." Nevertheless, interviewees widely complained that comparable crafts are largely better compensated than Production Coordinators and Assistant Production Coordinators and tied this to the fact that the craft is still seen as a traditionally female role for "glorified secretaries." Among survey respondents, opinions about whether gender impacted their own compensation or the compensation of their craft were a bit more mixed, but a majority agreed that gender impacts compensation. Reasons provided included both perceptions ("people think we are secretaries") and, echoing Hill, the fact that historically the role has been female dominated.



Art Department Coordinators

Almost all the interviewees expressed concerns that the industry generally has disproportionate opportunities for men. All of the female interviewees reported that the craft being traditionally seen as a women's role of a "glorified secretary" led to a misunderstanding of the level of responsibility they wield and a commensurate lack of fair pay for the Art Department Coordinator position. Seven out of the ten Art Department Coordinators we interviewed reported witnessing or experiencing at least one incident of gender-based harassment, intimidation, or differential treatment, ranging from minor "micro-aggressions" of terminology, or assigning of "women's tasks," to harassment which resulted in the termination of employees from a production. Over half of Art Department Coordinator survey respondents reported that gender impacts earnings, citing the historically female dominated job, the fact that the job is not as "physical," and gender stereotyping as particular concerns.

The craft is still seen as a traditionally female role for "glorified secretaries."



“Together we can get heard.”

Assistant Directors:

The industry remains generally under fire for the low numbers of women and people of color working as Directors and Producers and we heard examples of gender stereotyping in the Assistant Director interviews. One said that there was a perception that women were “better seconds” and less suited to working as First Assistant Directors although that was changing. Others identified a huge incompatibility with having children and staying in the profession as a woman. While there are increasing opportunities for women in television, feature films are male dominated “at every level.” The DGA has been more involved with collecting and presenting data on diversity, and established a training program as a way to bring more diversity into the profession.

One of the female First ADs made an interesting observation about gender dynamics on the set between herself and the largely female script supervisors, who are both “capturing errors that are being made.” As she explained, “if we are getting push back from the male cinematographer and director I team up with the script supervisor.” As women, they might not be listened to if they separately voice their comments but she said, “together we can get heard.”



Analyzing Crafts and Comparators

Local 871 Target

We conducted an in-depth analysis of the Local 871 target crafts and a series of comparator positions to determine similarities and differences in the work and working conditions. We also analyzed 2016 payroll records and other data to determine how much typical compensation differed between the target crafts and comparators.

How We Analyzed the Jobs

We used the interviews and the survey results to analyze the four Local 871 target crafts and the most promising potential comparators based on the kinds of information that might be relevant to a pay equity analysis, including:

- ▶ **Duties and responsibilities** (what are the regular tasks individuals in the craft or classification perform and what is their scope and level of responsibility)
- ▶ **Skills and qualifications** (what is the skillset necessary to carry out the duties and responsibilities and what kinds of qualifications do individuals typically have in terms of education, on-the-job experience and certifications or specialized training)
- ▶ **Effort and Working Conditions** (what are typical work hours, how physically and mentally demanding is the work, and where is it usually performed)

We also considered Role and Reporting Structure (what department or area do the members of the craft work in and to whom do they report), in order to understand the typical career path for individuals in these crafts and their impact on the larger production.



How We Analyzed Compensation in the Crafts

For compensation, we considered both self-reported amounts and amounts determined from Local 871 payroll records and from the applicable IATSE, DGA and Teamsters contracts and rate schedules.

We analyzed compensation using scale rates and contracted rates. Scale rates are set through collective bargaining while contracted rates are individually negotiated for work on a specific production.

Scale rates are based on classification and production type (like feature films, certain television productions or new media), as well as in some cases type of work performed or working conditions (such as additional or different payments for prep time, location-based assignments, premium pay for additional days, etc.). Where scale applies it functions as a floor or minimum required amount, but individuals can negotiate a higher contracted amount. Of the four Local 871 Target Crafts, only Script Supervisors have a scale rate.

The Production Coordinators are “on-call” crafts, with no applicable scale rates at all – meaning their rate of pay is always a contracted rate determined each time they are hired onto a production. Certain very low minimum rates apply to Assistant Production Coordinators and Art Department Coordinators working in television; in features all rates are contracted rates subject to negotiation.¹⁷ Contracted rates will vary by production type, and they are also affected by differences in the overall scope of the production and its budget as well as individual differences (prior relationships to producers and directors, reputation and experience may be factors in some cases).

Published scale rates for the Assistant Directors and Key Assistant Location Managers are weekly rates and we used 2016 payroll data to estimate weekly contracted rates for the four Local 871 targeted crafts. (We used both scale rates and payroll records to analyze Script Supervisor compensation). To keep the analysis to “apples to apples” weekly rate comparisons, we did not

address overtime, location pay, preparation pay or other elements of compensation.

Our compensation analysis accounted for rate differences by production type.¹⁸ Interviewees report television pays less while feature films may pay more, whether the rate is contracted or scale. For classifications that have a scale rate, feature films are more likely to pay above scale while television sticks more closely to the scale rate. Due to data limitations, we could not compare compensation rates for commercials.

The following charts compare Local 871 average contracted rates for features and television to Scale Rates for the comparators using 2016 data. In order to account for the possibility that individuals working on features may negotiate up from scale, we also estimated a features “premium” for those crafts with scale rates to generate an estimated average contracted rate to mirror the Local 871 contracted rates.¹⁹



Script Supervisors²⁰

The Script Supervisors track and report essential information during filming, especially for the Editors, Directors, and Camera Department. Script Supervisors work closely with the Directors and keep an annotated version of the script and other logs and reports that provide a complete record of each take. Their work is highly complex and essential for the editing process, as the annotated script and logs are used to edit the film and identify the takes the Director preferred, their length and other notes, any script changes, each camera angle, etc. This saves significant time for Editors who can avoid reviewing each individual take. Script Supervisors also ensure continuity across takes and scenes. Directors and talent recognize the Script Supervisor role as critical.²¹

Duties and responsibilities:

Script Supervisors broadly describe themselves as “a liaison between the Director and the Editor.” They are responsible for keeping notes and other logs and documentation on the shoot. They ensure that all material covered in the script is covered in production, and that all production notes are communicated to the editing team in such a way that they can later assemble shots into a final product. An Assistant Editor we interviewed described the Script Supervisor notes as “the Bible in the editing room.” In addition to documentation, Script Supervisors are responsible for keeping track of continuity between shots, and communicating continuity notes to other production members and departments (for example making sure a prop or character’s wardrobe remains consistent and communicating notes necessary to that end to the relevant department). Although each department or function – including wardrobe, hair & makeup, props, camera and others – is responsible for making sure that the actors and set remain consistent across takes, the Script Supervisor functions as a last quality check. As Pat P. Miller explains in what most sources call “the definitive handbook” on the craft, the fact that filmmaking typically shoots out of sequence “mandates exceptional expertise on the part of the continuity supervisor.”²²

As such, Script Supervisors typically characterize their job as highly administrative, but in a technical, coordination-oriented way. When members rated certain skills and attributes as most important to their jobs on the survey, Script Supervisors rated Administrative Duties and Responsibilities and Technical Duties and Responsibilities as most significant, followed by Coordination. Survey respondents placed less emphasis on Management, Creative, and Physical aspects of the job.

The critical note-taking process is characterized by one interviewee as “all by rote but constant[ly] changing” due to the relentless and multifaceted streams of information they are required to take in, requiring a high degree of focus. Other interviewees focused on the judgment required to integrate all of this information and determine what is critical to the post-production process. This information is largely technical, as the Script Supervisor serves as “basically [a] Technical Director” so that the Director can focus on the creative elements of their job. Occasionally a Director will consult them for a second creative opinion. 84% rated their administrative duties as technical or complex, with half rating it “highly” technical or complex. Most Script Supervisors interviewed use a software platform for tracking scripts and taking notes, although one interviewee still prefers to keep analog notes, and it appears that some in the craft still work on a paper copy of the script.

Skills and Qualifications:

Script supervising requires close attention and focus in order to take detailed and technical notes. Most Script Supervisors report that technical knowledge of filming and editing – coupled with being focused, organized, and observant – are essential skills for the job. For example, understanding camera angles is required to properly record the takes. Interviewees cited knowledge of the editing process as important, and needing to understand how scenes would “cut.”



My job as a Script Supervisor is to write down what the camera shoots. We are knowledgeable about types of cameras, lenses, filters and camera angles. Our knowledge helps the Director as well as the Editor make sure we have the coverage needed for a scene and for that coverage to cut like butter. We are responsible for matching and continuity, which saves time and money because reshoots are very costly.

And we preserve the screen direction, which is a theory in filmmaking. That's why we can shoot out of order and everyone is looking in the correct direction or traveling the right way.

But Script Supervisors are underpaid, most likely due to the fact that more than 90% of Script Supervisors are women. Many times I've been told that all department heads are accepting scale for a certain project, but later I have found out that many of the male department heads were being paid over scale. This position started in the secretarial pool with handwritten notes and has evolved into a technical position using digital tools. Through this evolution our responsibilities on set grew but not our compensation.

I've worked on two movies that reached a billion dollars in twelve and twenty-six days (Star Wars: The Force Awakens and Black Panther, respectively). I'm actually embarrassed to say and outraged at the same time, but I've only been able to raise my rate \$4.00 in the last 10 years. And I work on blockbuster movies.

The industry has been successful because of the hard work and dedication that women working below the line have given over the years, despite the complexity of filmmaking."

Dawn Gilliam

Script Supervisor since 1990

Credits include: Boyz n the Hood, Star Trek (2009), The Hunger Games, King Kong (Skull Island), The Force Awakens, Fences, Black Panther



“Historically Local 871 was the IATSE local for the “Script Girls” who were considered glorified secretaries or stenographers on the set. The job is much more involved than that, and with the advances in technology, it gets more complicated every year.”

Sharron Reynolds Enriquez

Script Supervisor for almost 40 years

Credits include: Pirates of the Caribbean, True Lies, LA Confidential, The Social Network, Gone Girl, Moneyball



Inequality in Hollywood has focused on the very visible plight of lower pay for actresses, the lack of female directors, and the lack of racial diversity in high profile jobs. But there is an entire group of mostly female industry workers like me who make sure the cameras keep rolling, the sets can get built and the equipment ordered. We help the director get his or her vision across, making sure that the film or TV show cuts together fluidly. We provide the editors with notes and run lines with talent. Although we are professionals, we are not well known.

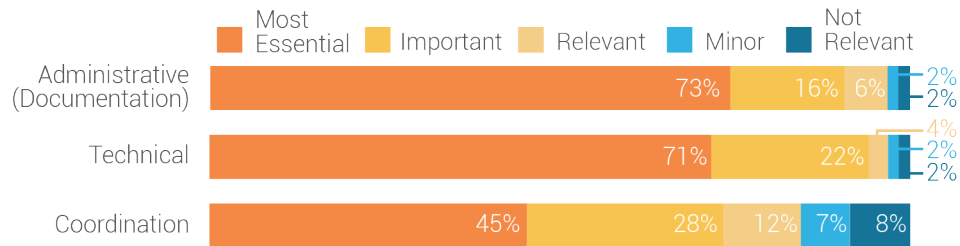
Historically Local 871 was the IATSE local for the “Script Girls” who were considered glorified secretaries or stenographers on the set. The job is much more involved than that, and with the advances in technology, it gets more complicated every year.

A Script Supervisor is like the head of a department -- actually he or she is the department - and yet we are paid less. The membership of our Local is 80% female, and we know that this affects the way the industry perceives our worth.

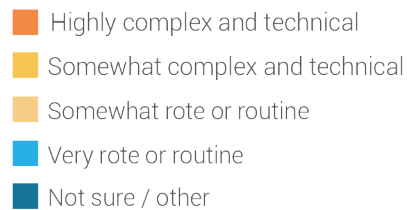
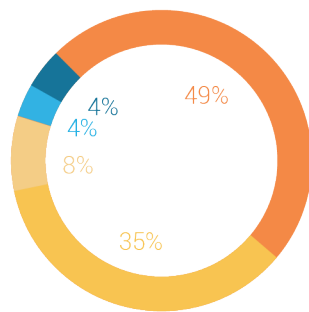
I have worked with many well known directors on high grossing films, but I have been working for the same rate for the last 15 years and have only recently been able to raise my rate by a few dollars an hour. Does my experience and knowledge count for nothing?"



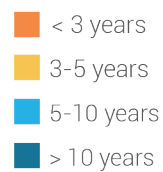
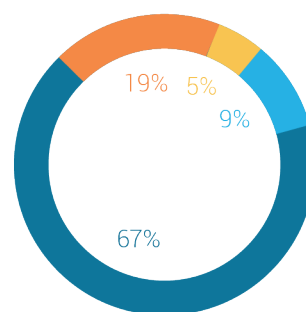
Script Supervisors Job Duties



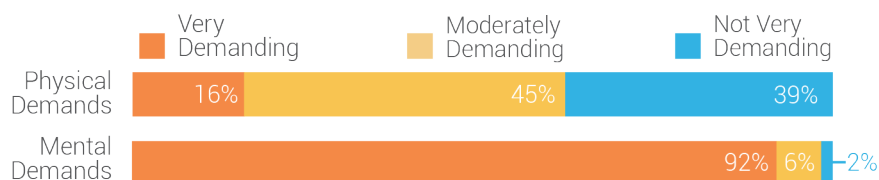
How Script Supervisors Rated Their Administrative Work



Script Supervisors Time in the Craft



How Script Supervisors Rated Their Work Effort



In comparison to most of the other crafts covered in this study, Script Supervisors more often reported formal education in film generally and/or in their craft specifically.²³

Due to the amount of technical knowledge one amasses in the role of Script Supervisor, along with the close nature of the Script Supervisor's working relationship with the Director, most Script Supervisors report that directing is the next natural step up from the position. However, it appears that this trajectory from female-dominated Script Supervisor to male-dominated Director is rare, and many Script Supervisors remain in this craft throughout their careers. Most of the survey respondents had been in the craft more than 10 years.

Effort and Working Conditions:

The work is performed almost entirely on set during shooting, although Script Supervisors need to be intimately familiar with the script prior to shooting in order to be effective at their role. Script Supervisors devote some hours prior to shooting to reviewing and timing the script and setting up the logs - work that can be done at the production office or at home. The prep materials may only be provided with short notice before a shoot — sometimes as few as one to two days prior to a shoot in the case of some television productions. Though Script Supervisors are provided additional pay for prep time, it is not unusual for them to work beyond that additional time and compensation in order to be adequately familiar with the script. Script Supervisors typically report working 60 hours during the week on shooting with additional prep time added over weekends, but overall work hours are comparable to other key positions.

Physical demands vary (some report carrying equipment on location and standing long periods, others are seated most of the time). The work is highly mentally demanding, requiring intense focus. The Script Supervisor is almost always "on" during shooting. (Three quarters report often or always working through lunch.) Over 90% rated the job as "highly mentally demanding"; most rated it as moderately or "not very" physically demanding.

Role and Reporting Structure:

Usually formally hired by the Unit Production Manager, Script Supervisors effectively work for and with the Director, although they may formally report to a Line Producer or Unit Production Manager. Due to the close nature of the working relationship between Script Supervisors and Directors, the Director played a role in the hiring of the five of the seven Script Supervisors with regard to their current or most recent production. Once on the production, Script Supervisors de facto act as a unique "department of one" unto themselves, eschewing the hierarchical structure of most other production departments. (They may be considered a nominal but highly independent part of another department, usually production.) They therefore have multiple people to whom they "report."

A strong Script Supervisor with a good relationship with a Director can provide specific input and information that affects creative decisions. At some level, Script Supervisors are a kind of "Hidden Figures" of filming. Almost all female (although also largely white like most other members of the film crew), they work behind the scenes. They provide critical and often unrecognized support to the Directors and other department heads through work that requires significant skill on its own and also some understanding of the more recognized and rewarded jobs that depend on them.

**Three quarters (of
Script Supervisors)
report often or always
working through lunch.**

Script Supervisors Weekly Contracted Rates²⁵

	Features (Basic & Independent)	Television (Cable, Network, Reality)	Low Budget Features	New Media	Overall
Average	\$2,873	\$2,506	\$1,895	\$2,474	\$2,574
Lowest	\$2,650	\$2,058	\$875	\$735	\$1,733
10%	\$2,657	\$2,100	\$1,000	\$1,733	\$2,058
25%	\$2,660	\$2,374	\$1,683	\$2,374	\$2,446
50% (Median)	\$2,797	\$2,573	\$1,733	\$2,573	\$2,599
75%	\$2,940	\$2,651	\$2,417	\$2,657	\$2,736
90%	\$3,080	\$2,736	\$2,803	\$3,080	\$3,080
Highest	\$4,073	\$5,301	\$3,817	\$3,966	\$5,301

Based on analysis of Local 871 2016 payroll records.

Compensation:

Unlike the other Local 871 crafts, Script Supervisors have scale rates that apply to their work. In 2015–2016 the rate for Script Supervisors in at least their 3rd year was \$36.76 per hour, which equates to a Weekly Rate of \$2573 for 60 hours.²⁴

We analyzed the Local 871 payroll records for Script Supervisors, finding the average and median rates to be very close to that highest possible weekly scale rate. Rates for Script Supervisors also clustered more closely to the average of \$2574 weekly, likely because that craft has a scale rate serving as a benchmark. Ninety percent of Script Supervisor rates were between \$2058 and \$3080, and 50% were between \$2446 and \$2736.

In general, rates were lowest for television and highest for features, but Script Supervisors had a smaller gap between television and feature rates than the other crafts. For Script Supervisors, the average for Features was \$2873 and \$2506 for Television, about a 15% difference. Most Script Supervisors report being paid on scale, with some reporting the opportunity to negotiate above scale. Among interviewees, the pay ranged from an hourly rate of \$34.75 to \$60, with television typically falling on the lower end of the range and commercials at the higher end. About one third of survey respondents reported earning \$2,000 a week or less, with half earning between \$2,000 and

\$3,000 and about 20% earning more than \$3,000 a week.²⁶

Time is reported on weekly timecards, and most interviewees report receiving a kit rental allowance as well. While some Script Supervisors reported the ability to negotiate above scale, such ability was characterized as limited where it existed, with factors such as experience, personal reputation, and personal relationship with producers allowing for what little leverage may exist.

Most Script Supervisors interviewed expressed at least some level of frustration with their compensation levels, feeling that they do not have enough negotiating power nor are they compensated enough given the technical nature of their role. Some linked these concerns to the position historically being seen as a women's job.

Comparators:

Due to the unique nature of the Script Supervisor craft, all interviewees struggled to name a single position that would be comparable, and responses identified various departments and crafts. Directing/Assistant Directing was the most commonly reported comparable position. Survey respondents similarly had a variety of answers, with a number simply responding that there was no clear comparator.



Production Coordinators and Assistant Production Coordinators²⁷

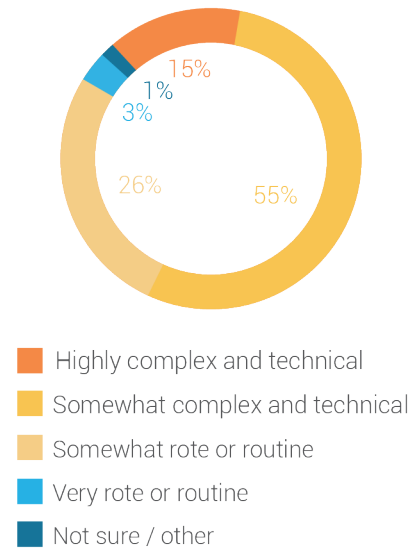
The Production Coordinators are in charge of setting up and running the production office during the run of a production (film, television or commercials). This includes everything from obtaining office space and setting up computers, to ensuring key paperwork (time cards, schedules, invoices) gets properly executed and routed, to managing the Production Assistants (PAs) to handling and troubleshooting an almost limitless number of logistical and operational details. One interviewee described it as being “the font of knowledge on a daily basis.” One or more Assistant Production Coordinators will work with a Production Coordinator to divide the work and also to allow split schedules.

Duties and Responsibilities:

In terms of job duties, tasks, and responsibilities, the coordinators describe their job as largely administrative and pretty complex – with a near-constant stream of problems to solve and changes to handle. About 70% of survey respondents rated their administrative work as highly or somewhat complex and technical. Their role encompasses tasks such as managing and distributing paperwork, schedules, and scripts to coordinate between the studio and various departments within a production. They undertake a wide range of logistical and operational support tasks necessary to ensure a coordinated sequence of the information, people, dollars, and equipment required each day of the production. The primary responsibility is managing the production paperwork in a fast-paced but accurate manner.

Additional job tasks include hiring production office staff, tracking budgets, handling equipment rentals, and assisting with office set up and management for the production. The production office is also responsible for daily production reports documenting the production in coordination with the Assistant Directors. At the conclusion of a production, they may be responsible for compiling and producing “a wrap drive (flash drive) that tell the story of the production.” Interviewees sometimes struggled

How Production Coordinators & Assistants Rated Their Administrative Work



to fully explain their work, as such a wide variety of logistic and operational responsibilities could come under their portfolio on a particular production.

Survey respondents identified management, administrative, and coordination duties as the most significant, with creative and physical tasks less significant, and a range of answers on technical responsibilities. Production Coordinator and Assistant Production Coordinator survey responses on job duties were similar, except for a slightly higher rating of management duties by Production Coordinators. Responses were combined below.

Production Coordinators also have additional specific management responsibilities for the rest of the production office staff, including hiring and managing the Assistant Production Coordinators, PAs and others.

Skills and Qualifications:

Attention to detail, organizational and project management skills, ability to work collaboratively, and some capacity for finance and legal paperwork are important aspects of these roles. While no formal technical knowledge is required for the role, interviewees report that a working knowledge of how a production is organized, industry terms of art, and a general knowledge of common software suites such as Microsoft Office and other elementary IT necessary to keeping an office space up and running are important to the job.

A calm demeanor under pressure, good communication and people skills, the ability to think on one's feet and creatively problem solve while quickly switching between tasks and maintaining a high degree of organization and attention to detail are all important traits for a successful coordinator. Interviewees generally report that the job is mostly independent and self-directed.

A typical entry point is starting as a PA and then getting hired on as an Assistant Production Coordinator. No specific prior education or experience appears necessary for these jobs. Hiring is generally word of mouth. There is no formal system of performance management. From this role, a Production Coordinator could move into a higher-level production job (Production Supervisor is the next rung on the ladder). Almost all survey respondents identified on the job training as the primary relevant background.²⁸

Among survey respondents, the Production Coordinators were more long-tenured than the Assistant Production Coordinators, reflecting the fact that Assistant Production Coordinator is usually the entry point and a predecessor job to Production Coordinator.

Effort and Working Conditions:

Interviewees report typically working 12 or more hours per day, 5 days a week. Occasionally, days will be slightly shorter (e.g. 10 hours per day), but often they will be longer (up to 16 hours per day) on shooting days. Most, if not all, of the coordinator's work is in the office, though some interviewees reported that depending on the production, they may occasionally visit the set. Almost all survey respondents reported that 12-14 hour days were typical.

The majority of survey respondents rated their job as not physically demanding, with most of the rest rating it only moderately physically demanding. Four out of five rated it as very mentally demanding.

Compensation:

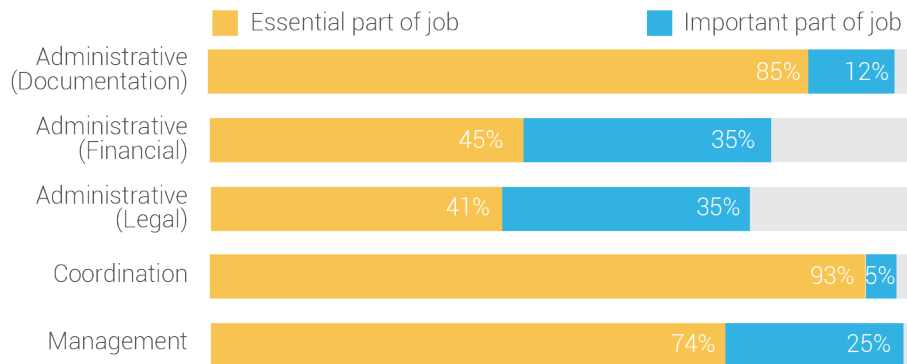
This craft has no scale and therefore their compensation is always negotiated. In the payroll data, Production Coordinators had the widest range of weekly rates, with an average of \$2119 but a low of \$910 and a high of \$5665. However, 90% of the rates fell between \$1300 and \$3500.²⁹

Assistant Production Coordinators had the lowest Contracted Rates, an average of \$1284, with 90 percent of the rates falling between \$962 and \$1668.

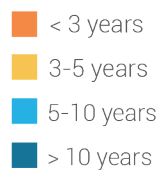
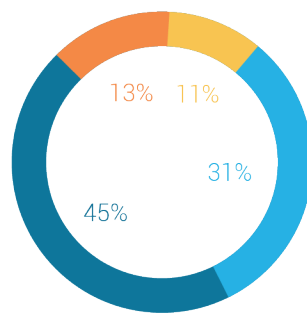
In general, rates were higher for features. The average weekly Contracted Rate for Assistant Production Coordinators in Features was \$1598, while in Television it was only \$1090, a differential of 38%. Assistant Production Coordinators had a minimum in 2015-2016 for most television work of \$14 per hour, which is equivalent to \$980 per week.³⁰ 75% of contracted rates in television were above this minimum, but the median rate of \$1032 barely exceeds that threshold.

Production Coordinators had a 45% differential between Features (\$2660) and Television (\$1824), much higher than the 15% gap for Script Supervisors who are paid on scale.

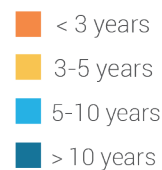
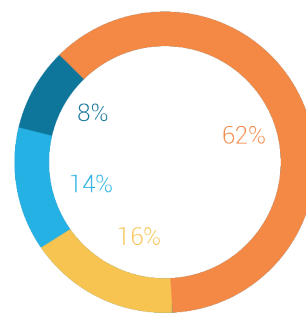
Production Coordinators & Assistants Survey



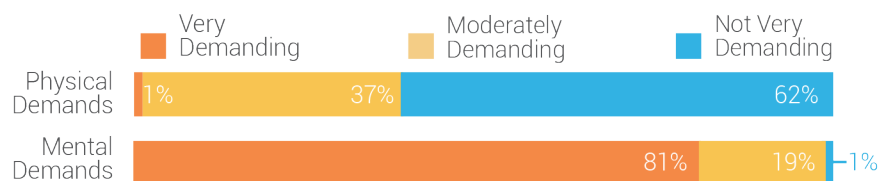
Production Coordinators Time in the Craft



Assistant Production Coordinators Time in the Craft



How Production Coordinators & Assistants Rated Their Work Effort



Production Coordinators Weekly Contracted Rates

	Features (Basic & Independent)	Television (Cable, Network, Reality)	Low Budget Features	New Media	Overall
Average	\$2,660	\$1,824	\$1,825	\$2,311	\$2,119
Lowest	\$1,000	\$935	\$910	\$735	\$910
10%	\$1,900	\$1,236	\$1,250	\$1,733	\$1,333
25%	\$2,100	\$1,500	\$1,566	\$2,374	\$1,620
50% (Median)	\$2,250	\$1,750	\$1,733	\$2,573	\$1,900
75%	\$3,250	\$2,000	\$2,050	\$2,657	\$2,250
90%	\$4,000	\$2,270	\$2,250	\$3,080	\$3,500
Highest	\$5,500	\$5,665	\$4,000	\$5,000	\$5,665

Assistant Production Coordinators Weekly Contracted Rates

Average	\$1,598	\$1,238	\$1,414	\$1,403	\$1,294
Lowest	\$1,001	\$1,000	\$750	\$945	\$750
10%	\$1,250	\$1,015	\$1,001	\$980	\$962
25%	\$1,375	\$1,046	\$1,357	\$1,050	\$1,000
50% (Median)	\$1,500	\$1,200	\$1,400	\$1,350	\$1,200
75%	\$1,600	\$1,300	\$1,527	\$1,500	\$1,450
90%	\$2,100	\$1,566	\$1,613	\$1,800	\$1,668
Highest	\$2,900	\$2,000	\$2,500	\$2,850	\$2,900

Based on analysis of Local 871 2016 payroll records.



As the Production Coordinator on a Film or TV show, I am responsible for the smooth flow of information and paperwork to the studio, the cast and the entire crew. A good Production Coordinator can go unnoticed. A bad Coordinator can result in major problems, not the least of which can be financial, over the course of the shoot.

A few years back I heard someone in a position of power in the industry call Local 871 the "Skirt" union. The fact we had so many women members was, in their view, a large part of our problem in gaining equitable rates and working conditions. They were implying that

we had no leverage and as women, we were not on equal footing with the "non-skirt" locals like Camera, Grip, Set Lighting, or Sound.

As I approach retirement, my pension reflects the years of my low salary.

I would like to see Production Coordinator rates be equitable with the amount of work and responsibilities that we currently have.

We are no longer, and have not been for some time, the office "secretary." Now is the time for our salaries to reflect our responsibilities."

Lois Walker

Production Coordinator, 40 years of experience

Credits include Jarhead, Bruce Almighty, Bad Boys, Role Models, Multiplicity, The Net



“

I came to television production as a mid-life career change. I've been extremely fortunate to have been consistently employed for the past 20 plus years. I am very good at my job, but I have been under-compensated for my entire career.

The problem with under-compensation is not just the immediate issue of being paid less than someone else. The problem is compounded over a lifetime of work.

The Coordinator crafts have traditionally been staffed by women and that trend continues today. My local is still a majority female local. Because our categories start at a lower salary and get none of the other perks afforded other positions, even with an annual 3% raise, we can never catch up to our colleagues.

It is time this question of pay equity is addressed by the management."

“

The goal of this campaign is to bring our pay up to par. Coordinators do as much work for a show as any other department key but get paid substantially less. As an Assistant Production Coordinator my pay is so low that the Production Assistants I supervise have the potential to make more money than I do. Looking at the pay rates for others at a similar level makes me feel like we are not respected by producers."



Sara Chaiken

Production Coordinator, 20 years of experience

Credits include: NCIS, JAG



Valerie Baker

Assistant Production Coordinator since 2011

Credits include: Parks and Recreation

The interviews suggested compensation is often determined by individuals' rates on their previous job and can be presented by the studio as non-negotiable. The rates reported by interviewees ranged anywhere from \$1,250 to \$2,400 a week, and some report additional weekly kit, cell phone, and/or laptop rental allowances. All interviewees indicated that they report their time with weekly timecards, and all went on to report concerns that their pay rate is too low. Some linked this to the fact that the Production Coordinator position has no established scale, with comments such as "Production Coordinators are very underpaid and there's no minimum" or that "shows are getting bigger and more demanding, and pay is not scaling" reflecting those changes. Interviewees stated it was frustrating to see other people who they know get paid more leave the office earlier most days. Additionally, a couple of interviewees report that they are not given additional or overtime compensation if they work beyond 60 hours/week.

The Assistant Production Coordinators responding to the survey reported rates of pay mostly between \$1,000-\$1,500 per week, consistent with the average payroll amounts. The Production Coordinators reported rates across a broad spectrum, with a cluster between \$1500 and \$2250 per week and some much higher.

Role and Reporting Structure:

Interviewees reported being hired onto their current or most recent production by a variety of production staff: three reported having been hired by the Unit Production Manager, two by the Line Producer, two by the Production Supervisor, and one by a network production executive. Once on the production, interviewees also indicated a number of different staff to whom they report: three indicated they report to the Unit Production Manager, two to the Line Producer, one to the Production Supervisor, and one to the Production Coordinator. Likewise, while Production Coordinators and Assistants report working with a wide variety of staff on a regular basis, the individuals they discussed interacting with most included Production Managers, Unit Production Managers, Line Producers, Production Supervisors, and production office staff more generally.

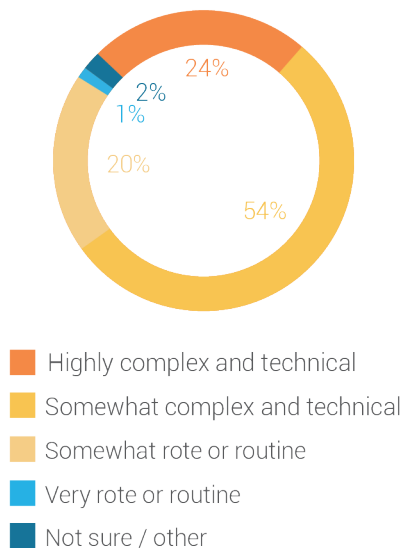
Comparators:

While interviewees mentioned a range of various positions within a production they would consider comparable, Assistant Directors of various levels were almost universally mentioned. The levels of Assistant Directors that interviewees saw as comparable to their positions ran the gamut from First Assistant Directors to Key Second Assistant Directors to Second 2nd Assistant Directors, though many just mentioned Assistant Directors more generally. Specific similarities in job duties, tasks, and responsibilities they identified between Production Coordinators or Assistant Production Coordinators and Assistant Directors include the coordination and logistical support of people, schedules, and equipment.

Skills interviewees reported as crucial to the Assistant Director positions -- and as roughly similar to those of Production Coordinators or Assistant Production Coordinators -- were people management abilities and an overall affable and diplomatic demeanor, good organizational skills and attention to detail, the ability to multitask, and a willingness to take initiative to predict and solve potential problems. They also understood some distinctions, like Assistant Director tasks that are closely tied to shooting and take place on set or on location. They also mentioned that many Assistant Directors spend hours on their feet, making it more physically demanding. Survey respondents also frequently cited Assistant Directors as well as Line Producers or Unit Production Managers and Production Supervisors as comparable roles.

Art Department Coordinators³¹

How Art Department Coordinators Rated Their Administrative Work



Art Department Coordinators serve as project managers/office managers for the Art Department and work with the Production Designer and Art Director. One interviewee described the role as “the right hand of the Production Designer.” Responsibilities include setting up the office work space (and ensuring technical requirements are taken care of like large format printers and digital asset management), handling the budget and vendors for the art department, managing invoices, time reports and schedules, coordinating with individual artists who are producing physical or digital artwork, and legal clearances. Like Production Coordinators, Art Department Coordinators also must handle a constantly incoming stream of varied logistical and operational requests, needs and problems related to their department. The Art Department Coordinators may supervise one or more Art Department Production Assistants (“PAs”).

Duties and Responsibilities:

Art Department Coordinators describe their job as largely administrative and moderately complex - with a high volume of paperwork that must be processed and properly directed in a fast, accurate, and decisive manner in order to keep the department up, running, and interfacing with other departments. Art Department Coordinators are responsible for setting up and managing the department's offices; tracking budgets; disseminating information about meetings and resources; coordinating people, tasks, and materials; tracking payroll and collecting timesheets; performing research; and coordinating with legal to manage clearances, if that falls under the coordinator's duties for a given production. Because a production is in constant motion, troubleshooting and problem solving and managing a constant series of changes is the hallmark of this kind of coordinator role.

These tasks are mostly administrative, but can include some creative aspects – for example assisting with research can help provide sourcing examples for set designs, props, or costume. On rare occasions, Art Department Coordinators may produce limited creative content directly. A slightly lower percent rated their work as highly or somewhat complex or technical than the Script Supervisors, but most respondents still viewed the work as more complex or technical versus rote or routine.

Survey respondents rated their work as significantly involving management, administrative tasks (including financial and, to a lesser extent, legal) and coordination, with creative and physical tasks being much less significant. Respondents split on whether their work involved technical knowledge; some considered technical knowledge to be significant while others considered it minor.



Coordinating between departments like set decoration, construction and art takes a lot of focus, discipline, and energy.

As coordinators, we pick up the slack for others while simultaneously doing our jobs. Our position is 80% female dominated, and I believe that we are undervalued because we are women. We are asked to do more and we agree to do so because we feel obliged to our department.

My department heads and crew members know that my job requires a lot of work, organization, responsibility and long hours. I do not want sympathy. I want to be paid equally.

We're not asking for anything beyond being compensated equally to other crew counterparts with similar responsibilities."

Amy Smith

Art Department Coordinator, 7 years of experience

Credits include Dollhouse, Key and Peele, Dear White People



I enjoy my role in the Art and Set Decorating Departments as the organized center to the creative whirlwind that it takes to pull each set together. Without the support of an experienced, organized coordinator, projects can cost more, take longer, take a bigger toll on the other members of the department, and lead to more mistakes. I make barely half of what the next-lowest-paid member of my department earns.

I love this town and this industry. I have been a part of it my whole life and hope to make a career out of working in it. I should be able to do that without changing positions. I should earn rates commensurate with my mostly male colleagues in the industry.

As an industry, we need to work together towards inclusive and equitable workplaces that are also free of sexual harassment. We need to include women, people of color, and members of the LGBT community in these shows, above and below the line, and then we also need to pay everyone in a fair and equitable way."



Marisa Shipley

Art Department Coordinator, IATSE member for 2.5 years

Credits include: Grace and Frankie

“I have heard people comment that this is a ‘glorified secretarial’ position, but they do not know of the level of responsibility we take on. Our work is not always visible or valued because we don’t get out and lift things.”



Miranda Cristofani

Art Department Coordinator since 2004

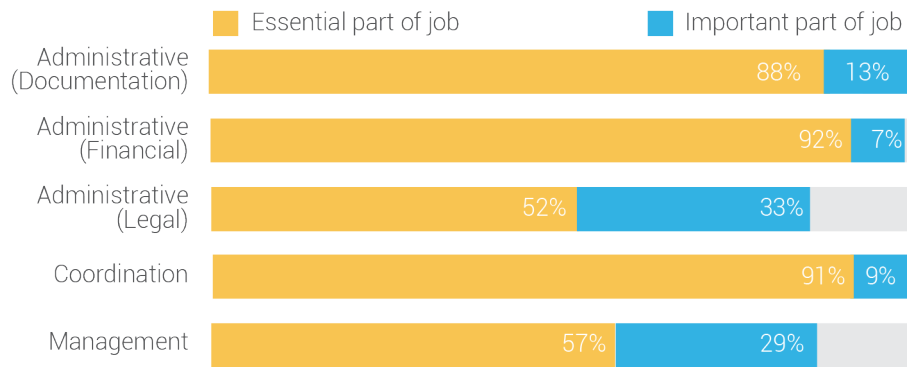
Credits/Clients include: Louis Vuitton, Facebook, BMW, MTV, Apple, Madonna

“ You can’t realize what a job like Art Department Coordinator entails unless you have done it. We are the left hand of the Production Designer, and the glue of the Art Department, and we don’t get credit for all the responsibilities, skills and expertise that it takes to make productions successful. The job requires good time management, interpersonal and organizational skills – as well as an eye for detail and thinking ahead of the curve.

It has long been a predominantly female craft and we aren’t on equal footing. I have heard people comment that the Art Department Coordinator is a “glorified secretarial” position, but they do not know the level of responsibility we take on. Our work isn’t always visible or valued because we don’t get out and lift things.

It’s time for the importance and contribution of our crafts to be recognized, and it’s time that we receive equitable compensation.”

Art Department Coordinators Survey



Skills and Qualifications:

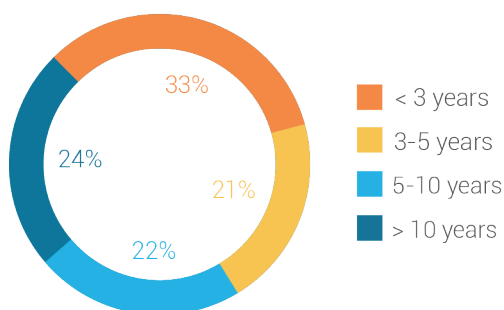
Relevant skills include time management, organizational and communications skills, people management, budgeting, and knowledge of core design tools and software. Other skills required for the position are focus, organization, and an ability to work with people under pressure, and navigate production organization and etiquette in order to effectively coordinate within the department across the production.

Technical knowledge is acquired through experience on the job and extends to things such as industry terms of art and knowledge of production organizational structures. Legal clearances can require more specialized knowledge in consultation with the legal department. However, the position is not considered a technical position per se.

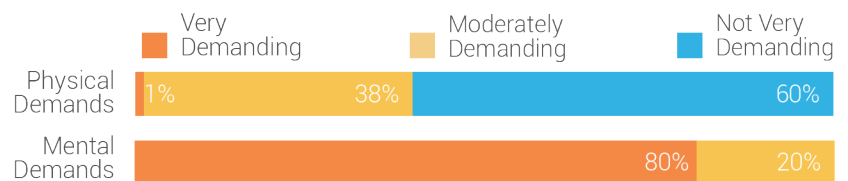
Based on the interviewees' experiences a key point of entry is as a Production Assistant in the Art Department. Hiring is generally word of mouth. There is no formal system of performance management. Relevant background could include a Master of Fine Arts (MFA) or film school, or prior experience. An Art Department Coordinator can move into an Art Director position, although that may require more technical skills including drafting and understanding construction drawings.

Of the ten Art Department Coordinators interviewed, levels of formal training in film varied. In fact, all interviewees reported having worked other jobs in the industry prior to becoming Art Department Coordinators, mostly as PAs on various productions.³² About a third of survey respondents cited formal education – including degrees in creative fields or MFAs – as relevant to the skills and qualifications of their position. Almost all cited on the job training as important. The survey respondents had a range of experience levels divided relatively evenly among new entrants, those with some experience and those with higher levels of experience.

Art Department Coordinators Time in the Craft



How Art Department Coordinators Rated Their Work Effort



Effort and Working Conditions:

Most Art Department Coordinators interviewed report typically working 10-12 hours per day, five days a week. Most, if not all, of that work is reported as occurring in the office. About 60% of survey respondents reported working 12-14 hours a day on average, with the remainder selecting less than 12. About the same number rated their job as largely sedentary, with the remainder rating it as only moderately physically demanding. 80% rated it very mentally demanding.

Role and Reporting Structure:

For their current or most recent productions, seven of the ten interviewees reported they were hired in part or in whole by the Production Designer, three by the Art Director, and one by the Unit Production Manager. Once on board, the Art Department Coordinators stated that they typically report to either the Production Designer, the Art Director, or both. Many coordinators report being fairly independent and self-directed, but Art Directors and/or Production Designers have influence over their daily duties and tasks. Due to their role as the coordinating “hub” for the department, most Art Department Coordinators report interacting with a wide range of staff members as a part of their job, both within their department and in other departments, as part of the task of coordinating personnel and resources.

Compensation:

Pay for Art Department Coordinators is “almost criminally low” as one interviewee put it. Analysis of payroll records show Art Department Coordinators paid only slightly more than the lowest paid target craft, the Assistant Production Coordinators. Art Department Coordinators averaged \$1374 per week in 2016 with 90 percent between \$1015 and \$1800.

Art Department Coordinators had average Contracted Rates of \$1591 in Features compared with \$1238 for Television, a 25% difference. Under the IATSE Basic Agreement, Art Department Coordinators had a minimum in 2015-2016 for television work of \$14.50 per hour, which equates

to \$1015 for a 60-hour week, including 20 hours at 1.5 time.³³ Ninety percent of contracted rates in television were above this minimum, and the median Contracted Rate for television is \$1200.

Art Department Coordinators self-reported compensation is consistent with these records. Interviewees reported being paid anywhere from \$1,000 to \$1,800 per 60-hour work week, with \$1,400-\$1,500 being the most commonly reported rate. Survey responses were similar, but with a cluster of responses reporting rates above \$2500.

Time is reported through the submission of weekly timecards. Most interviewees also report having some level of weekly kit rental allowance, generally ranging between \$50-\$100 per week.

Almost all the Art Department Coordinators interviewed felt that their pay rate was unfairly low, with some noting that laborers hired off the street get higher rates. Others state that the craft is undervalued, with some linking it to the historic perception of the craft as a female role and the view of the position as a glorified secretary or personal assistant, or otherwise generally undervalued and underappreciated. The pay rate does not match the cost of living. They see positions in other departments regarded as comparable earning as much as twice that of Art Department Coordinators.

Comparable Positions:

Due to the multifaceted nature of the Art Department Coordinator position coordinating their department’s physical, informational, and human resources and keeping track of budgets and expenses, the interviewees named a range of comparable positions. Most commonly mentioned were Production Coordinators and Art Directors, with Construction Buyers and Lead Men also cited. Interviewees compared the administrative and budget-tracking elements of their job duties with Lead Men, while comparing the coordination and information dissemination elements of their job duties to Production Coordinators. Survey respondents cited Art Directors, Lead Men, and Production Coordinators as the most comparable positions.

Art Department Coordinators Weekly Contracted Rates

	Features (Basic & Independent)	Television (Cable, Network, Reality)	Low Budget Features	New Media	Overall
Average	\$1,591	\$1,238	\$1,552	\$1,339	\$1,375
Lowest	\$1,250	\$1,000	\$840	\$1,015	\$840
10%	\$1,350	\$1,015	\$1,062	\$1,100	\$1,015
25%	\$1,450	\$1,046	\$1,566	\$1,200	\$1,100
50% (Median)	\$1,550	\$1,200	\$1,624	\$1,275	\$1,300
75%	\$1,700	\$1,300	\$1,655	\$1,400	\$1,566
90%	\$1,800	\$1,566	\$1,830	\$1,550	\$1,800
Highest	\$2,850	\$2,000	\$1,950	\$2,100	\$2,850

Based on analysis of Local 871 2016 payroll records.



Overview of Comparator Crafts

Through the interviews and industry research, we assessed multiple crafts and classifications as potential comparators. We used the positions identified by Local 871 members in the interviews and survey responses as most comparable: Assistant Directors (including First ADs, Key Second ADs, and Second 2nd ADs), Location Managers and Key Assistant Location Managers, Lead Men, First and Second Assistant Camera, Assistant Editor, Art Director, Unit Production Manager, and Transportation Dispatcher. We also considered Construction Coordinator, Construction Buyer and Key Grip as potential comparators but were unable to interview any individuals in those roles. We concluded that Assistant Directors (particularly Key Second and Second 2nd ADs) and Key Assistant Location Managers provided the most viable comparisons to certain Local 871 crafts as described below. Transportation Dispatcher was an additional potential prospect we could not fully evaluate.

Assistant Directors ³⁴

Assistant Directors, while nominally part of Production, are also a separate team or department responsible for managing all operational and logistical aspects of shooting, coordinating cast and crew, and especially the daily schedule and call sheets that drive all aspects of the production.

Duties and Responsibilities

The First Assistant Director is the head of the crew on set (effectively the “foreman”) and manages a staff of Second Assistant Directors and PAs carrying out all of the Assistant Director responsibilities. While the Director is focused on the creative aspects of the shoot, the First AD is handling the logistical and operational aspects. One interviewee described her role as “the conduit between the logistical and administrative needs of the production [and] the creative hopes of the director and writer.”

During pre-production, the First AD breaks down the script to create the master shooting schedule, which determines the order of filming for every scene and the estimated number of days for each part of the script. This is a highly complex task that requires balancing many factors (availability of actors, of locations, the budget, union rules, complex effects, and specific script elements). For example, if a certain scene is being shot at night, it impacts turnaround time for the next day, and scenes that require a crane or helicopter must be planned in advance to make sure the equipment is available – and to see if all the scenes that need a special piece of equipment can get shot together to save money. As one interviewee explained, that schedule must meet the needs of every department. Pre-production also includes “tech scouts” where a small group including the First AD visits the locations to identify anything that will be needed to shoot on that location. Putting together a schedule that is well thought out and maximizes efficiency is “the biggest art” as one interviewee put it.

The First AD is responsible for making sure everything is set up properly for each take and happens correctly during shooting, as well as prepping and constantly planning for what is

coming next. The First AD oversees safety and makes a constant stream of decisions around maximizing efficiency before and during shooting, balancing budget and other constraints. One example offered of decisions in the moment was “should we push lunch back and pay a meal penalty or finish the scene we are shooting.” One First AD described the work as 70% logistics and problem solving during prep, but 70% management during shooting.

The team also includes a Key Second AD, who takes the master schedule and uses it to create each day’s more detailed schedule contained on the call sheet. There are call times for every actor and member of the crew, and it includes schedules for hair and makeup, for when special equipment is needed and for any other logistical requirements. While the First AD and the rest of that team are on set managing the day’s shooting, the Key Second is behind the scenes and “all about the future”- focused on setting up the next day and “backend logistics” like travel for actors. Call sheets were described as requiring a combination of rote elements and judgment, such as how long will things take and how much turnaround time is needed. Being able to assemble these daily call sheets of cast and crew necessary for shooting also requires keeping close track of the shooting schedule as set by the First AD, as well as the records, documents, and contracts that must be reviewed in order to compile an accurate call sheet for any given day.

Other Second ADs (the Second 2nd Assistant Directors) are on set supporting the First AD – escorting actors, managing extras and coordinating anything that is needed with the First AD (like working with departments to make sure special equipment has been ordered or that transportation is available, or making calls to the production office).

The Second ADs also draft the daily Production Report summarizing everything that happened that day, usually in conjunction with the Production Coordinator who takes the draft report, incorporates information from the production office, and submits it. The report serves as a daily

log of what happens on set - anything from time records, to how much "film" was used, to reports of broken equipment. It was described as a "very routine, factual, legal and financial" document. Second ADs may also handle time cards, sign in sheets, hiring paperwork for extras, vouchers for extras to get paid, and other paperwork like contracts for actors.

The Assistant Directors have a creative impact on the production, being responsible for "setting background" and directing extras. This work is often directly performed by the Second 2nd AD under the supervision of the First AD.

Skills and Qualifications:

Assistant Directors described many of the skills and qualifications in similar ways. Interviewees focused on logic, troubleshooting and problem solving, and being efficient, but also talked about "soft skills" like dealing with people and "listening and paying attention," because part of the job was "taking care of everyone's needs." Strong organization and communication skills came up often, because the Assistant Directors, and especially Key Seconds "have to coordinate with every department."

Most Assistant Directors use specific software called Movie Magic for scheduling and other information tracking, but also use Excel and other standard office tools.

Most interviewees did not see their job as highly technical; rather, organizational and operational. Important technical knowledge cited by the interviewees included union rules, operating the equipment on the set, and safety requirements.

Some Assistant Directors discussed their creative impact and input, especially in setting background and participating in meetings with the Director and Producers involving creative decisions. Others focused much more on the management and logistical components, viewing the Director, Director of Photography and Editors as the core creative team.

The Director's Guild runs a highly competitive

training program for entry-level Assistant Directors that almost all of the female Assistant Directors interviewed went through at the start of their careers. It is possible to work your way up the ladder of Assistant Director positions starting from a PA, moving to a Second 2nd, etc. But it can take up to 7 years to complete given DGA requirements of hours needed at each level.

Interestingly a common next step on the career track for Assistant Directors is not becoming Directors, but instead moving into Production as Line Producers or Unit Production Managers. Being members of the DGA gives them an advantage in moving into Production over the Production Coordinators and Production Supervisors who are in theory in that line of progression. One of the Unit Production Managers we interviewed noted that the Production Coordinators and Supervisors, who should be in the line of progression for UPM, are in some ways better prepared from their experience to move into a higher role in Production – especially the budgeting and finance elements. But that person observed that understanding how a shoot works and what happens on set is key to being successful as a Producer.

Effort and Working Conditions:

For the First AD and the Second 2nd ADs, most of the job is on set or on location, and can involve standing 14 hours a day. The Key Second is located on set (at "base camp") but is typically in a trailer at a desk and is mostly on the phone or on a computer, working on the schedule and other coordination tasks to plan the next day's shoot. During pre-production the First AD generally works at the Production office, but may also travel to scout locations.

All the Assistant Directors described their mental demands as massive, given the scope of their responsibilities and the pressure of continuing to keep everything on track and maximize efficiency. The demands are highest on the First ADs, something several of the Local 871 interviewees also observed.

During pre-production, the schedule is more manageable, but during shooting 12-14 hours

is typical and longer days can be common. The Second 2nd AD has the longest schedule as they must be onsite first in the mornings.

Role and Reporting Structure:

First ADs can be hired by the Director or the Unit Production Manager, and have responsibilities both to Production and on set. First ADs hire and manage the rest of the team. First ADs interact with Script Supervisors as well as with all the Department Heads on set, while the Second ADs are more likely to interact with the Production Office and the Production Coordinators. One First AD described the Director's core support team during a feature film shoot as the First AD, the Script Supervisor and the Director of Photography, while for television the Script Supervisor and First AD "answer more to the show runner and the producers. We work together to make sure we get the shot we need."

Compensation:

Scale rates for Assistant Directors are based on published DGA 2015-2016 scale rates.³⁵ To simplify comparisons, we used only the Weekly Studio

rates, but Assistant Directors are also entitled to higher wages when shooting on location, and an additional Production Fee, as well as compensation for prep time and wrap time.

Comparators:

The Key Second AD we interviewed saw parallels between her responsibilities and the Production Coordinator. As that person explained, "just like we are managing every day the entire staff [on set], they are managing everyone behind the scenes and all the prep. . . . What they do is very similar to what we do." Production Coordinators may work with Second ADs who are booking special needs like teachers and medics or assist with logistics on stages, safety, HVAC and similar issues.

Ultimately, the strongest parallels are probably between the Key Second AD and the Production Coordinator, with also some overlap between the Second 2nd AD and the Production Coordinator. The Assistant Production Coordinator does not have as clear a parallel among the Assistant Directors, but an analogy could be made to the Key Second/Second 2nd structure.

Weekly Studio Rates					
(July 1, 2015 - June 30, 2016)*					
	Single Camera Pilot	Multi-Camera General	Multi-Camera Pilot	Commercials (effective 11/29/15)	General Rate
1st Assistant Director	\$4,778	\$4,465	\$4,335	3822	\$4,921
Key Second Assistant Director	\$3,202	\$3,101	\$3,011	2088	\$3,298
2nd Second Assistant Director	\$3,023	\$2,942	\$2,856	1,733	\$3,114
Additional Second Assistant Director	\$1,839	\$1,801	\$1,749	N/A	\$1,894

*Basic cable dramatic programs at certain specified budgets/durations are 83.5% of these rates.

Location Managers and Key Assistants³⁶

The Location Department is responsible for all aspects of shooting on location – taking the script, the production design, the Producer's parameters, and the Director's vision and using it to identify and select locations and manage the work involved in setting up and striking that location. The Location Manager is the head of the department, assisted by Key Assistant Location Managers and Assistant Location Managers.

Duties and Responsibilities:

Location Managers, Keys and Assistants perform three main categories of work – scouting and selecting locations, preparing that location for shooting, and managing that location during a shoot. Scouting starts with research, and proceeds to photographs and other documentation for vetting prospects, followed by site visits needed to make a final selection, all in coordination with other key individuals like the Production Designer and the Director. Once selected, the Location Managers and their team negotiate the terms of the agreements with the property owners, get the contracts signed and coordinate payments.

Preparing that site can include everything from handling permitting and legal requirements, preparing maps and signs, to setting up security, hiring lifeguards or building engineers, as well as determining where to put trash and where the bathrooms are, and getting access to parking. As one example, closing a street with stores, parking lots and apartments could require talking to everyone on the street ahead of time, getting permission from the city, doing a traffic study, turning off street lights, and moving bus stops.

For public locations, meeting with neighbors or local businesses ahead of time and managing community relations are also significant responsibilities. As one interviewee described it, "we are the public face of the production." Paperwork includes the contracts needed to secure the locations, permits and approvals, as well as the purchase orders and contracts with vendors for security or other needs. It also includes coordinating with other departments like Set Dressing and Production. Assistants may do "legwork" like delivering contracts or be given discrete tasks for scouting or preparing a location.

The Location Department makes sure the location is set up each day during the shoot and returned to its original condition in every detail at the end of the shoot. Location Department Assistants are on hand to troubleshoot -- "set sitting" – especially in terms of managing community relations. There are no Location Department PAs; the entry level position is Assistant Location Manager.

Key Assistants can play one of two roles. Some are heavily involved in scouting or managing locations, but others essentially serve as the location department's own coordinator. In that second role, which is paid at the same scale as those who go on location, the individual serves as a liaison "coordinating with assistants, legal, risk management, vendors, budget flows, etc." All of that work is done in the production office and largely involves paperwork, budgeting and finance, and logistics and coordination. As one Location Manager explained, "you could call that office person a Coordinator."



Skills and Qualifications:

The skill set that our interviewees highlighted include logistical, financial and operational talents and interpersonal skills. Working with the public was very highly rated, as was the communications skills needed to liaise with all of the Departments and individuals who might be involved in shooting on a location. Other skills were being calm under pressure and being able to handle stress, being detail oriented and common sense.

As one interviewee explained, the early work of scouting locations is "more creative" but a lot of the work is "about the money and the agreements." Finding locations is artistic, because of the need to photograph it properly so it looks right for the director, and an important skill is knowing how to present it "so that it makes sense for the director." But once that part is done, "it's logistics – where do you park the trucks, etc."

Photography came up quite a bit in the interviews as a critical element in scouting – "knowing how to photograph and what things look like in different lights" - but also the distinction between Keys who are good at scouting versus those who are good in the office, with both sets of skills being seen as valuable and important.

One interviewee used a budget software program coded in FileMaker but their Key who worked as a coordinator used an Excel sheet to track

everything. Interviewees mentioned using Word, PowerPoint, and "basic mapping programs." Being able to handle financial information related to the budget and expenditures was also mentioned as an important skill.

There was no specific prior education or training, and all of the interviewees worked their way up through on the job training. One mentioned the importance of experience because it helps build important relationships used on the job, such as with local governments or vendors. Teamsters Local 399 does offer classes on certain skills.

Effort and Working Conditions:

By its nature, a lot of work of the Location Department happens at locations of varying types. But the Location Managers we interviewed made clear that a lot of work happens in the Production Office, and that some Key Assistants work almost exclusively in the Production Office, while others spend a lot of time on location.

During preparation, the schedule is typically a five-day week, 12 hours a day, but "during filming it's brutal" as someone from Location is first onsite. When the Location Department is managing multiple phases at once – shooting, prepping and striking simultaneously at different locations – the day can be as long as 16 hours or more.

Assistants don't necessarily all work that schedule,



but may stagger their schedules across the day. A 12-hour day for the assistants is typical. Another factor is location shooting in town versus out of town. When out of town, the week can be a six-day week. The work was described as “not a hugely physical job” but can be mentally demanding.

Role and Reporting Structure:

Location Managers can be hired by a studio, Unit Production Manager, Line Producer or Director. The Location Manager hires the Keys and Assistants. While the Location Department formally reports to Production, particularly early on the team works closely with the Production Designer who sets the look of the production.

Compensation:

Scale rates for Key Assistant Location Managers are based on Teamsters 399 published rates in effect from August 2, 2015 to July 31, 2016.³⁷ We did not include the weekly car allowance amounts.

Comparators:

When asked about similarities between Production Coordinators and Location Managers an interviewee said “Both [are] unsung heroes.” There were cited similarities in terms of off production responsibilities and working with outside vendors. But “the biggest difference is we deal with the public.”

While stating that the creative parts of the Location Manager job were not similar, one interviewee said Production Coordinators “could do the paperwork and logistical elements” like creating location lists, dealing with contracts, insurance, check requests and other paperwork.

The Location Department and Production share an interesting line of progression, including one interviewee who started as a PA, became an Assistant Location Manager, and then became a Production Supervisor, before moving into a Location Manager classification. Location Manager is also a potential feeder position into the Unit Production Manager role, sometimes via Production Supervisor. One person viewed a Production Supervisor as “like a Location Manager but for every department.”

2015-2016 Scale Rates

	Studio	Certain TV Productions	TV Movies & Low Budget
Key Assistant Location Manager	\$1,738	\$1,687	\$1,590





Pay Differences Between Local 871 Target Crafts and Comparators in the Crafts

In each case, the Local 871 crafts appear to earn less than the comparator crafts when comparing weekly rates. For Production Coordinators, their average contracted rates for features were \$765 less than Second 2nd AD estimated feature rates and \$968 less than Key 2nd AD feature rates. Differences between the average contracted rates for Production Coordinators in television compared with Second AD scale rates were even larger, between \$1290 and \$1474. In order to simulate the potential to negotiate up from scale rates and higher pay for features, we added a very conservative 10% premium to the Second AD feature scale rates. We used this "hypothetical" contracted rate for features for Second ADs, yielding a larger gap with Production Coordinator weekly rates than one based simply on a contracted to scale comparison

While there may be some differences in tasks between Assistant Production Coordinators and 2nd Assistant Directors, we identify a much

more enormous gap in compensation. Assistant Production Coordinators in our study average \$1598 per week for features and have a very low minimum rate for television - \$980 per week in 2015-2016. This is substantially less than the Second 2nd Assistant Directors who support the Key Seconds and the First ADs.

Similarly, Art Department Coordinators average contracted rates are over \$700 below scale rates for Key Assistant Location Managers working in television, and we estimate their feature rates are lower as well. (Indeed, our conservative methodology may understate this gap).

Finally, the scale rates for Script Supervisors are substantially below all of the Assistant Director rates, even Second 2nd Assistant Directors who work at a comparably lower level of responsibility.

Weekly Rates Comparison

	Production Coord.	Key 2nd AD	Difference
Overall	\$2,119	\$3,298	\$1,179
Features	\$2,660	\$3,628	\$968
Television	\$1,824	\$3,298	\$1,474

	Assist. Production Coord.	Second 2nd AD	Difference
Overall	\$1,294	\$3,114	\$1,820
Features	\$1,598	\$3,425	\$1,827
Television	\$980	\$3,114	\$2,134

	Art Dept. Coord.	Key Assistant Location Mgr.	Difference
Overall	\$1,374	\$1,738	\$364
Features	\$1,591	\$1,912	\$321
Television	\$1,015	\$1,738	\$723

	Script Supervisor	First AD	Difference
Overall	\$2,574	\$4,921	\$2,347
Features	\$2,873	\$5,413	\$2,541
Television	\$2,506	\$4,921	\$2,415

For the Weekly Rates comparison tables, the rates for Local 871 crafts are based on analysis of 2016 Local 871 payroll records. Overall Rates are averages for all productions, Features Rates are based on the average for feature productions. Television Rates are based on the average for television productions for Script Supervisors and Production Coordinators and on the minimum rates for television for Assistant Production Coordinators and Art Department Coordinators. The Overall Rates and Television Rates for Assistant Directors are based on published DGA scale rates for 2015-2016. The Overall Rates and Television Rates for Assistant Location Managers are based on published Teamsters 399 rates for 2015-2016. Lower scale rates may apply to certain TV productions based on type, season and other factors. Feature Rates for Assistant Directors and Assistant Location managers are simulated average contracted rates based on applying a differential estimated from Local 871 payroll analysis.



Legal Obligations

for Gender Pay Equity

Although the members in these Local 871 crafts do typically earn less than crew members in other male-dominated classifications – in some cases substantially less – that fact is not enough by itself to determine whether the pay difference violates a federal or state law against pay discrimination.³⁸ An equal pay analysis under California law requires determining whether the positions are comparable under the “substantially similar work” standard. A pay discrimination analysis under federal law looks at whether there is enough evidence of gender discrimination – particularly in cases where there is not a clear comparison job. There are also potential defenses or exceptions to these equal pay requirements.

Overview of Applicable Laws

Under current California law, and specifically the state Fair Pay Act of 2016, covered employers cannot pay workers of one sex more than workers of the opposite sex for “substantially similar” work, based on a “composite of skill, effort, and responsibility.”³⁹ The work must also be performed under similar working conditions and certain specified defenses apply.⁴⁰

A federal law, the Equal Pay Act, mandates “equal pay for equal work” between women and men, applying a slightly different legal test to similar questions. Under this 1963 law, it is illegal to pay different wages based on sex for jobs at the same establishment that require “substantially equal” skill, effort, responsibility and working conditions.⁴¹ There is no requirement to show intentional discrimination, and there are four specified affirmative defenses.

Title VII of the Civil Rights Act of 1964 establishes a second federal pay equity mandate. Title VII generally requires a plaintiff to show discrimination when compared with someone who is “similarly situated” – or comparable “in all material respects.” Title VII, unlike the Equal Pay Act, requires plaintiffs to prove that a pay difference between comparable workers results from intentional discrimination or a disparate impact. Title VII also permits more flexibility in how you compare workers and jobs – it is not limited to claims of unequal pay for substantially equal work.⁴² Nevertheless, at least some courts have still required a fairly high degree of similarity in pay discrimination claims.⁴³

Generally, courts have concluded that federal law does not require employers to pay equal wages for different jobs of similar value where there are meaningful differences in the skills required, tasks performed or working conditions; it only requires that pay be nondiscriminatory. In other words, there is no legal requirement to pay jobs based on “comparable worth.”⁴⁴

However, where intentional sex discrimination acts to unfairly depress female wages (through steering/job segregation and sex stereotyping or other forms of gender bias), employers may be required to ensure pay equity between otherwise different jobs or job categories under Title VII.⁴⁵

California also has a state law similar to Title VII, the Fair Employment and Housing Act (FEHA), that prohibits discrimination in compensation among other practices.⁴⁶ California courts generally look to federal cases interpreting Title VII when considering how to apply the California FEHA except where the California statutory language is different or more specific.⁴⁷

Under any of the applicable legal standards, determining whether jobs are comparable enough is always fact-specific, and requires carefully reviewing actual duties and responsibilities.⁴⁸



Anticipating the Standards Under the California Fair Pay Act

The California Fair Pay Act is quite new, with a legal standard that is written differently than prior laws. To our knowledge there are no court decisions definitively interpreting or applying it. Looking to existing case law under the federal Equal Pay Act and Title VII may provide some guidance on how the California law would apply to the wage disparities between Local 871 crafts and their comparators – bearing in mind that the California law's test for "substantially similar work" is likely to set a lower bar than the Equal Pay Act's "substantially equal work" requirement.

Substantially Equal Work Under Federal Law

Under the Equal Pay Act, the key inquiry is the content of the job, and the degree of similarity in the actual skills, responsibilities and effort required. Evidence that women are in fact doing substantially equal work to men at a lower rate of pay could establish a violation of law, even if their qualifications or job titles are different.⁴⁹ Differences between individuals holding the jobs (such as more experience, better performance, or higher skill levels) are not relevant if the job content is the same – although those differences might provide the basis for a defense.

When considering whether jobs entail substantially equal skill, the specific duties do not need to be exactly the same, as long as the level of skill required to perform the job is substantially equal.⁵⁰ For example, in *Laffey v. Northwest Airlines*, the DC Circuit ruled that even though male Purser and female Flight Attendants worked different cabins with different levels of service, and had different documentation they were responsible for, the skills needed to perform those duties and the level of responsibility was the same.⁵¹ But more meaningful differences in the level of responsibility might justify a difference in pay.⁵²

Effort generally refers to the physical and/or mental demands of the positions, while working conditions has been interpreted to include "physical surroundings and hazards" – but not necessarily different work or shift schedules or

other differences in conditions of employment.⁵³ Differences that favor the lower paid classification, such as the fact that individuals in the lower paid job have more education or a higher workload, cannot be used to justify unequal pay.⁵⁴

In some cases, even jobs with some variation in duties can involve "substantially equal work" when two positions share core duties and any additional duties are not substantial or not a consistent part of the job. The test is whether there are a "common core" of duties sufficient to establish substantially equal work, even if there are also less important additional or auxiliary duties.⁵⁵ Those extra duties also must be explicitly linked to additional compensation – if some individuals at the higher rate of pay do not perform the additional duties those duties cannot be used as a basis to distinguish the jobs.⁵⁶ Further, to the extent additional duties are still comparable in terms of skill, effort and responsibility, they would not necessarily justify a pay difference.⁵⁷

Courts have not required equal pay under the "substantially equal work" standard where the content of two jobs has areas of overlap but also significant distinctions, such as two bank vice presidents working in human resources, where one spent the majority of time on HR-related IT tasks and data analysis while the other performed policy and planning work.⁵⁸

There may also be some requirement of proportionality when making an argument that additional duties justifies higher pay. In *Peltier v. City of Fargo*, men and women working as "car markers" for the City performed the same duties, but the men were qualified to be patrol officers and had some additional duties. The Court concluded that those additional duties were incidental, and the fact that the men earned 50% more than the women could not be justified by additional duties.⁵⁹ While we did not find any recent cases with similar holdings, the principle seems clearly applicable.

Comparing Jobs Under the Title VII Standard.

A comparator job does not have to be substantially equal in order to bring a claim under Title VII, and plaintiffs have more flexibility in satisfying the comparison requirement. This is because Title VII, unlike the Equal Pay Act, requires a plaintiff to prove intentional discrimination (or disparate impact – a very specific kind of claim with special requirements that likely would not apply here).⁶⁰ Title VII generally requires a plaintiff to show discrimination when compared with someone who is “similarly situated” – comparable “in all material respects” – a lower standard than “substantially equal.”

Title VII also permits claims that do not depend on specific individualized comparators and do not even require similar jobs – like claims involving systematic clustering of women in lower paying positions. Similarly situated comparisons can include being assigned to a lower-paying position at hire compared to someone with similar credentials, as well as failure to promote claims, and other channeling, job exclusion, and glass ceiling issues. Other evidence of gender discrimination – direct or circumstantial, individual or statistical – would bolster Title VII claims for intentional pay discrimination.⁶¹

Evidence could include deliberate classifications of the same or very similar job into a men’s or a women’s version at different levels of pay, a showing that gender stereotyping influenced how pay is set or the decisions about pay (like arguments certain male dominated jobs needed higher pay to support “breadwinners”), or evidence of sexual harassment or other differential treatment or discrimination.⁶²

Using Federal Law to Anticipate How the California “Substantially Similar Work” Standard Will Be Applied

Prior iterations of California wage discrimination law required female employees to identify a male employee performing substantially equal work at the same location. Recognizing that female and male employees may perform the same work but under slightly different titles or circumstances, California intentionally loosened this requirement with the 2016 Fair Pay Act. However, we are not aware of any cases yet that define the new “substantially similar” requirement under the Fair Pay Act.

While the statute states that courts should consider a composite of skill, effort, and responsibility, it does not contain further guidance on how these factors should be applied. Nor does the statute or legislative history contain examples of sufficient comparators under the substantially similar requirement. Thus, beyond a general understanding that it is meant to be a less stringent standard, the evidence required to meet this element of a wage discrimination claim remains to be determined on a case-by-case basis.





At a minimum, though, the following principles seem likely to be correct:

- ▶ The analysis will include the same four elements (skills, responsibilities, effort, and working conditions) of the prior law and Federal law.
- ▶ Comparisons permitted under the federal Equal Pay Act are a floor, not a ceiling. Close cases under the Federal Equal Pay Act would be stronger cases under California law and some cases that are foreclosed under federal law should be permitted under California law.
- ▶ When considering skills and responsibilities, the well-established concept of core versus peripheral duties would likely apply, but it should be more difficult to invoke peripheral duties to defeat a comparison under the California standard.
- ▶ When considering effort, analyzing physical and mental exertion required would likely apply, with more leeway to compare jobs that are similar but have some variation. It is probably still difficult to compare a very physical job to a largely sedentary one, or a low stress position to one with significant mental demands.
- ▶ When considering working conditions, the existing legal framework of considering physical work environment and hazards would apply
- ▶ The framework of a “composite” of skill, effort and responsibility suggests California law permits more tradeoffs across these elements. For example, a case with extremely similar skills, fairly similar responsibilities, and less similarity in level of effort, might fail a federal Equal Pay Act “substantially equal work” standard. Would it satisfy a “substantially similar work” standard? And does it depend on how strong the similar elements are and how different the one that varies is?

Alternative Theories That Are Not Based on Any Comparator Jobs.

As explained above, no comparison is required for a claim of gender discrimination in pay under Title VII where there is enough evidence of sex stereotyping, bias and intentional discrimination in compensation or wage setting. In *County of Washington v. Gunther*, the United States Supreme Court held that female employees may bring gender discrimination claims based on an employer's failure to pay them adequately, even if they could not identify male employees in sufficiently similar positions who were being paid more money.

The Supreme Court identified several different scenarios in which female employees may be able to state discrimination claims based on their wages, including, "if an employer hired a woman for a unique position in the company and then admitted that her salary would have been higher had she been male," "if an employer used a transparently sex-biased system for wage determination," and "if the employer required its female workers to pay more into its pension program than male workers were required to pay."⁶³

Under *Gunther* and its progeny, federal courts have found that plaintiffs have viable Title VII claims for pay discrimination even if they are unable to point to a substantially similar position held by a male, as long as they are able to show intentional discrimination.⁶⁴

While most federal cases require proof of intentional discrimination in setting the salaries for female employees, circumstantial evidence of discrimination can satisfy an employee's burden under Title VII. The ultimate question is whether there is sufficient evidence that the employer discriminated against the female employees by failing to fairly compensate them because of their sex.⁶⁵

Applying Defenses.

Under any of these statutes, once a plaintiff establishes sufficient evidence of a gender-based difference in pay between legitimately comparable workers (or successfully invokes a *Gunther*-style claim), a defendant can still avoid liability by showing a legitimate justification for the pay disparity.⁶⁶

The Equal Pay Act statutory language contains four specific affirmative defenses: (1) a seniority system; (2) a "merit" system; (3) compensation based on "quantity or quality of production; and (4) any factor "other than sex."⁶⁷ An affirmative defense means the employer has the burden of proof. Under the Bennett Amendment, these four affirmative defenses also apply to Title VII, and they are codified at Section 703(h).⁶⁸

Current California law follows the four affirmative defense structure of the Equal Pay Act, but makes it more difficult to explain pay differences, by tightly defining the fourth "catch-all" category. The California Fair Pay Act adds a requirement that the 4th catch-all factor must be "bona fide" – it cannot be "based on or derived from a sex-based differential in compensation," it has to be "job-related", and support a legitimate business purpose. California also imposes additional requirements that factors used to justify pay differences be "reasonably applied" and that they explain the entire wage differential.

Most federal cases are about how to apply the fourth "any factor other than sex" defense – and courts have split on whether that factor has to be job-related or otherwise bona fide.⁶⁹ But California's Fair Pay Act expressly imposes that higher standard.

Applying These Principles to Local 871 Crafts

This report identifies potential comparators performing substantially similar work to Production Coordinators and Art Department Coordinators. The sufficiency of these comparators depends on how California courts interpret the “substantially similar” requirement. In this case, if the comparator positions in fact involve a number of similar tasks and skills – such as budgeting, reports, managing vendors and time cards, coordinating work across departments, scheduling, communications, etc. – they could be “substantially similar” work. Because a claim under the Fair Pay Act requires a comparator, the Script Supervisors may have more difficulty making the required showing; however, the Script Supervisors may be entitled to higher pay based on evidence of sex-stereotyping in wage-setting.

Comparing Assistant Directors and Production Coordinators

Second Assistant Directors are strong comparators for the Production Coordinator crafts, given the flexibility in California law to make comparisons based on similarity rather than equality. These jobs are similar in terms of skills, responsibilities, and effort in a number of ways. Both are responsible for ensuring in various ways that the production runs smoothly and for a range of managerial, operational and logistical tasks that support the work of all of the departments.

In terms of duties and responsibilities, the paperwork, coordination and logistical support functions that Second ADs perform – both Keys and Second 2nd’s – seem parallel to that of Production Coordinators. The Key 2nd AD, in particular, has significant responsibilities for logistics, operations, and paperwork, and is typically focused on planning and setting up the next day’s shoot and other tasks that are not related to what is immediately happening on set.

There are some differences in duties and responsibilities. For example, the Key 2nd is also responsible for the daily call sheet, a task that requires judgment, planning and technical

knowledge that may differ in some respect from the skills and knowledge required for the Production Coordinator craft. The other key difference that goes both to skills and responsibilities is likely the creative work that Second ADs do “setting background” (placing and directing extras) under the 1st AD’s supervision, and potentially the extent to which Production Coordinators are more involved in budgeting and finance.

But that may not matter if the core set of tasks are closely enough aligned, especially under the more liberal California standard. For example, in *Laffey*, the fact that both positions had responsibilities for paperwork, even though the actual documentation they worked on was different, constituted work of equal skill. To the extent Second Assistant Directors do have some additional duties, the substantial pay differential may be far out of proportion to the difference in work.⁷⁰

The skills that both roles require have significant overlap, including good communications skills, problem-solving, attention to detail and management skills. The fact that the career track for Second ADs often leads to further opportunities in Production suggests strong overlap in the core competencies. Notably many Assistant Directors start as PAs and move to a Second 2nd AD position and then a Key Second, just like Production Coordinators may move from a PA role to an Assistant Production Coordinator to a Production Coordinator. In both cases, on the job training is sufficient.

The most significant distinction between Production Coordinators and Assistant Directors is likely to be working conditions – while effort is a close call. Assistant Directors spend far more of their time on set or location. (Because AD work on location receives additional compensation, that element is much less likely to be a problem.) Notably, the work environment of Key Seconds is much closer to an office environment, that of a Second 2nd ADs is more distinct.

All of these positions are quite mentally

demanding, but the Assistant Director position can be more physically demanding than that of Production Coordinators and Assistant Production Coordinators. Assistant Directors may also work longer hours than Production Coordinators or Assistant Production Coordinators during shooting - although everyone on the crew works extremely long hours. Assistant Directors are often on their feet around the set or location coordinating people and resources, while coordinators are based in the office, directing paperwork. However, in the case of the Key Second, these distinctions between the physical demands on the job are reduced. Further, because California law requires the analysis based on a "composite" of skill, effort and responsibility, any differences in effort are less significant.

While it is not possible to predict how a court would weigh these similarities and differences, there are enough points of alignment that studios and production companies should seriously consider their obligations to ensure gender pay equity and conduct further review and assessment of the work and pay.

Key Assistant Location Managers have significant similarities to the work that Local 871 Coordinators perform. The Key Assistants who work in an office environment have work and working conditions that seem largely identical to what Production Coordinators, Assistant Production Coordinators, and Art Department Coordinators do. Indeed, Production Coordinators probably have more responsibilities since their

work spans departments. But Art Department Coordinators play a very similar function, in terms of a financial/legal, logistical and coordination lead who supports everyone doing the creative work in the Art Department to implement the production design.

Because they are paid at the same rate regardless of where they work, it would be difficult to argue that the Key Assistant Location Managers receive some additional pay for scouting work or other differences in working conditions.⁷¹

If either of these comparisons establishes substantially similar work, then pay equity is required absent a defense or other legitimate reason that satisfies the legal standard for explaining a gender-based pay difference - in this case a bona fide factor other than sex.

Because the industry's compensation system is based on classifications, factors such as individual differences in training, experience or qualifications are much less relevant, and there is no formal system at all to value seniority or merit. Sustaining the burden of proof that these kinds of individual explanations are a bona fide factor other than sex, and that they explain the entire wage differential, would be difficult.

This is particularly true given the requirements that the factor cannot be "based on or derive from a sex-based differential in compensation" and that it must be applied reasonably. There is no structured



or objective mechanism for valuing or rewarding additional experience or training. Instead, negotiated rates are set through freewheeling, subjective individual interactions based on a history of gender segregated work and a culture and practice of unequal power for women in Hollywood.

One potential question is whether the presence of some men in the predominantly female classifications like Production Coordinator, and of some women in the predominantly male Assistant Director classification, shows the pay difference is not based on sex but instead on some legitimate difference between the positions. However, this fact would not necessarily rule out gender discrimination.

Where a job classification is predominantly but not exclusively female, women may still pursue Equal Pay Act claims and recovery can be available to men as well – either because once the women's pay is raised the men now have a claim, or because the men are being discriminated against on the basis of sex by the stereotyping of their work.⁷³ The courts have not fully settled at what point a job can be considered disproportionately male or female.⁷⁴ But in this case, the history of gender segregated work suggests that this factor may be "based on or derive from" sex-based differences, making it more difficult to sustain.


A second potential question is whether the existing bargaining agreements with the other unions – in this case the DGA and Teamsters Local 399 – show the wages are fairly bargained and not based on sex. Some cases have concluded a valid collective bargaining agreement satisfies the "factor other than sex" defense under the Equal Pay Act.⁷⁵ But Laffey suggests that where discrimination in the whole classification structure is an issue, the fact that wages were previously bargained at different levels does not limit application of the Equal Pay Act.⁷⁶ And if gender bias and stereotyping are affecting the entire wage-setting process, it would be inappropriate to use the prior bargained wages as a justification to continue discriminating.

Further, the limits California places on the catch-all defense imply these are unlikely to be

successful explanations. The examples of factors "other than sex" listed in the law – education and experience – deal with individual qualification differences, not defenses based on broad group characteristics or a policy difference like a CBA. It is questionable whether these kinds of defenses would be permitted under California law. California also requires the factor to be applied "reasonably" and to explain the entire differential, and puts the burden of proof on the defendant, making it even less likely that they would be determinative.

A Gunther discrimination claim is most applicable to the Script Supervisors. Script Supervisors remain overwhelming female - over 90%. Almost all of the Script Supervisors interviewed had studied film in higher education, and demonstrated substantial knowledge of the technical and creative aspects of filmmaking. While the responsibilities and duties of Script Supervisors have evolved over time, the industry continues to stereotype Script Supervisors as lesser administrative positions and fails to acknowledge their significant contributions to the film shoots. Because the position was historically female dominated, it is far more likely that wages were not adequately set decades ago and have not sufficiently evolved over time. Moreover, the ongoing evidence of gender discrimination and harassment supports the argument that productions continue to undervalue Script Supervisors and discriminate in setting compensation.

Production Coordinators, Assistant Production Coordinators and Art Department Coordinators similarly reported that their positions were viewed as traditionally female roles and that they continued to experience sexual harassment in the workplace. While Production Coordinators and Assistants have seen a rise in male employees in their position, the positions are still viewed as traditionally female roles, and carry a certain stigma as a result. Multiple Coordinators reported that their supervisors seem to view them as "glorified secretaries" and many reported that they had witnessed harassment and intimidation based on gender. As with the Script Supervisors, this discrimination may have led to depressed wages. This evidence is also relevant to the Fair Pay Act analysis, as it makes alternative explanations that gender is not a factor less persuasive.



Issues for Further Study and Recommendations

for an Industry Self-Analysis

Given this combination of underlying gender bias and documented pay disparities between comparable female and male dominated crafts, the industry should undertake a thorough review of these potential violations of California and federal law and correct any inequities. Studios and production companies should take a hard look at their obligations under the California Fair Pay Act and federal law to ensure that gender (and race or ethnicity) does not affect compensation. If there are gender-based pay disparities that cannot be justified under the law, the industry has a clear obligation to correct them.

This study has identified some concerns about pay equity that should be further explored through an in-depth self-analysis. In particular, the industry should establish a fair and objective process for reviewing the compensation paid to the four Local 871 crafts in this study, using a well-qualified team of subject matter experts and social scientists. The studios and production companies who undertake this work should also consult with all the unions that are implicated by the project on the selection of the study personnel, the scope of the work, and the approach to ensure it protects worker as well as management interests.

This process should evaluate the work being performed by these crafts and more highly paid male-dominated crafts, building on our work while addressing certain issues we were unable to completely evaluate. We recommend using the same categories we used, which incorporate the evidence relevant to determining “substantially similar work,” individual differences in skills or qualifications that may apply to a defense, and an analysis of intentional gender differences in pay.

- ▶ Duties and responsibilities (what are the regular tasks individuals in the craft or classification perform and what is their scope and level of responsibility)
- ▶ Skills and qualifications (what is the skillset necessary to carry out the duties and responsibilities and what kinds of qualifications do individuals typically have in terms of education, on-the-job experience and certifications or specialized training)
- ▶ Effort and Working Conditions (what are typical work hours, how physically and mentally demanding is the work, and where is it usually performed)

We also considered Role and Reporting Structure (department or area of work and to whom they report), in order to understand the typical career path for individuals in these crafts and their impact on the larger production.

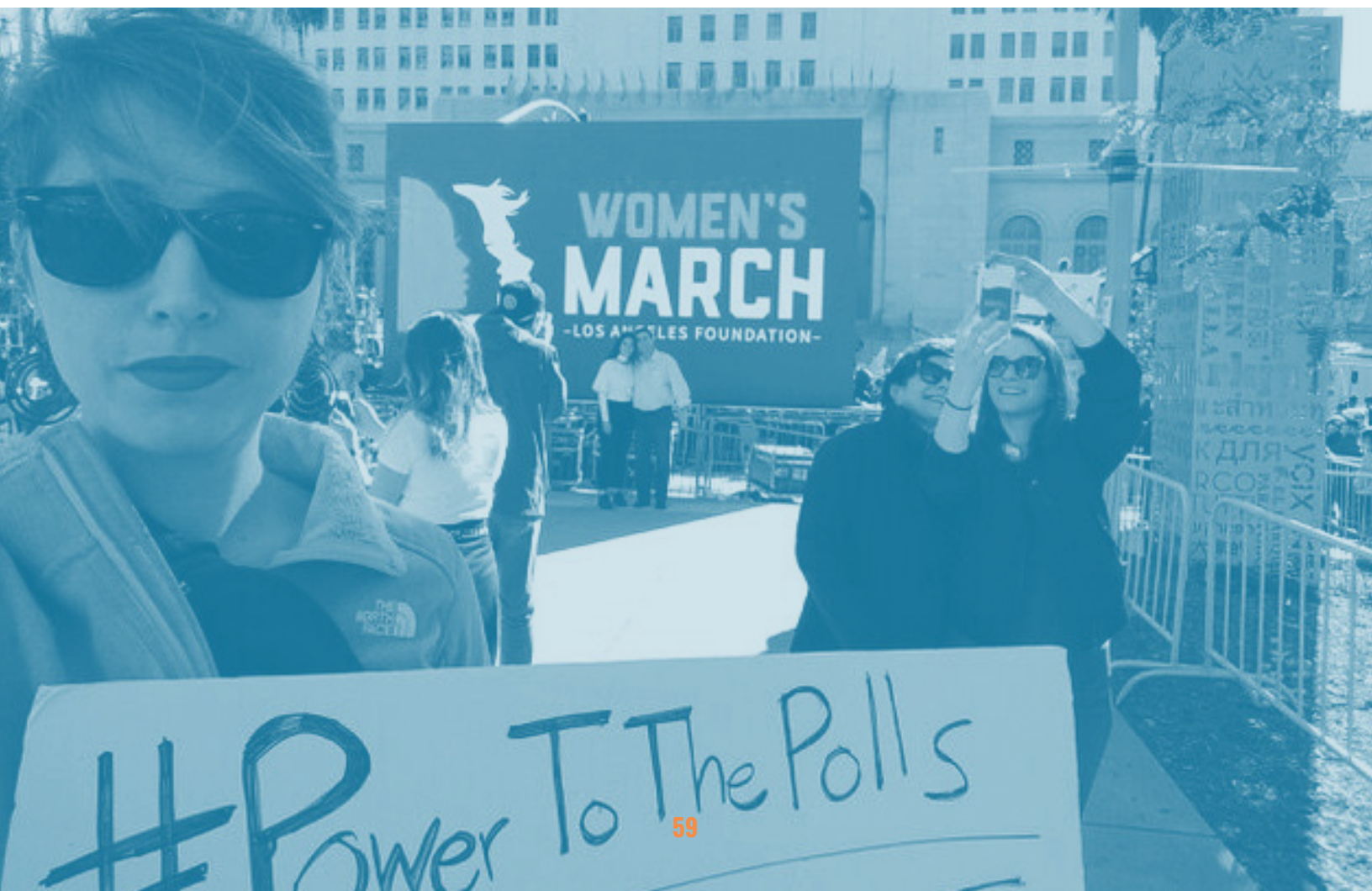
This study includes a fairly complete assessment of these questions for the Local 871 crafts, but we did not have access to as many individuals in the comparator crafts. There were additional comparators we could not evaluate. While we learned enough to draw preliminary conclusions, replication and expansion of this inquiry could more definitively resolve the question of whether the work is substantially similar. Furthermore, limited data was available to evaluate the gender breakdown of all comparator classifications, another area that a self-analysis could address more fully.

An industry-led self-analysis could also more fully analyze compensation. We did not have access to payroll records for the comparator crafts, and could only use scale rates and some simulation of contracted rates. Using actual payroll would

allow a deeper assessment of pay differences, including production type, budget or other factors. That approach could more precisely measure any gender wage gap and determine the appropriate remedy. We also did not incorporate additional payments like overtime, location premiums, or other additions to regular compensation, or benefits.

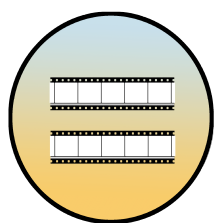
Finally, this analysis should further explore the concerns about gender stereotyping and sex discrimination, including sexual harassment, we identified in this study, and any impact of the historical gender segregation on current pay for Script Supervisors and others.

Recent public revelations about a gender pay gap for top female on-screen talent and a failure to address egregious sexual harassment show how the contributions of women have been undervalued in the industry for decades. The pay gap we document in this study is just one example, but it is one that deserves a full and fair reckoning.



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#ReelEquity

Join the **#ReelEquity** campaign at reelequity.org and learn about what industry leaders can do to take action to support pay equity in Hollywood.



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- 10 Martha M. Lauzen, *The Celluloid Ceiling II*, (2009), available at <http://womenintvfilm.sdsu.edu/files/2008%20Celluloid%20Ceiling%20II.pdf>.
- 11 A review of the current Local 871 roster shows 387 Script Supervisors, 29 of which are identified as male (7.4%), 357 of which are identified as female (92.2%) and one with no gender identification. There are 352 Art Department Coordinators, 76 of which are identified as male (21.5%) and 276 of which are identified as female (78.4%). The roster shows 516 Production Coordinators, 179 of which are identified as male (34.7%) and 337 of which are identified as female (65.3%). There are 246 Assistant Production Coordinators, 95 of which are identified as male (38.6%) and 150 of which are identified as female (60.9%). One has no gender identification. Combined, these two crafts are 63.9% female
- 12 A review of the DGA online Directory at <https://www.dga.org/Employers/EmployersSearch.aspx>, as of September 1, 2017, shows a total of 1510 individuals listed as "1st AD" in the Los Angeles Production Center. Adding "women" as a search filter yields 344 individuals, or 22.8%.
- 13 A review of the DGA online Directory at <https://www.dga.org/Employers/EmployersSearch.aspx>, as of September 1, 2017, shows a total of 1799 individuals listed as "2d AD" in the Los Angeles Production Center. Adding "women" as a search filter yields 629 individuals, or 34.9%. It is not possible to break out the Key 2nd from the Second 2nd classification.
- 14 According to Teamsters 399, there are 263 individuals in the Key Assistant Location Manager position, 198 men (75.3%) and 65 women (24.7%).
- 15 Erin Hill, *Never Done: A History of Women in Media Production* (2016).
- 16 Hill (2016) at p. 5.
- 17 2015-2018 IATSE Local 871 Basic Agreement ("Basic Agreement"), available at <https://www.ialocal871.org/Portals/0/2015-2018%20Local%20871%20Basic%20Agreement.pdf>.
- 18 The applicable collective bargaining agreements set scale rates by production type. Local 871 also categorized the payroll records by production types and we aggregated those categories into (1) Features, which includes Basic Features and Independent Features, (2) Television, which includes all Cable categories, Network and Reality, (3) Low Budget Features and (4) New Media.
- 19 We used the variation between feature rates and television rates found in the Local 871 payroll records to estimate how negotiated rates for the comparator crafts might differ from scale. We created a simulated features average contracted rate for Key Assistant Location Managers and Assistant Directors in Features at 110% of the applicable scale rate.
- 20 The Working IDEAL team interviewed nine Script Supervisors, eight women and one man. Interviewees had worked in script supervising anywhere from six to thirty years. Three interviewees reported having worked in film, television, and commercials: two reported working exclusively in film; one reported working in commercials and television; one reported working in television and film; one in commercials, and one reported working in film and commercials. One hundred and thirty Script Supervisors responded to the survey.
- 21 For example, Bryan Cranston described the Breaking Bad Script Supervisor as "the hardest working person on the crew." <http://script-supervisor.tumblr.com/post/155312113047/helen-caldwell-breaking-bad-final-season-2013>.
- 22 Pat P. Miller, *Script Supervising and Film Continuity*, 3rd Ed. (1999), p. 7.
- 23 Of the nine Script Supervisors interviewed to date, six studied film or theater at the undergraduate level, took additional post-college film classes, and/or took classes specifically in script supervising. Additionally, a disproportionate number of Script Supervisors went

straight into their craft, rather than "falling into it": of the nine Script Supervisors interviewed to date, seven have worked only as Script Supervisors, at least as far as "behind-the-camera" experience is concerned. This may be due to the more technical nature of the craft. The vast majority of Script Supervisor survey respondents reported having formal education, training classes, and/or film school and production knowledge.

24 For features only 54 hours is guaranteed and for television 50 hours is guaranteed. See Basic Agreement at p. 20-21.

25 Converted from hourly rates based on an assumed 60-hour week, 40 hours of regular time and 20 hours at 1.5 time.

26 Payroll records are relatively consistent with these reported amounts but survey responses have a higher proportion of individuals reporting rates below \$2000 than the payroll records.

27 The Working IDEAL team interviewed eight Production Coordinators and three Assistant Production Coordinators (although typically Production Coordinators also had previous stints as Assistant Production Coordinators). Of those interviewed, eight were female, including all of the Assistant Production Coordinators. Two Production Coordinators and two Assistant Production Coordinators work primarily or exclusively in film, one Production Coordinator works in commercials and television, and the other five Production Coordinators and other Assistant Production Coordinator work in television. Interviewees had worked in the industry as Production Coordinators or Assistants ranging anywhere from 10 to 23 years. 113 Production Coordinators and 37 Assistant Production Coordinators responded to the survey.

28 Prior to their work in the industry, half the interviewees had some sort of formal education in television, film, or the arts, while the other half had no formal training in the field. Most interviewees got their start working as a PA or in some other similar capacity, and none of those interviewed began their careers in the industry as a Production Coordinator or Assistant right off the bat.

29 We excluded some extremely high and extremely low rates as potential errors or outliers after review with Local 871 staff.

30 This minimum is based on a 60-hour week, including 20 hours at 1.5 time. See Basic Agreement at p. 163. A rate of \$13.50 per hour applies to basic cable programs or made for TV movies.

31 The Working IDEAL team interviewed ten Art Department Coordinators, eight women and two men. The interviewees had worked as Art Department Coordinators anywhere from seven to thirty years. One interviewee reported having worked in film, television, and commercials; two reported working exclusively in film; one reported working in commercials and television; two reported working in television and film; and four reported working in television. 136 Art Department Coordinators responded to the survey, plus a handful who identified themselves as Set Decorating coordinators, Digital Asset Managers, and similar titles.

32 While six of the interviewees had some level of formal training in film and an additional individual studied media theory and criticism in college, three had no formal training in the film industry. Half of the interviewees report that the craft requires a lot of on-the-job training as opposed to formal training or education.

33 Basic Agreement at 163.

34 Working IDEAL interviewed five First Assistant Directors ("First ADs"), four women and one man, and one female Key Second AD.

35 We used the DGA scale rates published here: <http://www.dga.org/Contracts/Rates-2014-to-2017/ADs-UPMs-and-AssociateDir-2014-to-2017.aspx>.

36 Working IDEAL interviewed three Location Managers, all men, and all of whom also had experience as Assistants.

37 We used the Teamsters 399 rates published here: <https://www.ht399.org/app/uploads/2016/07/Location-Rates-2015-2018.pdf>.

38 This study did not consider potential claims based on race or ethnicity.

39 California Fair Pay Act (2016), https://leginfo.ca.gov/faces/billNavClient.xhtml?bill_id=201520160SB358.

40 Unlike the federal Equal Pay Act there is no requirement that the work be at the same location.

41 29 U.S.C. §206(d).

42 *County of Washington v. Gunther*, 452 U.S. 161 (1981) (failing to prove the equal work standard of the Equal Pay Act no bar to cause of action under Title VII for discrimination in compensation); *Brinkley-Obu v. Hughes Training*, 36 F.3d 336, 344 (4th Cir. 1994) ("Under the disparate treatment model of a Title VII action, 'there is a relaxed standard of similarity between male and female-occupied jobs, but a plaintiff has the [ultimate] burden of proving an intent to discriminate on the basis of sex.'").

43 *Sprague v. Thorn Americas, Inc.*, 129 F.3d 1355 (10th Cir. 1997) (female in jewelry department could not be compared to male assistant managers of larger departments like electronics).

44 *EEOC v. Madison Community Unit Sch. Dist.*, 818 F.2d 577 (7th Cir. 1987).

45 *Gunther*, 452 U.S. at 178-82 (1981).

46 California Fair Employment and Housing Act, Section 12940.

47 See, e.g., *Romano v. Rockwell International, Inc.*, 14 Cal. Rptr. 4th 479 (Cal. Supreme Ct. 1996).

48 *Gibbs v. Pierce County Law Enforcement Support Agency*, 785 F.2d 1396 (9th Cir. 1986).

49 *King v. Acosta Sales and Marketing*, 678 F.3d 470 (7th Cir. 2012); *Beck Wilson v. Principi*, 441 F.3d 353 (6th Cir. 2006); *Lambert v. Genesee Hospital*, 10 F.3d 46 (2d Cir. 1993) (quasi-supervisory role in printing press area could be compared to same role in microfilm area of hospital duplicating services department).

50 *Beck Wilson*, 441 F.3d 353 (Physician Assistants and Nurse Practitioners).

51 *Laffey v. Northwest Airlines*, 567 F.2d 429, 440-41 (D.C. Cir. 1976) (Male Pursers working in First Class performed same tasks as female Flight Attendants in Tourist Class; variations in specific elements not relevant where skills and responsibilities substantially equal).

52 *Horner v. Mary Institute*, 613 F.2d 706 (8th Cir. 1980) (higher paid male developed curricula while lower paid female only taught the course); *Cullen v. Indiana Univ. Board of Trustees*, 338 F.3d 693 (7th Cir. 2003) (higher paid comparator supervised more people, was required to establish new graduate program as part of duties).

53 *Corning Glass Works v. Brennan*, 417 U.S. 188, 201-03 (1974); *Laffey*, 567 F.2d at 441 (fact that one job required more days away from home than other not dispositive when it did not mean more total work hours); cf. *Brennan v. Prince William Hospital Corp.*, 503 F.2d 282, 288 (4th Cir. 1974) (performing work in different hospital department that had similar physical working conditions was not a relevant distinction for Equal Pay Act).

54 *Beck Wilson*, 441 F.3d 353 (those in female dominated position tended to have more education); *Laffey*, 567 F.2d at 440-41 (D.C. Cir. 1976) (to the extent workload differenced it was the lower paid position that had a more demanding pace serving more passengers).

55 See, e.g., *Odomes v. Nucare, Inc.*, 653 F.2d 246 (6th Cir. 1981) (female nurse's aides and male orderlies both performed patient care, and orderlies also did occasional moving furniture, unloading supplies); *Brennan*, 503 F.2d at 289 (4th Cir. 1974) (fact that male orderlies had heavy lifting duties not relevant if infrequently performed and if also performed by female aides when no orderlies available); *Brewster v. Barnes*, 788 F.2d 985 (4th Cir. 1986) (female jail matron comparable to male correctional officers even if male officers supervised more prisoners).

56 See *Brennan*, 503 F.2d at 286 (detailing cases that found additional duties not dispositive).

57 *Glunt v. GES Exposition Services, Inc.*, 123 F. Supp. 2d 847 (D. Md 2000) (project coordinators and account coordinators at trade shows).

58 *Koster v. Chase Manhattan Bank*, 609 F.Supp. 1191 (S.D.N.Y. 1985). Another example of a case finding additional duties substantial is *Rodriguez v. Smithkline Beecham*, 224 F.3d 1 (1st Cir. 2000) (additional management, program and supervisory responsibilities).

59 *Peltier v. City of Fargo*, 533 F.2d 354 (8th Cir. 1976).

60 For example, if individuals in the target crafts had been seeking the opportunity to move into the comparator positions, and some identified process, policy, requirement or other identified practice had the effect of excluding them, there could be a disparate impact challenge.

61 *Beckman v. CBS*, 192 F.R.D. 608 (D. Minn. 2000); *Stender v. Lucky Stores*, 803 F.Supp. 259, 330 (N.D. Cal. 1992); *Thomson v. Sawyer*, 678 F.2d, 257, 284-85 (D.C. Cir. 1982); *Gunther*, 452 U.S. 161; *American Nurses Assoc. v. State of Illinois*, 783 F.2d 716 (7th Cir. 1986).

62 See, e.g., *EEOC v. Madison Community*, 818 F.2d at 588-89; *Thompson*, 678 F.2d at 284-85; *Kyriazi v. Western Electric Co.*, 461 F. Supp. 894 (D. New Jersey 1978); *Stender*, 803 F.Supp. 259.

63 In *Gunther*, plaintiffs successfully stated a gender discrimination claim based on evidence that the County of Washington determined female prison employees "should be paid approximately 95% as much as the male correctional officers; that it paid them only about 70% as much, while paying the male officers the full evaluated worth of their jobs; and that the failure of the county to pay respondents the full evaluated worth of their jobs can be proved to be attributable to intentional sex discrimination." Id

64 Cf. *Barrett v. Forest Labs., Inc.*, 39 F. Supp. 3d 407, 452 (S.D.N.Y. 2014) (denying in part the defendant's motion to dismiss and noting that "[p]ut differently, a Title VII plaintiff could succeed by showing that her employer intentionally depressed her wages, even if the employer did not employ any similarly-situated males."); *Tenkku v. Normandy Bank*, 348 F.3d 737, 742 (8th Cir. 2003) (affirming decision for employer, but noting that "[i]n addition, the Supreme Court has held that an employer violates Title VII, but not the Equal Pay Act, if it intentionally depresses wages on account of sex and there were no employees of the opposite sex doing equal work for more pay.>").

65 See *Mumm v. Charter Twp. of Superior*, Civil Case No. 14-14403, 2016 U.S. Dist. LEXIS 89977, at *28 (E.D. Mich. July 12, 2016) ("In *Gunther*, the Supreme Court held that a plaintiff could demonstrate a Title VII violation even if no member of the opposite sex holds an equal but higher paying job, provided the Equal Pay Act's four exemptions do not apply. 452 U.S. at 168. To prevail, a Title VII plaintiff 'must . . . produce some other evidence which shows that [the defendant] discriminated against her in terms of her salary because of her gender.' *Conti v. Universal Enterprises*, 50 F. App'x 690, 698 (6th Cir. 2002). The plaintiff can make this showing using either direct or circumstantial evidence supporting an inference of discrimination.").

66 *Kouba v Allstate Insurance*, 691 F.2d 873 (9th Cir. 1983).

67 *Corning*, 417 U.S. at 196-97.

68 Title VII allows other defenses against pay discrimination claims – for example an employer can defend against a disparate impact claim by showing the challenged practice is job-related and consistent with business necessity. E.g., *Arthur*, 174 F. Supp. 2d at 980-81 (granting employer summary judgment in a pay discrimination case involving school faculty because "[e]ven if plaintiffs established a prima facie case, defendants have put forth sufficient evidence to show that any differences in tuition remission benefits were based on business necessity, as discussed in the preceding EPA analysis"). An employer can also defend against a claim of intentional discrimination by showing any legitimate non-discriminatory reason, even one that doesn't fall under the four specified Equal Pay Act defenses. In practice, this becomes primarily a question of how and in what order claims get analyzed, since the "catch-all" any factor other than sex overlaps with the question of a legitimate non-discriminatory reason. Other complexities around what is called "burden-shifting" are not relevant for this analysis.

69 *Aldrich v. Randolph Central School District*, 963 F.2d 520 (2d Cir. 1992) (classification exam for custodians not a valid factor other than sex where male custodians and female cleaners perform similar work and there was no legitimate reason to require examination).

70 Finally, although the jobs are not "fungible" -- a current Production Coordinator would not have the training and experience that would allow them to step directly into a Second AD position – if historic exclusion or segregation results in differential level of experience, that distinction may not qualify as a factor other than sex. *Thompson*, 678 F.2d at 276-77 ("The differences in machine assignments and training opportunities found at GPO were certainly longstanding in the binding industry. The record amply reveals, however, that these differences constituted a continuing structure of sexual discrimination"). See also *Miranda v. J&J Cash*, 975 F.2d 1518, 1530 (11th Cir. 1992).

71 *Thompson*, 678 F.2d at 275 (enough to show jobs substantially equal to some of the individuals under the classification, even if others differed) ("For purposes of an Equal Pay Act violation, it is irrelevant that GPO classifies the bookbinder jobs that resemble plaintiffs' together with other jobs that do not").

73 In a similar vein, whites closely identified with blacks have been able on occasion to assert Title VII claims. See, e.g., *Holcomb v. Iona College*, 521 F.3d 130 (2d Cir. 2008).

74 *Peters v. City of Shreveport*, 818 F.2d 1148 (5th Cir. 1987) (underpaid classification 25% male); cf. *Allen v. American Homes Foods*, 644 F. Supp. 1533 (N.D. Ind. 1986); *Beck-Wilson*, 441 F.3d at 353. But see *Arthur v. College of St. Benedict*, 174 F. Supp. 2d 968 (D. Minn. 2001) (improper to compare one group that was 75% male to another group that was almost 50-50). See also *Angeleno v New York Times Co.*, 200 F.3d 73 (3rd Cir. 1999).

75 *Cherrey v. Thompson Steel Co.*, 805 F.Supp. 1257 (D. Md. 1992).

76 *Laffey*, 567 F.2d at 446-447. But see *EEOC v. Romeo Community Schools*, 976 F.2d 985 (6th Circuit 1992) (factual dispute regarding whether collective bargaining was the real reason).