



Writers Guild of Canada

**Oral Presentation to the  
Senate Standing Committee: Legal and Constitutional  
Affairs**

**Regarding Bill C-377, An Act to amend the Income Tax Act  
(requirements for labour organizations)**

**Check against delivery**

**May 7, 2015**

Good afternoon, Senators. Thank you for the opportunity to appear here and provide you with the Writers Guild of Canada's perspective on Bill C-377.

The WGC is the national association representing over 2200 professional screenwriters working in English-language film, television, radio and digital media production in Canada. Our members are the creative entrepreneurs behind the \$3.2 billion dollar Canadian film, TV and digital media industry.

The WGC is a small organization with a mandate to negotiate, enforce and administer collective agreements for our self-employed members. We also pursue, collect and disburse their royalties. We resolve disputes on their working conditions, fees and writing credits. We undertake extensive policy projects and work closely with government agencies such as the CRTC to ensure that Canadians are provided with Canadian content programming.

As a small, non-profit organization, the WGC is funded by union dues and other fees required under our agreements. We receive no government funding. We are self-governed by a Council of elected volunteer members from every region of the country. Dues, rights and obligations are set out in a Constitution and Bylaws. Members vote for their representatives, for their constitution, and for their collective agreements.

We are also required to conduct yearly audits of our operations and circulate them to our members. Members have a voice through their elected representatives and their votes.

With these kinds of checks and balances already in place, what problem, then, is this Bill looking to solve? And at what cost?

The WGC is very concerned about the damage Bill C-377 will have on our ability to work for our members, and the ability of our members to work. If this Bill is passed by the Senate it will harm our members in the following ways:

- This Bill will put small labour organizations like the Writers Guild, and its members at a disadvantage if each disbursement over \$5,000 is made public.
- When we resolve disputes between engagers and writers, in confidential settlements, other engagers will now know which writers have been compensated in a dispute and may blacklist them, restricting their ability to find new work.
- This Bill will expose our collective bargaining strategies because we hire outside legal counsel to assist us with negotiations. We will lose all strategic positioning in collective bargaining when the parties on the other side of the table can decode our plans by knowing with whom we consult. This will have a direct fallout on our agreements

and the scale fees screenwriters make. It tilts the playing field in the engagers' favour.

- This Bill, by requiring salary disclosures over \$100,000, will hamper our ability to acquire and retain our talented and trained executive staff. As one of the smallest organizations in our industry, these disclosures will make it easier for larger players to entice WGC staff away.
- Payments to almost every party we transact with—including the writers' insurance and retirement carrier, will be reportable, thereby exposing our members' income. Also, our landlord, our internet provider, our office cleaners, etc. will have their invoices disclosed for public scrutiny. Additionally, who would want to provide services to us when we're forced to collect intrusive information on their political and "non-labour relations" activities?
- We are already stretched thin. This Bill is punitive to us. If this legislation passes, we will have to spend significant resources out of our budget on new staff to gather and enter all the additional data required. We need to focus on tasks our members want us to do, not onerous reporting we neither want, nor need to do.

This Bill will also place a significant cost on Canadian taxpayers, who must pay for the database and compliance, which no one appears to be clamoring for. This Bill will not serve the public, only our opponents. We are already

tasked to do the impossible at the CRTC to ensure that Canadians have Canadian programming on their screens. We are up against companies like Bell and Rogers who have deep pockets and teams of lawyers. We need to engage the expertise of regulatory lawyers and experienced accounting firms, some of whom will only work with us on a confidential basis, fearing repercussions. And those repercussions will come. Without a doubt, broadcasters and telecommunications companies will search the new database to find out who we've engaged, and for how much, in order to thwart our efforts. This will result in a disservice to all Canadians and raze the landscape our members work in if they do not have our voice to protect them.

Please give consideration to revising this Bill. It will harm union members instead of protecting them, and needs to be significantly re-thought.

Thank you for your time. And I look forward to any questions you may have.