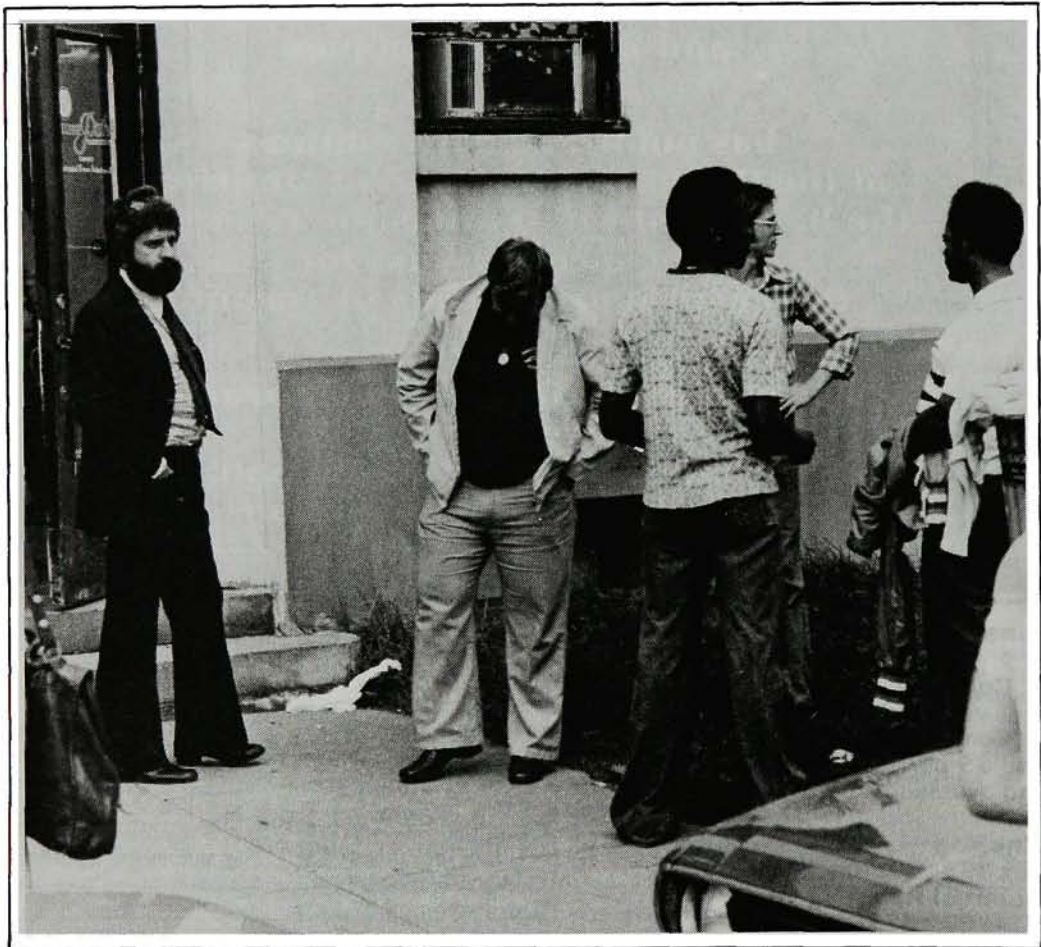


Quebec's Technicians' Unions **Divided They Stand**

by Kevin Tierney

"Quebec" means "politics". Take the province's two technicians' unions: four years after their historical confrontation their wounds have barely healed; their talk of amalgamation is still pie in the sky – but their collective agreements with the producers have set a progressive example for Canada's other technicians.



Courtesy of the SNC, this union photo shows producer René Avon allegedly accompanied by his bodyguard, and "scabs" imported from Toronto to staff a shoot during "la grande grève"

By most accounts there are approximately 350 film technicians in Quebec who work at least part of the year. Certainly not a large number by any means. Two labor unions represent the interests of these 350 people: Le Syndicat national du cinéma (SNC) and L'Association des professionnels du cinéma du Québec (APCQ). In other parts of the world this might be viewed as a peculiar anomaly, but here in Quebec — where we seem to have two of everything — the situation is, if not quite *tout à fait normale*, at least understandable.

It might be comforting to some, if we were able to apply Canada's simplistic, national blueprint to these unions: i.e. one for the French, the other for the English. Unfortunately it isn't that easy.

Instead, we are forced to consider the paradox of unionizing free-lancers — never an easy task, especially with free-lancers working in a domain that appears to run on ego. We are also forced to recognize that in the film industry, as in most other areas of life here, there are profound differences in how we interpret our past, present, and future. Whereas ten years ago these differences were being discussed and argued about in passionate terms, today we find them in closets well guarded by buzz words like professionalism, industry, capital cost allowances and comités de rapprochement.

In the midst of much social and political upheaval in Quebec, they were determined to create something different, something unique.

Le Syndicat national du cinéma was founded in 1970 by Michel Brault, a leading cinematographer, director, and apparently the patron saint of Quebec technicians. Prior to 1970, if a technician belonged to any union, he or she belonged to the International Alliance of Theatrical and Stage Employees (IATSE), a large American union infamous for its closed doors and international presence. Brault, and others like him, knew what IATSE represented and in the midst of much social and political upheaval in Quebec, they were determined to create something different, something unique.

"We tried to adopt different rules and regulations for the union according to what we were doing here and according to what we wanted to do. We didn't want to be the IATSE of Quebec, we wanted to create a film industry here, one of our own. We believed that small is beautiful."

This statement, made by an original member of the SNC, is an understated but clear presentation of the Quebec technicians' early aspirations. The key phrases are: "one of our own" and "small is beautiful." The SNC realized that filmmaking was an industry, but they were interested in being active and vital partners in such an industry and in maintaining some control over what they were involved in producing.

Nobody could say it had been an easy victory.

Some years after 1970, Harry Gulkin, a producer who had often employed SNC technicians, reflected (in these same pages) on the uniqueness of the SNC and its sense of self:

"I cannot say for sure, but I do not believe that there exists anywhere else in the world a group of key technicians who insist upon reading a scenario before agreeing either to work on a film or to the conditions under which they will work on that particular film. In Quebec, an entire cadre of people exists whose commitment to its work is based not only on sustenance, professional and monetary, which it draws from it, but also on the imprint it can make upon its own audiences and upon the film audience of the world."

In concrete terms, the SNC's aim was twofold: to group technicians so that they could use their collective power to reach collective agreements with producers, rather than signing individual contracts with various producers for each film; and to impose a minimum standard for working conditions. It took from 1970 to 1976 to accomplish this task and when it was done, nobody could say it had been an easy victory.

The period from 1970 to 1976 was an active one in the Quebec film industry. Apart from work on documentaries, cinéma direct and features, many newly arrived technicians found themselves earning their livings through work on promotional films and television commercials. The concerns of the SNC had to be expanded to keep pace with the changing industry, and because of the

diversity, it became more important than ever to have a single agreement with the producers, who for similar reasons, had earlier formed their own association, L'Association des producteurs de films du Québec (APFQ).

Although the SNC had been demanding a single collective agreement since its inception, it wasn't until 1976 that serious negotiations with the APFQ began. In February of that year, the SNC sent its new regulations and demands to the producers. Along with their demands they also sent a deadline of April 1st. According to the current president of the APFQ, Claude Godbout, who was then a member of his association's executive committee, the producers had fully expected a lengthy negotiation process. Consequently, they were not prepared to accept what they considered to be an arbitrary use of the calendar by the SNC, and they outrightly refused to respect anything by the April 1st deadline. More importantly, the producers objected to the SNC's interpretation of what a technician was, what the role of a technician was, and what they perceived as the usurpation of the responsibilities of the producer by the crew.

The NFB agreement was a frame-up and its acceptance by the SNC was fundamentally wrong.

During this same period, the advent of the Olympic Games brought a boomtown atmosphere to one particular area of film production in Quebec — the National Film Board. With the boom came the need for extra technicians, and the obvious place to look was the SNC. But because the union was already heavily involved in precedent-setting negotiations, the situation was a touchy one.

All NFB technicians, free-lance and staff, worked under a collective agreement between Le Syndicat général du cinéma et de la télévision — section Office national du film (SGCT-ONF) and the National Film Board. Hiring SNC members to work at the Board meant that these technicians automatically came under the rules and regulations of the SGCT. Thus, it was quite easy for the NFB to draft a letter stating that they agreed in principle with the SNC's demands, thereby freeing SNC technicians to go and work there, but *not* under the collective agreement they were demanding of the producers working in the private sector.

To many observers, the letter of acceptance from the Board was window dress-

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ing. Already troubled SNC meetings were now partially filled by technicians who were voting to accept or reject a contract, or to strike or not to strike even though the outcome wouldn't affect their work or their livelihoods.

In the words of a long-time member of the SNC who considers himself a "union man," the NFB agreement was a frame-up and its acceptance by the SNC was fundamentally wrong. Had there been work at the NFB for all the SNC technicians, it would have been one thing. Unfortunately, there were other members whose work was primarily in commercials, and for them, a vote to strike meant a loss of livelihood.

As negotiations became more and more involved, the rhetoric of the union leaders got stronger and stronger.

The April 1st deadline came and went, but by the middle of April negotiations began. By the middle of June talks had broken down completely. Louise Ranger was appointed by the producers' association to reopen negotiations and they began in earnest at the beginning of July. On the 15th of July, the SNC general assembly refused the amended version of the producers' offer and on July 26, union members voted to boycott productions.

In spite of the decisions being taken by the SNC general assemblies, all was not well within the union. The decisions of the majority were not favoured by all members, particularly the technicians who worked in the private sector. As negotiations became more and more involved, the rhetoric of the union leaders got stronger and stronger — to the point that some technicians wondered if they were settling into the winter of their discontent. There was a feeling that the issues the union had begun with were getting lost in the rhetoric of the struggle. The decision to boycott appeared too final, too self-defeating.

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Out of these doubts and fears arose a group of dissidents, largely made up of the technicians who were most affected by the boycott, whose work was primarily in commercials. In a letter addressed to the SNC executive, these dissidents asked that the boycott cease and that the union

effect a new negotiating position. It was a call for new tactics, but it also manifested a fundamental disagreement over what the union's role should be.

The dream of creating something small and beautiful was crumbling on every front.

In another letter, the dissidents disassociated themselves from the SNC and took their desires to the producers. Obviously, they were denounced by a general assembly of the SNC for their disloyalty, but the dye was cast. The dream of creating something small and beautiful was crumbling on every front and the harder the SNC fought to insure its goals, the worse things got: in August, the Supreme Court of Quebec issued an injunction against SNC officers and some members, disallowing them from disrupting commercials being shot.

By the end of August, with no end to the bitter turmoil in sight, an already complicated situation — dividing friends and sometimes even families — became ludicrous. The dissident SNC members formed their own association, L'Association des professionnels du cinéma (APCQ) — a name, which in retrospect, says a great deal about their sense of self and their *raison d'être*. They were 70 people who saw themselves as professional technicians and not political rhetoricians; and as such, they formed an association — not a union. The APCQ began negotiating with the producers immediately.

Clearly the formation of the APCQ was a major breakthrough that the producers could only welcome.

Clearly the formation of the APCQ was a major breakthrough that the producers could only welcome. Thinking back on all of this today, Claude Godbout isn't willing to accept that the SNC's internal problems and the breakaway of the dissidents established a climate that could lead to settlement: "The birth of the APCQ did not speed up the signing of the agreement. In fact, it probably prolonged negotiations. It created tensions, made work for us and it complicated things in the technical area." But this statement does not account for why some producers had been active supporters of the idea of a second union. "The executive of the association simply tried to remain calm during all of this, but I can't speak for all

the producers" (Godbout). In fact, certain producers had worked almost exclusively with the technicians who founded the APCQ and were in no way hesitant to do whatever was necessary to get back to work. Through the influence of these producers, the producers' association immediately recognized the APCQ and negotiations began. According to Godbout,

"We had no apprehensions about negotiating with the APCQ because we had recognized them based on the number of members they had. I think they had about 100 members but also there were producers who were working with them."

Despite the eagerness of both the APCQ and the APFQ, it took another four months for a satisfactory agreement to be reached. A first-ever collective agreement between film technicians and producers came into effect January 1, 1977 and would last until December 31, 1978. Subsequent to the agreement reached with the APCQ, the producers signed essentially the same contract with the SNC. Godbout has said: "I think in the end everybody was pleased in spite of the strike and the sub-division of the union because we arrived at an agreement that pleased everyone." Perhaps "relieved" might be a better word than "pleased." An SNC technician told me:

"There was a lot of bitterness left over and there still is because the people who were involved then are still involved. Remember, some producers boycotted SNC members — lots of technicians didn't work for eight months or a year. Some even boycotted SNC shoots."

The struggle had been won but there was ambivalence over just how sweet the victory was because of the wounds it had created. The period immediately following the signing of the collective agreements saw the two unions begin to institutionalize their differences, and ironically, it was the collective agreements which provided the impetus. Under both agreements, 1.5% of each technician's weekly salary would be paid to his or her union or association. Whereas prior to the collective agreement, the SNC and later the APCQ had been virtually unable to afford even a small office, now they were able to house themselves and hire secretaries and *agents d'affaires*: their own bureaucracies.

From the beginning of 1977 to the end of 1978, the two groups lived out the 'separate but equal' philosophy that the turmoil had produced. Certain developments then began to indicate that they were becoming even more separated. In



photo: SNC

During the boycott, producers hired buses to transport themselves, the director, crew and equipment across picket lines

With more work than ever before both unions were increasing their membership.

May of 1977, an SNC general assembly voted to become affiliated with the powerful, nationalistic Confederation of National Trade Unions (CNTU), solidifying their presence as, first and foremost, a Quebec union. For its part, the APCQ, several years later, became a member of the Federation of Trade Unions and Guilds, a Canadian umbrella organization which includes the Association of Canadian Television and Radio Artists (ACTRA), the Directors' Guild of Canada (DGC), and the recently formed Association of Canadian Film Craftspeople (ACFC). This period also marked a significant rise in the number of feature films

shot in Montreal, thanks to the point system and capital cost allowance introduced by the federal government. With more work than ever before both unions were increasing their memberships.

In 1979, the producers, with their wallets full of tax shelter money, wanted a quick settlement. The first agreement had cost everyone a great deal, but it had established a framework for future negotiations and a *raison d'être* for many things. For the first time since 1976 the importance of strength and unity at the bargaining table became apparent; in an enlightened moment the SNC and the APCQ decided to try and negotiate together with the producers. But as soon as the dossiers were laid on the table, it became clear that the two unions had different priorities, and that the past had not yet been buried. Now, only eighteen months later, it is difficult to separate the

issues that prevented the two unions from negotiating together from the mutual sense of mistrust between the two.

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According to the president of the APCQ, John Berrie, "... the SNC had a very different attitude." This is countered by the SNC claim that the APCQ was in cahoots with the producers' association from the outset — a theory that is lent some credence by the fact that the collective agreement was signed, on behalf of the producers, by Pierre Thibeault, who had been the APCQ's lawyer in 1976. Not mentioned in this theory, of course, was

that Thibeault had become a producer after ceasing to serve the APCQ as counsel.

As to the 'issues' which separated them, we have the collective agreement.

In effect, only four of the clauses of the separate agreements signed in 1979 differed. Of these, only two are in any way important, and their sense of importance depends directly on who analyzes them. The APCQ is very pleased that they managed to win a 'night differential' clause that earns their members time-and-a-half for night shooting. Apparently, their counterparts at the SNC did not want this clause, "... because it would have an adverse effect on Québécois filmmakers' ability to shoot at night." At least that's how the APCQ's John Berrie saw it. This is countered by Louise Surprenant, the recently elected president of the SNC, who said that in the process of negotiations something had to be let go of in order for something else to be won. She was not, however, sure of what it was that had been won.

The second important difference concerns what is commonly called the Priority Clause. In the APCQ agreement the clause reads as follows: "The Producer member or permit holder of the APCQ agrees to hire in priority in Quebec first, members of the APCQ and/or permit holders recognized as such by the APCQ." The SNC agreement reads: "The Producer, member or permit holder of the APFQ agrees to hire in priority in Quebec: 1. members of the SNC; and 2. permit holders recognized as such by the SNC." Not a difference that is likely to move mountains, and perhaps, to some, simply a question of semantics. But in the application of this clause the SNC is known to be more rigid. Given the fact that production this year is down over last year, the SNC clearly intends to test this clause through the grievance procedure.

From the APCQ's perspective, the SNC has a closed-shop mentality. According to the SNC, when a producer wants to hire permit holders (professionals from outside Quebec, or non-union people) they go with the APCQ because they can *s'arranger* with them. Yet having established their responses, both groups accept the necessity of both clauses, the SNC saying that they, too, will have a 'night differential' in their next contract, and the APCQ claiming that their priority clause is too general and that they "... require more control over permit holders because sometimes producers take advantage of it."

The real question is, do these two small but potentially important differences, along with the other philosophical dif-

ferences between the SNC and the APCQ put the producers in a position whereby they can profit from the choice of one union over the other? Claude Godbout thinks not. "You are speaking of two things which are probably very interesting to point out in an analysis of the agreements, but these make up one element in one hundred elements that enter into decisions when we're making a film."

**"We have a working agreement,
not a political marriage."**

And of the differences in general? "The producers do not profit from this situation — I can't say they lose — because they are the same agreements. A producer could refuse to work with one union or the other but he would make that decision based on certain advantages, not ideology. We have a working agreement, not a political marriage."

As would be expected, the unions don't agree — in fact, whether the question is asked of the executives or the members at large, the answer is always the same — we're playing into the producers' hands.

It has been said by more than one participant in all of this that the rupture was essentially a difference of opinion over tactics. The bitterness expressed by older members, however, tends to belie the point. The contract was won but paper never served to repair the crack, just to cover it up.

**"It's clear that at the base of all this
are two different philosophies."**

But if not tactics, then what? Ironically, of the three main parties to this affair, only Godbout of the producers' association brings up the word ideology. "The division of the SNC was certainly a product of an ideological division. I don't know how each group perceives itself, or the work of technicians, but it's clear that at the base of all this are two different philosophies."

To label the differences as either political, cultural, syndical, social, artistic, or any other single adjective, would be to miss the point entirely. To say that the SNC and the APCQ differ on all of these would, I think, be more accurate. Their ideological differences are manifested in their *raison d'être*, what they call themselves, their dealings with the producers, their associations with other organizations and, as small as they might be, their

collective agreements — or more importantly, how they *apply* those agreements.

Everyone recognizes that by having two unions, the technicians' power is diminished. Yet, the differences between the two seem significant enough to render any thought of unification inconceivable. Instead of seriously tackling the problem, the SNC and the APCQ have created bureaucracies as a substitute for democracy. In place of airing the issues and ideologies for the consideration by all the technicians, "comités de rapprochement" have been mandated to "work at unification." In this, there is no real sense of dealing with the past, just a sense of looking towards the future. Both executives aim to "work with determination," but slowly, step by step. The first steps are now being taken, the focus on points of common concern, with an eye to August, 1981, when the current agreements will be up.

**"This is a first step to see if we can
get along..."**

Explains SNC president, Louise Surprenant: "We both have comités de rapprochement. Ours decided to begin with certain problems we're having in applying the collective agreement. This is a first step to see if we can get along, if we can arrive at respecting our collective agreements (e.g. application of the priority clause). This would already be a big step of good faith and if it works, we can move on to the next step." All of which sounds reasonable enough until she adds, "When I meet people from the other union, I ask them if they want a reunion. 'Well, if you do, come back to the union.'" Her counterpart at the APCQ, John Berrie, feels differently. "The SNC represented people very well when there were just documentaries and cinéma vérité and all that, when there were smaller budgets and the situation was much harder than it is now. But I think we're better organized to work on big features now." Does that mean, then, that there can be no unification?

**"Two unions to represent
300 people is ridiculous."**

"We are interested in unification. Two unions to represent 300 people is ridiculous. I have spoken to a number a SNC members but I'm not sure whether the executive of the SNC is interested." In

spite of protestations to the contrary, one is prone to conclude that the flesh is able, but the spirits aren't very willing.

Lost in all of this are the union members themselves.

Lost in all of this are the union members themselves; particularly the new members of both unions. Given the fact that anyone starting in film can choose between the two, it might be logical to conclude that new members would have made carefully considered choices based on their knowledge and awareness of the two options. This is not the reality.

Generally, people are only superficially aware of both unions at the outset. The pattern followed by the majority is to start working as a permit holder, then make friends with other crew members in the business. After a few jobs, when it becomes financially advantageous to join a union (by not joining, a person remains a permit holder and as such, the mandatory union dues are higher), they join the same union as their co-workers or friends. Questions, should the new member be so inclined, come later. A young electrician's aid who joined the APCQ admitted, when he started, that he "just didn't know." And now? "To tell you the truth, I'm not at all certain I did the right thing. But there are problems with both." Many, however, don't even ask the questions.

As for the past, to the average newcomer, that's all it is — the past. Whatever great differences there once were, their attitude is echoed by Louise Surprenant, who described the events of 1976 as a "querelle de clocher — just personality conflicts." But apart from the *comités*, there is little evidence to suggest that these personality conflicts have been resolved.

It has been four years since "la grande grève," as the veterans put it, and the dust has only begun to settle.

It has been four years since "la grande grève," as the veterans put it, and the dust has only begun to settle due to the amount of work that has been available. In a sense, the 'hold' button is on as people in Montreal's film community consider the future *en attendant* the governments. The membership of the SNC is approximately 450 with the APCQ's set at around 200. Each spring another new wave of eager film students enters the market, and already there are the beginnings of a work shortage.

It is perhaps important to note that it is only the Quebec unions that have a collective agreement in Canada. Elsewhere in Canada, technicians are still negotiating film by film. In Toronto, for example, it is only recently that local technicians have organized themselves into the aforementioned Association of Canadian Film Craftspeople (ACFC) to get out from under the imposing arm of IATSE. Ironically, their guiding light through all of this has been the APCQ. The irony is enhanced when it's realized that what is considered the right wing in Quebec is thought of as the left in Ontario.

It is difficult to examine the SNC and the APCQ without feeling that energy is being wasted while pettiness and insincerity flourish; unionism is being touted while individualism is institutionalized; and the collective good remains at best, an ideal, at worst, an anachronism.

In a healthy union the SNC and the APCQ would represent the left and the right.

In a healthy union the SNC and the APCQ would represent the left and the right, and the resulting dialectic would make for a better union. A union that could not rest on past laurels or future assurances, but one that would be actively involved in the dynamics of a changing scene. A union that would take its mandate seriously and represent its members' interests before its own.

Unions involved in the creative process are of a peculiar nature, given the inherent difficulties of unionizing individuals who

are, by definition, free-lancers. When movements become institutionalized and seek to perpetuate themselves, significant losses accompany the gains.

Finally, many people believe that cinema nourishes itself on crises, and if that's the case, then what we have here is the stuff of which movies are made.



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