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INTERNATIONAL LABOUR ORGANIZATION  
Sectoral Activities Programme

**The future of work and quality in  
the Information Society: The media,  
culture, graphical sector**

Report for discussion at the  
Tripartite Meeting on the Future of Work and Quality in the  
Information Society: The Media, Culture, Graphical Sector

Geneva, 2004



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## Preface

This report has been prepared by the International Labour Office as the basis for discussions at a Tripartite Meeting on the Future of Work and Quality in the Information Society. The Governing Body of the ILO decided at its 286th Session (March 2003) that an international tripartite meeting for the media, culture, graphical sector would be held in 2004 on the future of work and quality in the Information Society. It subsequently decided (288th Session, November 2003) that the Meeting would be scheduled to take place from 18 to 22 October 2004 in Geneva, i.e. between the two meetings of the World Summit on the Information Society (WSIS) (December 2003 in Geneva and November 2005 in Tunis), so as to provide an opportunity to contribute to the debate at the Summit's second session. It also decided that the Meeting would be composed of 21 employers' and workers' representatives, selected after consultations with the respective groups of the Governing Body, and that all ILO member States would be invited to participate. The purpose of the Meeting is: to exchange views on the future of work and quality in the Information Society in the media, culture, graphical sector, the social and labour aspects of this topic for the social partners, and the role of social dialogue in addressing them, using a report prepared by the Office as the basis for its discussions; to adopt conclusions that include proposals for action by governments, by employers' and workers' organizations at the national level and by the ILO; and to adopt a report on its discussion. The Meeting may also adopt resolutions.

This Meeting is part of the ILO's Sectoral Activities Programme, which is aimed at assisting governments and employers' and workers' organizations to develop their capacities to deal equitably and effectively with the social and labour problems of particular economic sectors. The Programme is also a means of alerting the ILO to specific sectoral social and labour issues. In addition to sectoral action programmes (newly launched in 2004), and technical cooperation, advisory and research activities, one of the main ways in which the Sectoral Activities Department does this is through tripartite meetings. Such meetings bring together a cross-section of government, employer and worker representatives from countries that are prominent in a given sector. In line with the ILO's strategic objectives, these meetings also aim to strengthen tripartism and promote social dialogue at the international level.

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## Abbreviations and acronyms

AFTRA	American Federation of Television and Radio Artists
AMPTP	Alliance of Motion Picture and Television Producers
AOL	America Online
BLS	Bureau of Labor Statistics
CD-ROM	compact disk read-only memory
CEO	chief executive officer
CSR	corporate social responsibility
CWA	Communication Workers of America
DTP	desktop publishing
DVD	digital versatile (or video) disk
ENPS	electronic news production system
EWC	European Works Council
FCC	Federal Communication Commission
FIA	International Federation of Actors
FIM	International Federation of Musicians
ICTs	information and communication technologies
IFJ	International Federation of Journalists
INGRIN	Foundation for International Graphic Training Co-operation
INTERGRAF	International Confederation for Printing and Allied Industries
ISAS	International Standardization and Accreditation Services
ISDN	Integrated Services Digital Network
ISO	International Organization for Standardization
jdf	job definition format
LDC	least developed country
MAPPP-SETA	Media, Advertising, Publishing, Printing and Packaging Sector Education and Training Authority
MERCOSUR	Common Market of the Southern Cone

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MP3	MPEG [Moving Picture Experts Group]-1/2 Audio Layer 3
OECD	Organisation for Economic Co-operation and Development
PDA	personal digital assistant
pdf	portable document format
SAG	Screen Actors Guild
SGML	standardized general markup language
SMEs	small and medium-sized enterprises
TRIPS	(WTO/WIPO) Agreement on Trade-Related Aspects of Intellectual Property Rights
UNCTAD	United Nations Conference on Trade and Development
UNESCO	United Nations Educational, Scientific and Cultural Organization
URTNA	Union of National Radio and Television Organizations of Africa
VOD	video on demand
WCT	WIPO Copyright Treaty
WEMF	World Electronic Media Forum
WIPO	World Intellectual Property Organization
WPPT	WIPO Performances and Phonograms Treaty
WSIS	World Summit on the Information Society
WTO	World Trade Organization
XML	extensible markup language

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## Introduction

### Background to the report

For more than a decade, the Information Society concept has been at the centre of discussions on the future of work and of society in general, both for socio-economic research and policy-making, in a period greatly affected by the growing importance of information and communication technologies (ICTs) across the world. Among the 22 industrial sectors covered by the ILO's Sectoral Activities Programme, the media and entertainment industries have been at the forefront of these changes, along with the electronics and telecommunications industries.<sup>1</sup>

The guiding theme of the Tripartite Meeting in October 2004 namely, the "Future of work and quality in the Information Society", encourages reflection on several questions, such as:

- how the Information Society affects employment numbers (job creation and redundancies), new types of jobs, employment status, labour-management relations, and the quality of working life in the sector;
- what impact ICTs have on the sector in terms of work itself, working conditions and the concept of "quality"; and
- the ways in which the World Summit on the Information Society (WSIS) addressed the sector, and specifically issues relating to work and quality.

This report is intended as a starting point for the Tripartite Meeting (18-22 October 2004, Geneva), enabling ILO tripartite constituents to discuss such questions in the context of the debate that took place at the first session of the WSIS (December 2003, Geneva), and providing an opportunity to make an important contribution to the Summit's second session (November 2005, Tunis). The discussion on the Information Society at WSIS tended to focus on technology, connectivity and access to information, rather than on the information content itself, its use or its quality, and largely excluded discussion of information in anything other than digital form. This ILO report will, in contrast, focus on:

- "old media" (e.g. printed information and non-digital radio and television) and their importance for the Information Society;
- the quality and content of information, and the ability to turn information into knowledge that can be applied at work and in daily life;
- the key role of this sector in turning simple access to ICTs, telecommunications and Internet networks into real possibilities for societies to become better informed;

<sup>1</sup> See ILO: *Discussion paper and Final report*, Symposium on Multimedia Convergence (Geneva, 1997); *Background document and Final report*, Symposium on Information Technologies in the Media and Entertainment Industries: Their Impact on Employment, Working Conditions and Labour-management Relations (Geneva, 2000); *Report for discussion and Note on the Proceedings*, Tripartite Meeting on Employment, Employability and Equal Opportunities in the Postal and Telecommunications Services (Geneva, 2002).

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- the need in the Information Society for more and better information about every aspect of life on this planet – from leisure and entertainment to agriculture, business, culture, health, local and world events – via digital and conventional media;
  - the importance of social dialogue if the introduction of ICTs is to be effective, including discussion on changes in work organization through which the technologies can be applied to improve work and quality;
  - the key role of training for employability; and
  - giving greater emphasis to education, training, functional and computer literacy, conventional print publishing, radio and television to help people bridge the digital divide.

For the media, culture, graphical sector, the key issues referred to at the WSIS Geneva (December 2003) and in the preparatory committees were the concentration of media ownership, restrictions on freedom of expression and information, and concerns about democratic values, diversity and representation of women and minority groups in the media. All these issues could be said to affect quality, while greater diversity and press freedom are likely to contribute to higher quality media, culture, graphical products and services. Political interests often compete in this area, so that concentration of media ownership may refer to the dominance of local or foreign multinational conglomerates (often unpopular with smaller businesses, trade unions and governments), to large public sector broadcasting and print media that support government (often unpopular with smaller businesses, trade unions and opposition parties), or to other variations (e.g. multinational conglomerates that support governments, public sector broadcasting that criticizes governments). Paradoxically, it is possible to argue both that cultural diversity has been enhanced and that it has been impaired by state-controlled or multinational media and entertainment enterprises in specific countries, and quality and employment may be increased or reduced by such entities.

Indeed, as the World Commission on the Social Dimension of Globalization observed:

Much of the developing world has been seeing greater diversity as new commercial channels have ended what were once state broadcasting monopolies, and as increased consumer power has supported new newspapers and magazines. But the largest, Western-owned media have seen multiple amalgamations which can reduce the scope of diversity of news and views.<sup>2</sup>

In a similar vein, the Commission pointed out that:

[...] Governments that wish to interrupt the free flow of information now have a harder task. Diversity of programming has been a spur to cultural development, helping linguistic and other minorities.

However, some aspects of communications-driven technology are cause for concern. The dominant role of English as a medium has led to a preponderant role for Anglo-American news sources. This may be changing as other major languages such as French, Spanish and

<sup>2</sup> World Commission on the Social Dimension of Globalization: *A fair globalization: Creating opportunities for all* (Geneva, ILO, 2004), para. 576.

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Arabic develop global programming capability, and English speakers from Asia and Africa play a larger part in international English-language media.<sup>3</sup>

Chinese, Hindi, Japanese, Russian and other languages could also increase their importance in the media. In a more general sense, the Commission noted that:

This global information revolution has also clearly affected cultures and social values. However, these kinds of changes are difficult to pin down and document. One contentious issue is the impact of the information revolution on local cultures and values across the world. There is widespread concern at the overwhelming dominance of the culture and values of the United States, and other Western countries, in the global media and entertainment industry. The fear is that constant exposure to the images of Western lifestyles and role models could lead to tensions which would be both culturally and socially divisive.<sup>4</sup>

The Commission argued that the global media and entertainment industry is a “particularly powerful force” which “projects the values and perceptions of the countries which dominate the industry and is often seen as a threat to impose those values”.<sup>5</sup> It also noted that: “Culture is never static, and most communities welcome exchange and dialogue with other communities.”<sup>6</sup> The Commission envisages a global community which “accommodates the multitude of local cultures and capabilities, not a tidal wave of homogenization”.<sup>7</sup>

<sup>3</sup> *ibid.*, paras. 574 and 575.

<sup>4</sup> *ibid.*, para. 222.

<sup>5</sup> *ibid.*, para. 309.

<sup>6</sup> *ibid.*, para. 310.

<sup>7</sup> *ibid.*, para. 299.

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# 1. The Information Society and the media, culture, graphical sector

## 1.1. The Information Society and the World Summit on the Information Society (WSIS) process

The Information Society concept has been used since the 1950s, but has come to the fore since 1990 in research, the media and policy-making. With regard to a definition, the Plan of Action adopted at the World Summit on the Information Society (WSIS) states: “The Information Society is an evolving concept that has reached different levels across the world, reflecting the different stages of development. Technological and other change is rapidly transforming the environment in which the Information Society is developed.”<sup>1</sup> Elsewhere, the “Information Society” is often linked with the idea of the “knowledge-based economy”, and has been variously defined as, for example:

- “the society currently being put into place, where low-cost information and data storage and transmission technologies are in general use. This generalization of information and data use is being accompanied by organizational, commercial, social and legal innovations that will profoundly change life both in the world of work and in society generally”;<sup>2</sup>
- “a society in which people interact with technology as an important part of life and social organization to exchange information on a global scale”;<sup>3</sup>
- “a society characterized by a high level of information intensity in the everyday life of most citizens, in most organizations and workplaces; by the use of common or compatible technology for a wide range of personal, social, educational and business activities, and by the ability to transmit, receive and exchange digital data rapidly between places irrespective of distance”.<sup>4</sup>

Policy-makers for the G7 (now G8) group of countries recognized a decade ago that: “Progress in information technologies and communication is changing the way we live: how we work and do business, how we educate our children, study and do research, train ourselves, and how we are entertained. The Information Society is not only affecting the way people interact, but it is also requiring the traditional organizational structures to be more flexible, more participatory and more decentralized.”<sup>5</sup>

<sup>1</sup> ITU: doc. WSIS-03/GENEVA/DOC/5-E (Geneva, 2003).

<sup>2</sup> European Commission: *Building the European information society for us all: Final policy report of the high-level expert group*, Luxembourg, Office for Official Publications of the European Communities, 1997, p. 15.

<sup>3</sup> CFS: *Glossary of Knowledge Management Terms*, available at [http://www.nrcan.gc.ca/cfs-sc/science/prodserv/kmglossary\\_e.html](http://www.nrcan.gc.ca/cfs-sc/science/prodserv/kmglossary_e.html).

<sup>4</sup> IBM Community Development Foundation: *The net result – Report of the National Working Party for Social Inclusion*, 1997.

<sup>5</sup> Chair’s conclusions from the G7 Ministerial Summit “Information Society Conference”, February 1995.

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However, as the United Nations Secretary-General, Kofi Annan, observed at the World Electronic Media Forum (WEMF) on 9 December 2003: “The goal is not more information in more places, but an Information Society – open and inclusive – in which knowledge empowers all people, and serves the cause of improving the human condition. The media are fellow stakeholders in that effort. And freedom of the press is essential if you are to fulfil your vital role.”<sup>6</sup>

Since the decision in 1998 to hold the World Summit, the process leading to the Geneva phase was characterized by openness to the views of workers’ and employers’ organizations, enterprises and civil society organizations, while negotiations and decision-making were by governments alone. The first phase of WSIS (Geneva, 10-12 December 2003) adopted a Declaration of Principles and a Plan of Action covering a wide range of technical and developmental issues.<sup>7</sup> These focused on improving access to ICTs, reducing their cost, enhancing e-commerce, promoting a favourable environment for enterprises, and fostering training and education in ICTs. The two documents also include important principles on access to information, freedom and independence of the press, pluralism and diversity of media, cultural diversity, linguistic diversity and local content. A general reference to the world of work in paragraph 9 of the WSIS Declaration of Principles reads as follows: “We are aware that ICTs should be regarded as tools and not as an end in themselves. Under favourable conditions, these technologies can be a powerful instrument, increasing productivity, generating economic growth, job creation and employability and improving the quality of life of all. They can also promote dialogue among people, nations and civilizations.” However, social and labour matters were not widely discussed in the preparatory meetings, and were reflected only in paragraph 38 of the draft Declaration of Principles: “Recognizing that ICTs are progressively changing our way of working, the creation of a secure, safe and healthy working environment, appropriate to the utilization of ICTs, respecting core labour standards, is fundamental”, which was subsequently further reduced at the Summit itself in paragraph 47 of the final Declaration, in which “respecting core labour standards” was replaced by the looser formulation “respecting all relevant international norms”. Similarly, paragraph 20 of the draft Plan of Action<sup>8</sup> was amended (as paragraph 19 in the final text) to replace “in compliance with relevant international labour Conventions” by “respecting all relevant international norms”.

Of greater relevance to the sector itself, the Declaration of Principles made specific reference to the media, as follows (*italics added*):

**(9) Media**

55. We reaffirm our commitment to the *principles of freedom of the press and freedom of information, as well as those of the independence, pluralism and diversity of media, which*

<sup>6</sup> Keynote address at the WEMF, in WEMF: *Final report*, Geneva, WEMF Association, 2004, p. 11.

<sup>7</sup> The second phase will be in Tunis, 16-18 November 2005.

<sup>8</sup> The paragraph was intended to: “(a) Encourage the development of best practices for e-workers and e-employers built, at the national level, on principles of fairness and gender equality [and in compliance with relevant international labour Conventions]. (b) Promote new ways of organizing work and business with the aim of raising productivity, growth and well-being through investment in ICTs and human resources. (c) Promote teleworking to allow citizens, particularly in the developing countries, LDCs, and small economies, to live in their societies and work anywhere, and to increase employment opportunities for women, and for those with disabilities. In promoting teleworking, special attention should be given to strategies promoting job creation and the retention of the skilled working force.”

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*are essential to the Information Society.* Freedom to seek, receive, impart and use information for the creation, accumulation and dissemination of knowledge are important to the Information Society. We call for the responsible use and treatment of information by the media in accordance with the highest ethical and professional standards. *Traditional media in all their forms have an important role in the Information Society and ICTs should play a supportive role in this regard. Diversity of media ownership should be encouraged,* in conformity with national law, and taking into account relevant international conventions. We reaffirm the necessity of reducing international imbalances affecting the media, particularly as regards infrastructure, technical resources and the development of human skills.

On culture, the WSIS Declaration of Principles similarly stated:

**(8) Cultural diversity and identity, linguistic diversity and local content**

52. *Cultural diversity* is the common heritage of humankind. The Information Society should be founded on and stimulate respect for cultural identity, cultural and linguistic diversity, traditions and religions, and foster dialogue among cultures and civilizations. The promotion, affirmation and preservation of diverse cultural identities and languages as reflected in relevant agreed United Nations documents including UNESCO's Universal Declaration on Cultural Diversity, will further enrich the Information Society.

53. The creation, dissemination and preservation of content in diverse languages and formats must be accorded high priority in building an inclusive Information Society, *paying particular attention to the diversity of supply of creative work and due recognition of the rights of authors and artists.*

The Plan of Action envisages specific action under the media and culture headings, including the following:

**C8. Cultural diversity and identity, linguistic diversity and local content**

23. Cultural and linguistic diversity, while stimulating respect for cultural identity, traditions and religions, is essential to the development of an Information Society based on the dialogue among cultures and regional and international cooperation. It is an important factor for sustainable development.

(a) Create policies that support the respect, preservation, promotion and enhancement of cultural and linguistic diversity and cultural heritage within the Information Society, as reflected in relevant agreed United Nations documents, including UNESCO's Universal Declaration on Cultural Diversity. This includes *encouraging governments to design cultural policies to promote the production of cultural, educational and scientific content and the development of local cultural industries suited to the linguistic and cultural context of the users.*

...

(d) *Develop and implement policies that preserve, affirm, respect and promote diversity of cultural expression and indigenous knowledge and traditions through the creation of varied information content and the use of different methods, including the digitization of the educational, scientific and cultural heritage.*

(e) *Support local content development, translation and adaptation, digital archives, and diverse forms of digital and traditional media by local authorities.* These activities can also strengthen local and indigenous communities.

(f) *Provide content that is relevant to the cultures and languages of individuals in the Information Society, through access to traditional and digital media services.*

(g) *Through public/private partnerships, foster the creation of varied local and national content, including that available in the language of users, and give recognition and support to ICT-based work in all artistic fields.*

...

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## **C9. Media**

24. *The media – in their various forms and with a diversity of ownership – as an actor, have an essential role in the development of the Information Society and are recognized as an important contributor to freedom of expression and plurality of information.*

- (a) *Encourage the media – print and broadcast as well as new media – to continue to play an important role in the Information Society.*
- (b) Encourage the development of domestic legislation that guarantees the independence and plurality of the media.
- (c) Take appropriate measures – consistent with freedom of expression – to combat illegal and harmful content in media content.
- (d) Encourage media professionals in developed countries to establish partnerships and networks with the media in developing ones, especially in the field of training.
- (e) Promote balanced and diverse portrayals of women and men by the media.
- (f) Reduce international imbalances affecting the media, particularly as regards infrastructure, technical resources and the development of human skills, taking full advantage of ICT tools in this regard.
- (g) Encourage traditional media to bridge the knowledge divide and to facilitate the flow of cultural content, particularly in rural areas.

## **C10. Ethical dimensions of the Information Society**

25. The Information Society should be subject to universally held values and promote the common good and to prevent abusive uses of ICTs.

- (a) Take steps to promote respect for peace and to uphold the fundamental values of freedom, equality, solidarity, tolerance, shared responsibility, and respect for nature.
- (b) All stakeholders should increase their awareness of the ethical dimension of their use of ICTs.
- (c) All actors in the Information Society should promote the common good, protect privacy and personal data and take appropriate actions and preventive measures, as determined by law, against abusive uses of ICTs such as illegal and other acts motivated by racism, racial discrimination, xenophobia, and related intolerance, hatred, violence, all forms of child abuse, including paedophilia and child pornography, and trafficking in, and exploitation of, human beings.

[...]

Overall, these texts demonstrate the importance of the media and culture industries to the WSIS process, and provide useful guidelines on these aspects for governments and for employers' and workers' organizations. However, while these texts emphasize aspects of ensuring the *future of quality* in the media and culture, the most relevant passage on the *future of work* is in paragraph 11 of the Declaration: "[...] We recognize that young people are the future workforce and leading creators and earliest adopters of ICTs. They must therefore be empowered as learners, developers, contributors, entrepreneurs and decision-makers. We must focus especially on young people who have not yet been able to benefit fully from the opportunities provided by ICTs".

## **1.2. An ILO perspective on the concept of quality in the sector**

It has become a truism that ICTs have had a major impact on quality in general and in the media, culture, graphical sector in particular. The extent of the impact, however, is not so clear, nor is the meaning of "quality". A crucial issue in this sector is exactly what is meant by the concept of "quality" in this context. This section indicates some ways in

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which quality is defined within the context of the ILO and its mandate (a broader discussion of *quality* in areas further from the ILO's mandate is provided in Chapter 2.2). This theme has arisen in previous ILO sectoral meetings. At the Symposium on Information Technologies in the Media and Entertainment Industries in 2000,<sup>9</sup> it was evident that quality was relevant and of interest to the government, employer and worker representatives involved. The symposium debate was framed in terms of the social goals to be reached through employment, and how ICTs advanced, held unfulfilled potential to advance, or hindered their achievement. However, examples given by symposium participants revolved around the demands and expectations of work in the sector.

The way we assess “quality” varies widely and has ramifications that may not be immediately apparent. “Quality of work” generally connotes one of the following aspects:

- the extent to which a product or service reflects the physical and/or aesthetic characteristics or value expected of it (the “**quality of a work**”, such as a picture, film, sound recording, or report), in terms of:
  - its *form* (the “**quality of its production**”); and/or
  - its *content* (the “**quality of its content**”);
- the quality of the job itself:
  - the skill, ability and effort of the worker (the “**quality of work**”);
  - the possibility of pursuing material well-being in a given job, in conditions of freedom, dignity, equal opportunity, and security (the “**quality of employment**” in a particular profession).

These ideas address different but partly overlapping concepts. For example, raising the standards of news reporting, thereby raising the “quality” of the news *content*, also entails implementing practices in journalism that have positive or negative repercussions on employment in the profession itself. Raising the quality of production of the news product, i.e. enhancing its *form*, could be achieved by improving the equipment, improving the use of existing equipment, or rethinking the production process – all of which is often done independently of efforts to enhance editorial quality. Quality is also generally perceived to come at a price – a higher cost to the consumer, a greater investment in training, higher pay and more resources for quality work, better equipment and materials, more resources to do the work better. In the graphical industries, quality is more likely to refer to the conformity of a finished product with specific technical standards. The overlap of these various concepts of quality – of the form and content of products or services, and of the employment itself – presents the ILO with interesting policy implications on how best to pursue decent work.

### **Quality of work/employment/working life**

The most obvious application, within the ILO's mandate, of the concept of quality in this sector relates to the employment and labour standards observed in its occupations. This is the source of many disputes, such as those relating to work organization,

<sup>9</sup> See ILO: *Final report*, Symposium on Information Technologies in the Media and Entertainment Industries: Their Impact on Employment, Working Conditions and Labour-management Relations (Geneva, 2000).

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employment security and social protection (like the cases referred to below regarding job cuts in regional services of the United Kingdom's ITV network in 2004, or "intermittent" entertainment workers in France in 2003-04). It is not, however, the only way of assessing questions of "quality" in the sector. Although discussing the quality of a product or service itself may not be self-evident in this context, it may prove useful in discussing the benefits and shortcomings that the Information Society holds for the sector. When discussing the impact of digital technologies on the "quality of work", the ILO's employment standards and precedent may be helpful in defining this concept of quality. Labour disputes are often framed as grievances related to the "quality" of work (for example, if an employer requires that non-professionals be used for roles that co-workers believe should be filled by professionals). The ILO may address such grievances, and strives to ensure "quality of work and of employment" in the larger sense. Arguments supporting higher standards often hinge on the need to produce work on a par with the quality expected of the industry. The ILO's *World Employment Report 2001* assesses quality of work with reference to such ideas as the "intrinsic rewards" of work<sup>10</sup> (in terms of pay and/or content), or to the way in which changed working conditions can be inherently more satisfying (through factors such as working hours, relative work intensity, health and safety). The report observes that the potential for improving quality of work and life reposes on *social choice*,<sup>11</sup> and that the impact of ICTs depends on political choices that allow for (or limit) possibilities of such social choice, including those that determine the relative influence and position of governments, enterprises and workers in this area. By inference, discussions of how digital technologies affect "quality" of work and of employment are defined by the ways in which such technologies have positive or negative effects in these respects. The impact of ICTs on job security, the relationship between the changing temporal dimension of work and job quality, and health and safety issues are all discussed.

Such a perspective of "quality of work", applied to this sector, can pose the question as to whether certain key conditions for the ILO have been met in the domains of employment, social protection, fundamental principles and rights at work, and social dialogue. Here, the impact of ICTs on "quality" of work can be assessed in terms of how such technologies have facilitated or hindered positive patterns in these areas. The definition of quality is broad and can encompass many issues. The focus when discussing ICTs is usually on aspects such as disparities between those who have access to these technologies and those who do not, and the evolving possibilities that ICTs bring to the production process. Thus the way ICTs have changed the expected quality of products and performances is directly pertinent.

### **Quality of working life in the Information Society**

Results from a European Commission survey in 2002 highlighted the positive impact of the Information Society on the quality of jobs, especially in terms of increased responsibilities, adaptable skills, new forms of work organization, additional opportunities for flexibility and work-life balance, as well as for e-inclusion facilitating access to the labour market.<sup>12</sup> However, the report noted that this quality potential is far from being fulfilled, as less than one-third of the EU labour force had ever received ICT training, and

<sup>10</sup> See ILO: *World Employment Report 2001: Life at work in the information economy* (Geneva, 2001), p. 145.

<sup>11</sup> *ibid.*

<sup>12</sup> European Commission: *Information Society jobs – Quality for change*, report of the European Commission, Mar. 2002, cited online at [www.talent4europe.com/eu-report.htm](http://www.talent4europe.com/eu-report.htm) .

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only a small proportion received continuous updates. There was still too much focus on technical applications, with little training in contextual skills that could reap the full benefits of IS workplaces. Furthermore, job quality was much higher if the introduction of ICTs was combined with organizational changes, and if workers were consulted – conditions that applied for only one-quarter of EU workers.<sup>13</sup> New risks to workers' security and work-life balance might prevent them from benefiting from flexibility gains in Information Society jobs. For example, contractual arrangements in this sector have been affected by the growing use of ICTs, among other factors. There has been a strong shift away from regular towards more informal forms of employment in the performing arts in general, especially in countries such as China and the Russian Federation, where the transition from state-funded to commercial orchestras, operas and ballet companies, among others, has tended to reduce employment and weaken the employment relationship. In terms of job satisfaction, some areas of work have been deskilled or superseded (pre-press work, some parts of live performance), while others have been enriched by new ICT-related skills and opportunities.

### **1.3. New products, quality standards and forms of work**

ICTs have provided a wealth of opportunities for creating new forms of expression and developing new creative products and services; others will emerge in the coming years. These can provide new outlets for media and entertainment enterprises, content providers, performers and their works. When used to describe such products, the term “new media” covers three categories:

- (a) enrichment of traditional forms of communication, such as high-definition television and digital broadcasting, new formats for music and video recording, interactive television, database publishing on the Web;
- (b) combinations of previously separate media as “multimedia”, typically combining text, pictures, graphics, data, animation, sound, and sometimes full motion video, in forms that encourage or require the user to interact with the material in a manner not permitted by “old media”. Video games and online newspapers are examples of such combinations;
- (c) entirely new products, including hypermedia, that interrelate material in even more dynamic multidimensional forms; and virtual reality, which permits users to enter three-dimensional audiovisual environments.

Some relatively new fields in media and entertainment – closely related to film, broadcasting and publishing – have become industries in their own right, such as interactive and multimedia software publishing. New media developers are emerging from the computer and software industries. Many popular CD-ROMs over the past 25 years have been video games, developed by an industry that barely existed before then. Software companies are expanding their scope and creating entertainment products. Games, narrative and similar products for CD-ROMs, the Internet and other electronic formats (Game Boy, SEGA, X-Box, PlayStation) have created many jobs for performers, editors,

<sup>13</sup> *ibid.*

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graphic designers and others<sup>14</sup> and are often closely tied to each other – tie-in games for *Matrix Reloaded*, *James Bond*, *Finding Nemo*, *Harry Potter*, *Shrek 2*, and so on, are often developed in conjunction with the film, and global games sales are now around US\$20 billion per year, which is more than the box-office revenues for films.<sup>15</sup> There are even computer games that become films (*Lara Croft: Tomb Raider* is one, and *Prince of Persia* was being developed at the time of writing). Game developers maintain high-end computing infrastructure and also use animators, film directors, motion capture actors and studios, musicians, screenwriters, storyboard artists, user interface designers, voice actors and Web developers, among others. For each console game, the developers usually need the services of around 20 external service providers. Many film and television producers are also creating new media products directly, although most of the activity so far involves adding value to existing works. All of the leading production companies have new media divisions seeking ways to exploit their products – computer games related to Hollywood films are an obvious example. Generally, however, film and television producers have only recently begun to produce projects specifically for new media formats. Book publishers have also developed some very successful CD-ROM titles, especially reference works with added audio, animation and full-motion video for encyclopaedias, dictionaries and atlases. Of the thousands of interactive titles available worldwide, only a few have sold even a million copies, which is not many compared to the normal “mass market” for other cultural products, including books, CDs, magazines and videos or DVDs.

The United States Bureau of Labor Statistics has estimated that 12 per cent of employment in Internet publishing and broadcasting in 2002 was in art, design, entertainment and media occupations, especially among writers, editors and reporters (around 7 per cent of the total) and in art and design (about 3 per cent).<sup>16</sup> As multimedia is the converging of previously distinct media, new skill sets are often required,<sup>17</sup> and producers and distributors of new media products are emerging from a variety of backgrounds.

The pace of technological change is such that new media products are often superseded within a few months of being launched, whether by upgrades and sequels from the same supplier or better products from a competitor. In general, media and entertainment goods have high initial fixed costs of production and low costs of reproduction, and for electronic products the production and distribution costs are often very much lower than those associated with their traditional media counterparts (such as printed matter and cassettes). The Internet provides a low-cost promotion and distribution mechanism that attracts a huge and ever-growing number of consumers, so that electronic products can be sold more easily, performers and writers may produce and sell their own material, new equipment for using these products has come onto the market – for example, new mobile phones, personal digital assistants (PDAs) and MP3 music players – and

<sup>14</sup> Many such jobs in the United States are for performers employed on terms outlined by the Screen Actors Guild (SAG) or the American Federation of Television and Radio Artists (AFTRA) in their Interactive Media Agreements (see, for example, <http://www.aftra.org/member/irates.htm>).

<sup>15</sup> “Gaming goes to Hollywood”, in *The Economist* (London), 27 Mar. 2004, p. 73.

<sup>16</sup> Department of Labor: *2002 National Industry-specific Occupational Employment and Wage Estimates*, Internet Publishing and Broadcasting, available online at [http://www.bls.gov/oes/2002/naics4\\_516100.htm](http://www.bls.gov/oes/2002/naics4_516100.htm).

<sup>17</sup> See, for example, the Audio Visual Industries Training Group (AVITG) report *Skills for tomorrow's media* (London, Sep. 2001), available at [http://www.skillset.org/about\\_skillset/policies\\_and\\_strategies/skills\\_strategies/article\\_511\\_1.asp](http://www.skillset.org/about_skillset/policies_and_strategies/skills_strategies/article_511_1.asp).

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unencrypted material can be reproduced and sold relatively cheaply. This poses a major threat to book and record shops and distributors, to printers and other related industries, and perhaps a mixture of threat and opportunity to music and publishing businesses, writers and performers. In most cases, businesses find that they have to be much quicker in launching new products and reacting to competitor initiatives than in the past.

Many of the above observations are at variance with the realities of poor countries, where the ICTs have been slower to affect society and the economy. For example, in the graphical industry in most developing countries (with the exception of a few top companies), the technologies in use are considerably older than those in industrialized-country firms, computers are still not universally available, Internet connections are even rarer, and digital printing is virtually unheard of. Penetration by the electronic media has been mainly limited to urban areas and affluent and educated consumers.

With regard to *quality control*, particularly relevant in the publishing and graphical industries, ISO 9000 is a set of international standards for quality management systems accepted by more than 90 countries around the world. Products or services from enterprises registered to the appropriate ISO 9000 standard offer customers the assurance that the quality of what they receive will be as expected. The 2000 revision of the standard emphasizes quality objectives, continual improvement and monitoring of customer satisfaction, and stipulates that personnel performing work that affects product quality must be competent, based on their education, training, skills and previous experience.<sup>18</sup> A certification standard specifically designed for the broadcasting industry and the Internet is ISAS BC 9001. This measures industry-specific criteria including audience satisfaction, quality and accuracy of information, quality and diversity of programmes, innovation and creativity, independence and transparency of management, promotion of and respect for ethical rules, representation of national minorities, universal access, social relevance, editorial independence, user satisfaction, accessibility and innovation. Certification lasts for three years, and its authors believe that it will help media organizations to operate more efficiently, ensure high-quality journalism and have greater credibility with audiences, and thus with advertisers.<sup>19</sup> With regard to the ILO's mandate, section 6.2.3 of the standard stipulates that broadcasting companies must bring a guarantee of independence and non-discrimination to journalists, presenters and producers through transparent recruitment/lay-off procedures, legal clauses in labour contracts, appropriate appeals procedures, a strict respect of national labour laws, non-discrimination of any kind (age, religion, gender), codes of ethics and editorial charters.

#### 1.4. Global trends in ICTs in the sector

The digital revolution has transformed the economic structure of the media, culture, graphical sector, and encouraged considerable convergence and overlapping with other sectors involved in the information and communication industries (e.g. IT, electronics, computers and communications). This transformation has been closely linked to globalization, the key characteristics of which have been the liberalization of international

<sup>18</sup> Cited in ILO: "Quality management in vocational training: The use of standards and their different applications", at [http://www.ilo.org/public/english/region/ampro/cinterfor/tcm/36tcm/doc\\_ref/2/v.htm](http://www.ilo.org/public/english/region/ampro/cinterfor/tcm/36tcm/doc_ref/2/v.htm).

<sup>19</sup> International Standardization and Accreditation Services and Media and Society Foundation (Geneva): *International Standard BC-9001*, Chapter 4, "Quality Management Systems: Requirements for radio, TV broadcasters and Internet content providers" (version 1.0, 15 Nov. 2003), at <http://www.certimedia.org/download/ISAS%20BC%209001%20Standard%20English.pdf>

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trade, the expansion of foreign direct investment and the emergence of massive cross-border financial flows, which have been brought about by the impact of new technology and the dismantling of national barriers to international economic transactions.<sup>20</sup> Across the whole sector, many processes have been streamlined, new skills and new product lines have displaced old ones, and some segments have changed their business models radically in the past few years, largely based on ICT-driven changes. The “new media” sector has emerged as a substantial industry, although it experienced several years of instability during the “dotcom” boom and slump. Phone companies, software publishers, traditional publishers, television companies and others have all been involved in new areas of content development in this convergent multimedia environment. There is an increasing trend towards the growth of more individualized or personalized services (“narrowcasting” via the Internet or subscription/pay-per-view services, and access to newspaper and other archive services). There is growing concentration of media and entertainment businesses, some enterprises have vertically integrated their production and distribution chains, and a few are multinational conglomerates involved in film, television and music production, publishing, printing, and other fields. There is also greater specialization in “core activities” in many areas of the sector (e.g. outsourcing film and TV production to independent companies allows both parties to specialize more, and may also reflect the success of creative and technical specialists who have developed their ideas outside traditional enterprises). Some media and entertainment markets are increasingly opening up, for instance in Central and Eastern Europe, China, India and the Middle East. The “hype” and enthusiasm about multimedia convergence has been tempered since 2001 by the experience of firms like AOL-Time Warner and Vivendi-Universal, and by the reality that hoped-for synergies between various media are hard to achieve.

In relation to jobs, there have been major shifts in the composition of employment across the sector as a result of technological change – including growth in some areas and occupations, some relocation of work to other countries or sectors, and cutbacks in employment in specific segments and occupations. As we will see in later chapters, some workers may accept contracts with lower pay and poorer conditions than in the past, rather than have no work at all.

ICTs have facilitated ever-higher *technological quality* of products and services, and offered increased possibilities for improving the quality of both the form and content of such works. They have also offered new employment opportunities, greater job satisfaction and potentially better employment. At the same time, the technologies have displaced people, skills, techniques and instruments that were highly respected for their quality. As with previous technological breakthroughs, there are gains and losses in *quality*, and winners and losers at work in the process of technological change. There is ever-greater choice for consumers, wider access, additional features, more colours, better sound and easier use. However, there are fewer musicians performing live, more computer-generated special effects, and it is widely considered that standards have fallen. There are accusations that there is less authenticity and diversity (cultural, political, linguistic), that there has been a “dumbing down” of media and entertainment, and increasing homogenization of products and services in the sector around the globe. Meanwhile, the growing world dominance of the United States media and entertainment industry and the pre-eminence of English as the *lingua franca* of the Internet and audiovisual production have led to a growing demand for actors who can perform dubbing work, for translators, and for competency in English as a key job requirement.

<sup>20</sup> See World Commission on the Social Dimension of Globalization: *A fair globalization: Creating opportunities for all* (Geneva, ILO, 2004), para. 132.

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The sector has developed strongly in earnings, as consumers in many countries spend ever-growing amounts on media and entertainment, which is increasingly available in homes and workplaces, at ever-greater speed, using a wider variety of means, and is becoming more mobile (in-car entertainment, PDAs, cellphones). Rapidly expanding computing capability and speed will enable us to use that material in ways that hitherto were only dreamed of. There is now virtually unlimited choice of digital quality pictures and sound, for those who can afford access to them. There has been substantial growth in subscription services for television, reinforcing existing revenues from advertising and other sources. New markets for films and television programmes and extra Internet services will continue to open. Fresh content will be created for new formats, often with innovative approaches to form and content. Meanwhile, Internet and other technologies will continue to develop, and there is still a future for printed books, newspapers and other paper products, while radio has grown (especially in Africa) and been revolutionized in many countries through new competitors and radio via satellite and the Internet – most people around the world have access to radio, while television and the Internet remain far less widely available.

Despite their tremendous variety, the products of the media and entertainment industries share one core characteristic: they are knowledge-intensive. Writers, editors, performers, designers, technicians, producers and others provide the imagination, inventiveness and technological sophistication that make each product or service unique. It is the sum of these creative talents, diverse skills, and the mastery of information technology (where appropriate) that instils value into the printed, broadcast, film, tape, disk and electronic products or Internet services which consumers pay for. The multiplicity of material forms in which these products appear – cassettes, DVDs, CDs, videos, newspapers, books, magazines, web pages, MP3 files – disguises the fact that what is being sold is electronically processed information. Thanks to advances in computerization and communications technologies, previously distinct information-based industries – such as printing, publishing, graphic design, the media, sound-recording and film-making – are converging.

Technologies have also affected intellectual property rights, through file-sharing for games, software, music and videos over the Internet, multiple use of stories over different media, and so on. Each part of the sector has its own origin and history. Until recently, each had its own technology, too. But with the advent of digitization, all forms of information – whether text, sound or images – can be converted into bits and bytes for handling by computer, thus allowing sound, images and the written word to be recorded and transformed through similar processes and without distinct material supports. Previously dissimilar industries, such as publishing and sound-recording, now both produce CD-ROMs, DVDs and other material, rather than simply books and records.

In industrialized and many developing countries, the capacity to process and communicate information electronically has speeded up work processes enormously. Within a decade of the introduction of automatic page make-up, the pre-press stages of the newspaper industry had become a unified, integrated, digitally based production process, radically altering the work of editorial and production staff. In book publishing, digitization allows editors, designers and production staff to work on the same book simultaneously, rather than sequentially. In educational and scientific publishing, digitization has forced a fundamental rethinking of what it means to publish, as online dissemination has grown. Similarly, the printing industry has been revolutionized by such changes, and is using computer-to-plate and digital technologies, which are making rapid progress in many parts of the world.

There are, of course, many other areas of this sector that are perhaps less affected by ICTs – for instance, live performance in theatres, concert halls, clubs; the operations of

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theme parks, museums, galleries, cinemas; work in artists' studios – and which do not particularly fit the description in the above paragraphs.

## **1.5. The World Summit on the Information Society (WSIS) and the world of work**

The ILO's contribution to the themes examined at the WSIS drew attention to the social consequences of the adoption at the workplace of ICTs, which are having an impact on the competitiveness of different economies and could change employment patterns around the world. Such changes have profound effects on income distribution within and between countries. The "digital divide" is yet another contributing factor to widening social inequity.

The ILO argued that ICTs are improving the functioning of markets by reducing transaction costs, allowing flexible production processes and strengthening competition. Enterprises can thus use these technologies to gain competitive advantage over other firms and economies. ICTs are also affecting the demand for workers at different skill levels by automating low-skilled and repetitive tasks, developing new occupations and emphasizing rapid adaptation. This calls for massive efforts to train and retrain the workforce. Most developed countries have social protection and training systems to facilitate this transformation over the medium term, but many developing countries lack such systems. The ILO observed that the rapid dissemination of ICTs has enhanced the value of supply chains. The production of goods and services in developing countries could depend on their effective integration into global supply chains, and failure to do so would damage economic development. Such integration can only be achieved if several specific conditions are fulfilled, notably: access to transport and communication infrastructure; availability of managerial, logistics and other qualified personnel; and the presence of effective certification and trust mechanisms and financial systems.

The ILO stressed that ICTs are useful tools only if both access to them and the ability to use them are guaranteed. Extensive use of these technologies can generate new, high-quality employment, and social dialogue is imperative if that goal is to be attained, as are education and lifelong learning. Particular effort should be made to train the young, develop their entrepreneurship skills and ease their transition from school to work. Developing countries must identify policies and programmes to allow workers and employers, especially women and the young, to fully exploit the potential of ICTs. Industrialized countries should show the way, by adopting social policies that minimize the pain of adjustment and permit all economic sectors to benefit from the gains accrued from using the technologies, and by sharing these experiences with developing countries. The ILO called on the WSIS to adopt practical collaborative plans of action to use ICTs to provide decent work for the most vulnerable segments of the population, as decent employment is the only sustainable way of reducing poverty and achieving the Millennium Development Goals. For these reasons, the ILO argued that the Summit should propose:

- strengthening publicly funded education and permanent training solutions that cater to the needs of enterprises;
- adopting strategies that facilitate mobility and upgrading the skills sets of the labour force, including measures to enhance social security and unemployment benefit policies, and establish adequately remunerated internships for the young;
- reinforcing dialogue between workers, employers and governments, in order to facilitate change and ease the adoption of social and economic policies required to effectively mobilize ICTs as development tools;

- implementing concerted and sustainable business development services geared towards the modernization of enterprises and providing ICT access and know-how to small and medium-sized enterprises (SMEs);
- reviewing infrastructure investment policies to enhance logistics and financial systems;
- developing certification and quality control structures to enhance the marketing potential of SMEs and reinforce the capacity of enterprises to generate employment and incomes;
- strengthening arbitration and contract-enforcement mechanisms, and adopting legal tools to ensure secure communications and the privacy of individuals;
- promoting initiatives to effectively integrate ICTs in activities aimed at facilitating access of the poor to priority services of water, energy, health, agriculture and biodiversity.

**Remarks of ILO Director-General, Juan Somavia,  
WSIS, 11 December 2003**

The true measure of any technology is whether it improves lives. People are concerned about their families' welfare; they want to live in dignity, with hope. For most, work – decent work – is the channel to these aspirations. We know that ICTs hold great promise to transform lives and livelihoods. But for far too many, the promise is far from fulfilment. How do we make it real?

Let me make three points, which I feel are not sufficiently developed in the present texts of this very significant Summit, and hope they can be included in Tunis.

First, *policies* – we must choose the right investment and employment policies for a fair Information Society. A digital divide is an economic divide. If the Information Society is to be an inclusive society, ICT policy alone will not suffice. Education is key ... and businesses must be able to access ICTs according to their specific needs to improve productivity, to maintain and expand their markets. Micro, small and medium-sized enterprises create most jobs. They need ICTs and other complementary policies that allow them to thrive.

Second, *organization* – the digitally excluded are socially excluded. If the Information Society is to be development-oriented, it must bring them in. Organization and freedom of association give voice to people living in poverty and defend their interests to articulate their needs and negotiate the terms of their engagement. Trade unions and social dialogue are key in this respect. Let us recognize the role of organization and voice in building an inclusive Information Society particularly through decent work.

Third, *protection* – workers in the Information Society need protection. ICTs can have a deskilling effect. It can be low-wage work, monotonous, fast-paced, stressful or precarious, as the ups and downs of NASDAQ made it evident. Boundaries become blurred – work can be done at any time, anywhere. Some work will disappear. These are real issues together with the advantages of ICTs. They need to be addressed.

In the media sector, for journalists in the midst of conflict, political persecution, or involved in uncovering corruption, life can be in danger. A hundred journalists were lost last year.

Global unions representing millions in these sectors have spoken on the need for more meaningful action to protect Information Society workers.

So let's commit ourselves to using ICTs in building better societies that are founded on respect for rights, empowerment, broad-based dialogue and principles of solidarity.

## **1.6. ILO background in the sector and the Decent Work Agenda**

The ILO's work in relation to artists and performers has been partly shaped by the early involvement of trade unionists representing performers in its tripartite structures in discussions on the impact of technological change on their work and employment

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prospects. Since the 1920s, and given the employment impact of recorded music, cinema, radio and the transition from silent films to talking movies, the ILO has argued that performers should be paid not only for their original performance, but also for any subsequent commercial use made of it, since it reuses the fruits of the performer's labour. A commitment to artists' rights lay behind the ILO's role in the ILO/UNESCO/WIPO International Convention on the Protection of Performers, Producers of Phonograms and Broadcasting Organizations, 1961 (the "Rome Convention") (see Chapter 7.2). The ILO has also focused on the conditions of employment and work of performers (1992), of journalists (1990) and printing and allied trades (1990). More recently, the ILO addressed this issue in meetings it organized on multimedia convergence (1997) and on the impact of information technologies on employment, working conditions and industrial relations in the media and entertainment industries (2000). In addition, it has provided technical and other assistance for the promotion of employment in the cultural industries, strengthening workers' organizations and trade unions among artists and performers, and developing pilot schemes for social protection of artists and performers.

An ILO-sponsored study by the International Federation of Musicians in 2001, *The social situation of musical performers in Africa, Asia and Latin America*,<sup>21</sup> drew attention to the fact that, apart from Japan and a few countries in Latin America, the majority of musicians in these regions lived in very precarious conditions, and that their position had often deteriorated because of the impact of technologies such as synthesizers, karaoke, and other equipment and techniques. Another ILO-supported study, by the International Federation of Actors, *Actors and the international audiovisual production industries*,<sup>22</sup> examined the internationalization and financing of audiovisual production, the organization of actors, contracting practices, collective bargaining, work permits and immigration processes in audiovisual production. It noted the challenges of increasing mobility of production, and the capital funding for international productions, that actors' unions were facing in attempting to organize and enforce collective agreements. A study by Katherine Sand on *Child performers working in the entertainment industry around the world: An analysis of the problems faced*,<sup>23</sup> a follow-up to the 2000 ILO Symposium on Information Technologies in Media and Entertainment, was published in 2003. It examines the value of children to the entertainment industry, various legal standards relating to protection of children and child labour and their relevance to child performers, the regulation and monitoring of children's working conditions in the industry, and the role of performers' organizations. The author identifies several key elements for protecting child performers, including pay, licensing and permit systems, hours worked per day/year, educational provisions and requirements, moral oversight, health and safety. The ILO also supported the preparation of a survey by the International Federation of Journalists (IFJ), *Freelance Futures: World Survey on the Social and Economic Status of Freelance Journalists*,<sup>24</sup> covering collective agreements and the role of unions in assisting and organizing freelance journalists.

In October 2003, the ILO held an international meeting to adopt a code of practice on violence and stress in services sectors. A draft code on violence and stress was prepared, including a section on the media, culture, graphical sector. A paper was published on *Violence and stress at work in the performing arts and in journalism*, with a section on

<sup>21</sup> ILO: Sectoral Activities Working Paper WP.172 (Geneva, 2001).

<sup>22</sup> ILO: Sectoral Activities Working Paper WP.146 (Geneva, 2000).

<sup>23</sup> ILO: Sectoral Activities Working Paper WP.186 (Geneva, 2003).

<sup>24</sup> IFJ: *Final Report*, prepared on behalf of the International Labour Organization (Brussels, 1999).

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new technology as a source of stress for journalists and performers.<sup>25</sup> The final code, as adopted, was less sector-specific than the draft code and focused solely on violence.

The ILO is providing technical assistance in several areas to promote decent work for artists. Among recent projects is one on employment creation and enterprise development in the cultural industries in the Southern African Development Community region (workshop in Lusaka, Zambia, 2002). Another aims to develop a specific pilot social security scheme for actors and musicians in West Africa. A third project under consideration aims to promote employment in the creative industries in selected developing countries (see Chapter 2.5).

UNESCO, in cooperation with the ILO and MERCOSUR Cultural, has developed the World Observatory on the Social Status of the Artist web portal as a follow-up to the UNESCO Recommendation concerning the Status of the Artist (1980). The Observatory provides an overview of artists' rights and conditions worldwide, updated in close collaboration with Member States and non-governmental organizations working in the field of the arts and creativity. The ILO has participated in the project work on the core of the Observatory: a database devoted specifically to the social status of the artist (legislation, social status and international standards). The aim is to provide the broadest possible compilation of online information about the status of the artist in contemporary societies, notably about social security, employment and working conditions, trade union rights, tax status, retirement regimes, the international mobility of artists and sources of documentation available in this field.

The ILO's overriding goal is to promote opportunities for people to obtain decent and productive work, in conditions of freedom, equity, security and human dignity. The ILO's Decent Work Agenda represents an integrated strategy, linking human rights at work, social dialogue, employment policies and social protection in a programme for economic growth, social progress and employment. The media, culture, graphical sector can be considered in this framework, the concept and intent of which may be summarized as follows:

- there can be no decent work without work itself. Employment must therefore become a central objective of development policies;
- transparent and free social dialogue is a means of ensuring conflict resolution, social equity and legitimacy;
- the ILO is concerned not only with employment creation, but also with creating jobs of acceptable quality. Essential elements in improving job quality relate to training, occupational safety and health, social protection and contractual status;
- business has a major role to play, and the ILO has a responsibility to promote enterprise and job creation;
- all workers, wherever they may be, have rights at work. The ILO has an obligation to assist its constituents in strengthening their organizations and their voice, and to facilitate their partnerships;
- gender equity has a high priority in the ILO in terms of representation, policy analysis, advocacy, voice and empowerment.

<sup>25</sup> ILO: Sectoral Activities Working Paper WP.201 (Geneva, 2003), section 2.9.

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The Decent Work Agenda can be adapted to the concerns and circumstances of writers, artists and others working in this sector in different countries by implementing policies to promote entrepreneurship and employment, defend basic rights at work, strengthen the social partners, reinforce social dialogue around decent work goals, extend the reach of social protection systems, and promote gender equality. The fruits of the talents of workers and employers in this sector form an integral part of the culture and society of each country, and they deserve greater recognition of their social, economic and cultural contribution.

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## **2. The media, culture, graphical sector and the development of the Information Society**

### **2.1. Will the development of the Information Society enhance or impair employment and quality in the sector?**

The proposals contained in the Plan of Action of the first phase of the WSIS foresee a major expansion in information and communication activities. This should create employment in the new media industries and in traditional publishing and printing in order to promote education and training in ICTs in developing countries. As the WSIS Declaration of Principles puts it, “Traditional media in all their forms have an important role in the Information Society and ICTs should play a supportive role in this regard.” Measures to promote cultural and linguistic diversity would also be likely to promote employment in arts and crafts, theatre, music, film, literature, publishing and other creative industries. In terms of quality, the proposals envisage higher ethical standards, greater freedom of expression, improvements in technical quality and more investment, which could all foster higher quality media and entertainment, but the Plan of Action and Declaration of Principles also note potential constraints on quality.

The previous sectoral report<sup>1</sup> noted that when examining statistics on past employment changes, one could not separate technological from other factors contributing to such changes in the sector. The data can give only a general picture of a very heterogeneous range of enterprises, jobs and individuals; any forecasts are based on assumptions, and data on specific occupations are not readily available. For some groups of workers, particularly those providing creative content, there have been tremendous growth in opportunities for work in many countries, part of which could be attributed to ICT-related work, but some occupations (such as camera operators, sound engineers, typesetters and paste-up artists) have suffered major reductions in employment because of ICTs. Technological change, in conjunction with liberalization, privatization, globalization and deregulation, have affected the sector around the world, in terms of quality of work, employment numbers, qualitative structure of employment, work organization, skill requirements and labour relations. As will be discussed further in Chapter 2.4 on the graphical industries, print-based businesses may shrink despite the boost that new media can give to demand for printed products. For some, such as local newspapers heavily dependent on classified advertising, or printers producing reference material that now tends to be presented in much more user-friendly and searchable electronic formats, the future looks bleak. Similarly, the decline in demand for music CDs in the face of piracy and downloading of music from the Internet (through paid services from the music business, or via free peer-to-peer networking) has combined with increased merger activity to lead many music companies to cut staff in 2003-04, especially in relation to CD production, promotion and distribution.

Many media and entertainment companies are now involved in producing material directly and exclusively for the Internet, mostly in the form of information, design, text, audio and animation; in the performing arts, little is produced exclusively for the Web. However, many television programmes have their own interactive web sites, some of them

<sup>1</sup> ILO: *Background document*, Symposium on Information Technologies in the Media and Entertainment Industries: Their Impact on Employment, Working Conditions and Labour-management Relations (Geneva, 2000).

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allowing audiences to influence the programme itself – through voting, suggestions and comment over the Internet, email and text or instant messaging, and contributions from viewers via their webcams. For example, interactive live discussion programmes like “*J’m’en mail*” on France 5, talent shows and reality TV shows use ICTs as part of the programme itself. Many “soap operas” now have their own official web sites with full details about previous episodes and individual characters, indications about the next few episodes, online voting on future developments to the plot, as well as other spin-off material, and readers’ suggestions or opinions on these ideas.

As far as quality is concerned, the sector has undergone many changes in the past few years in many countries, including the growth of “reality TV” and talent shows like *Big Brother*, *Pop Idol* or *Star Academy*, 24-hour news programmes, free newspapers in big cities, and news from reporters who are not professional journalists, especially on the Internet. The quality of this output has been widely criticized and often falls short of benchmarks that were previously considered to be crucial, but there are also success stories, notably in the effective use of information databases and (multiple media) content management systems. In other areas of the sector, similar instances include increasing reliance on computer spelling/grammar checking rather than professional proofreaders; innovations in printing technology to make short-run printing and colour printing more economical; and use of search engines and databases for research and fact-checking. Some of these improvements or declines in quality can be attributed to technological change, but interlinked factors like work organization, market conditions, competition and customer preferences also play a role. Nostalgia for a “golden age” of quality or eagerness for “the latest thing” in media, culture and graphic arts are subjective and questionable approaches to the issue, and it is likely that the future of quality will depend on a blend of tradition and innovation.

The impact of these changes on employment may be reinforced by a view that musicians, actors, journalists and other freelance, contract or temporary workers are not employees, and that many employers among the major players in film, broadcasting and the media are rarely in contact with workers’ organizations; some leading media, culture, graphical conglomerates are perceived as anti-union or “union-free” enterprises. Thus, when workers from unionized workforces lose their jobs as part of their employers’ adjustment to changes in technology, competition, corporate structure or demand, they may find it hard to find a new job in a unionized enterprise, or may have to leave their union to find a job.

It is very difficult to gauge the quality and durability of any new jobs created, but innovative uses of ICTs in media and entertainment have clearly created jobs that are often unstable, and not always open to people already working in the sector. Workers with few or only traditional skills are the most likely victims of technology, but there are perhaps other vulnerable groups – older workers in general, middle management and administrative workers, for example. Positive employment effects in certain countries are often accompanied by negative impacts in other competitor countries. Well-managed introduction of ICTs in enterprises in the sector can enhance productivity and improve quality and competitiveness. However, if the changes are introduced without social dialogue and are not well coordinated with other aspects of the enterprise, or if work organization is not adjusted appropriately, the changes may have little effect and may harm prospects for workers and the enterprise.

Demand for IT workers has increased more rapidly than for workers with other types of skills, for a variety of reasons. In addition to the explosive growth of the Internet, most media firms in industrialized countries have also experienced rapid expansion in the use of advanced IT techniques in order to raise productivity or improve the flow of information. People who can apply industry-specific IT skills effectively in enterprises are in great

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demand across the whole sector, with an emphasis on turning information into knowledge or market share, problem-solving and teamwork that can give them and their enterprises a competitive edge. This is a key area for training and employability, within the field of Information Society jobs in the sector.

Many of the new opportunities will arise for geographically mobile, well-educated, multiskilled and adaptable people, but more and more jobs are likely to be unstable, temporary assignments without fringe benefits or social security coverage, and some job losses or downgradings are inevitable. The development of the Internet, and the recent growth of television channels and programming, have created new employment opportunities and outlets for actors, musicians, designers, journalists and others. New occupations have mushroomed, including webmasters, web editors, multimedia artists and animators, IT specialists, software engineers, and systems and communications analysts. The development of new kinds of jobs (computer special effects and virtual reality work, webmasters and web designers) and new products (publishing for PDAs and mobile phones, ring tones, DVD-audio, super audio CD, etc.) generates new income, employment and careers for some, while often harming prospects for others. No hard data were available to show whether employment outcomes were different for men than for women, or affected other groups unequally, although older workers probably bear more than their share of the negative consequences.

Job losses arising from the impact of new technology are difficult to differentiate from those that result from mergers, acquisitions, reorganizations, business failures, macroeconomic problems and other factors. They may also be masked by such elements as job creation for new recruits in the same firm or industry. Network-based distribution of media and entertainment products and services will usually affect employment in conventional retail sales, while generating job opportunities in creative, technical, management and direct sales areas with publishers and other media and entertainment enterprises. A specific merger-related change took place in mid-2004, when hundreds of job losses were predicted as NBC (General Electric's broadcast and cable TV) acquired Vivendi Universal Entertainment (film studio and television division), because of overlapping operations in areas like cable TV. The new company will combine Universal's film studio and cable TV outlets (like USA Network and Sci-Fi Channel) with NBC's broadcast network, Bravo cable channel, CNBC, MSNBC and Telemundo. Examples of technology-related redundancies are given in Chapter 3.1, in relation to TV studio work.

Many traditional jobs or professions in this sector now have a direct and intimate link with the ICTs. For instance, few print journalists can perform their work without being connected to the Internet, and many find that mobile phones, laptops, PDAs and other devices have become essential tools of the trade. Financial journalists now have to be online to perform their job. Freelance journalists, editors, graphic designers and others may increasingly work almost exclusively using these technologies, and they may find new assignments or jobs through Internet job listings and online recruitment sites. It is increasingly difficult to obtain such work without possessing ICT skills, and earnings are likely to be lower for people lacking those skills. Another example concerns camera operators and technicians, where digital technologies have tended to eliminate craft skills and expand the range of other tasks to be performed – smaller film crews now need to use different skills, their responsibilities are often wider and less clearly defined, and TV studio automation has drastically reduced employment opportunities. It appears that the first wave of new technology in this area had little impact on jobs, but the more recent moves to digitization seem to have had a greater effect on employment. In some cases, individual journalists can cover events as they happen using only a video camera and notebook computer with video-editing software. Pictures and sound directly transmitted via mobile phones or laptops are now used on news programmes, allowing viewers to see live images (often of poor quality) before a camera crew can arrive at the location.

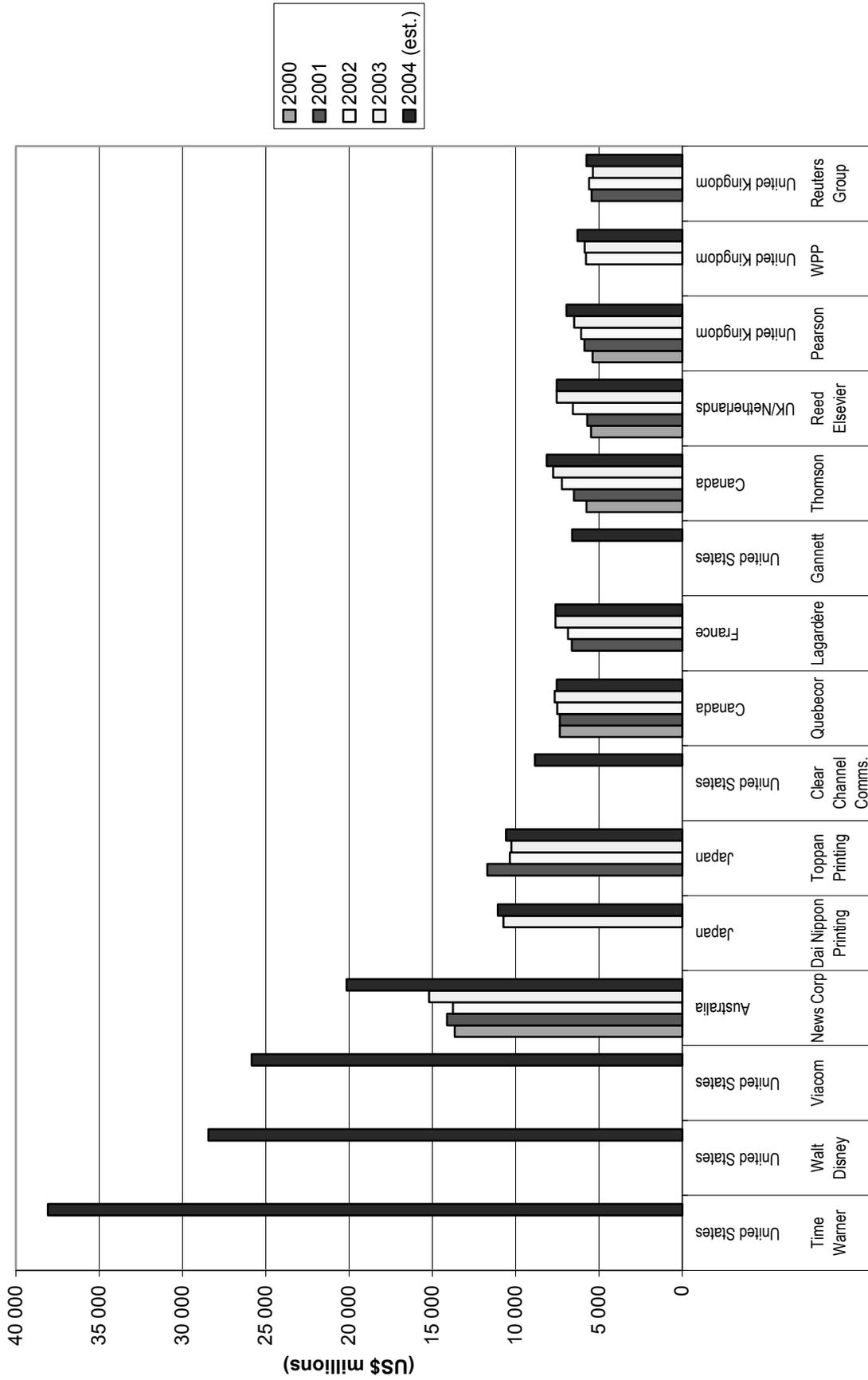
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Government technology policies are not geared to regulating the employment effects of ICTs. In most countries, they involve deregulation measures (privatization and liberalization) resulting in employment effects that are often negative for the workers concerned. Only as regards the cultural industries, especially films, have some countries, notably Canada and France, adopted regulatory policies that aim to protect their national or regional cultural industries from imports. In general, national technology policies reflect more or less enthusiastic support for the Information Society, reinforced by the WSIS in 2003. Commitments made in Geneva were often accompanied by funds for training, research and development, from which companies and workers can benefit. When it comes to accommodating the effects of ICTs, workers' organizations have had a major role in attempting to mitigate the employment impact of the restructuring process, with varying degrees of support from governments and employers, depending on circumstances.

For many workers, especially those employed in occupations tied to particular technologies, a crucial factor is their ability and willingness to adapt to change. For some, the change may be difficult, impossible or unacceptable, while for others it could be welcomed and relatively easy. Many workers may find that their skills do not fit new requirements, or that their job satisfaction is impaired by changes to their duties or to the product or service for which they are responsible. In terms of numbers of jobs lost or gained, the impact of the information technologies is very difficult to estimate, and will vary widely between sectors, occupations and countries. Evolution had already been taking place in such industries as book publishing, where some publishers had moved into areas like software and video development and publishing or CD and diskette production; further developments in electronic publishing have often involved staff who had previously experienced the transition to non-print products.

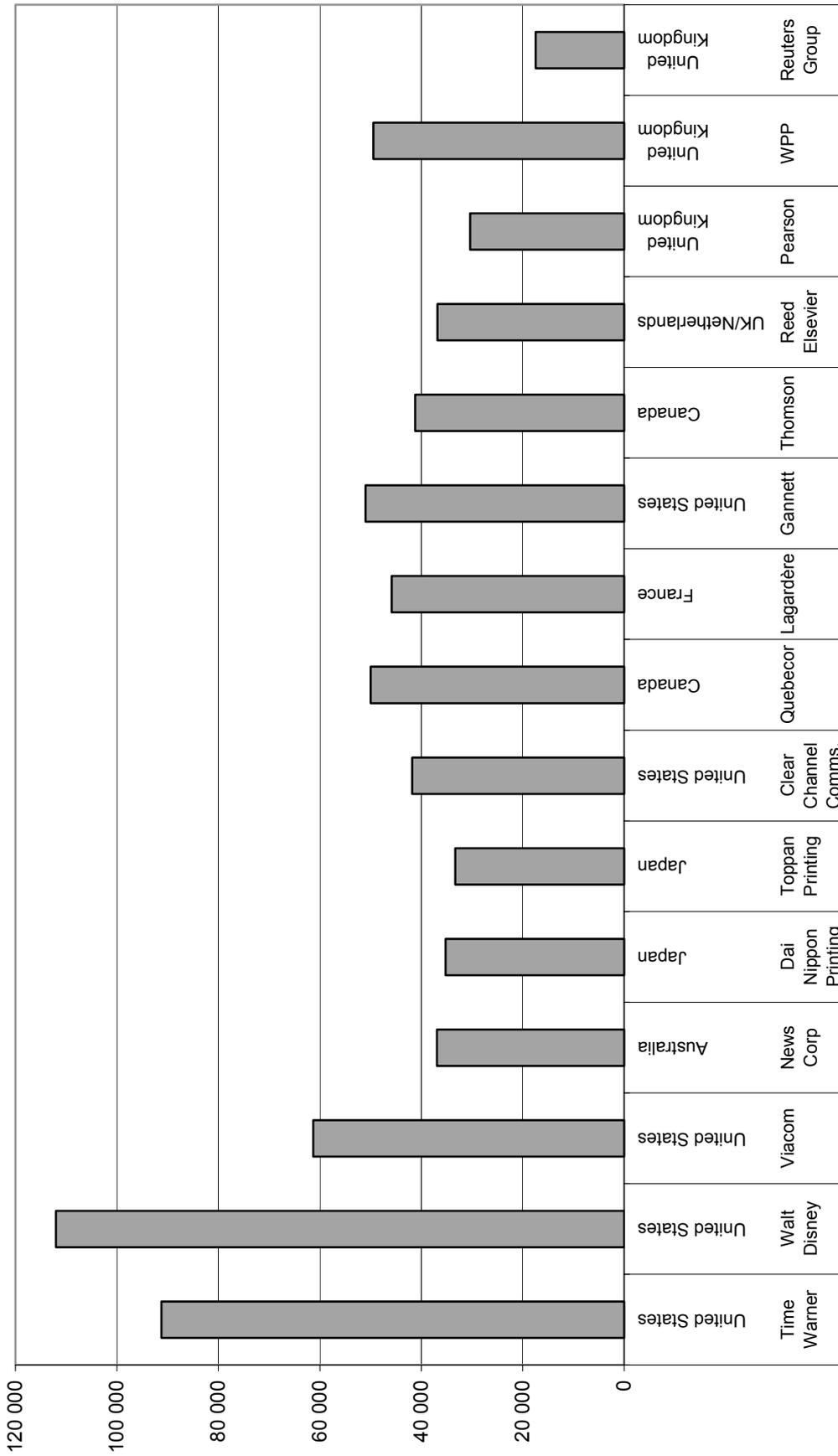
The consequences of globalization, mergers and acquisitions, and information and communication technologies in the entertainment industries are felt strongly by performers, writers, technicians and others working in this sector, and by the companies themselves. These processes are leading to changes in employment patterns and industrial relations and have accelerated the "industrialization of culture", a phenomenon closely linked to new technologies and the growth of global conglomerates such as Disney, Vivendi Universal (until its major problems in 2002-03), Sony, Time-Warner, Bertelsmann, News Corporation, Viacom, Gannett, Mediaset, Pearson, and others, as well as regional giants like Globo and Televisa in Latin America, which cover the whole range of media, entertainment and other industries, to the detriment of cultural diversity. Figures 2.1 and 2.2 give some indication of the relative size of leading global public companies (excluding Bertelsmann, Vivendi and Sony) in terms of sales revenues and employment. It should be borne in mind that some public broadcasting organizations and some regional giants may be of similar size – for example Globo employs 24,000 people in Brazil and elsewhere, while the BBC and Germany's ARD both employ over 20,000 people (see Appendix II, table 1).

Figure 2.1. Leading public companies in the sector by sales revenues, 2000-04



Source: Forbes International 500 and Forbes 2000 lists at <http://www.forbes.com>.

Figure 2.2. Employees in leading public companies in the sector, 2004



Source: Forbes International 500 and Forbes 2000 lists at <http://www.forbes.com>.

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## **Broadcasting, film and live performance**

Enormous opportunities exist for performers – many are finding that there is more work, and recorded performances may have a longer shelf life – but new employment created as a result of globalization and new technologies in the sector is often unstable and of low quality. Computer equipment for live performance and recording sessions has diminished the demand for live and session musicians, reduced the musical skill requirements for obtaining work, and negatively affected professional status. But computer equipment has also permitted musical innovation. Many performers will improve their work opportunities by adapting to computer-based equipment. Digital recording techniques have greatly enhanced the recorded sound quality of live musicians and actors in studios, theatres or concert halls, and this can provide additional income for performers and music companies.

The development of the Internet, compression software and other ICT innovations is transforming the economics of the sector, in particular because of the low cost of electronic production and distribution. Merger activity among the top five or so players has continued: while the last ILO sectoral report in 2000 referred to the mergers of AOL and Time-Warner, and of Viacom and CBS, this report was written at a time when talks were under way concerning Comcast and Disney, Vivendi and NBC, and the major music business conglomerates (Bertelsmann's BMG was merging with Sony Music; EMI hoped to acquire Warner Music, which was eventually acquired by Canadian businessman Edgar Bronfman, former Seagram CEO, after EMI withdrew its offer). Consolidation is seen as a vital step for an industry struggling to come to terms with rampant piracy, especially over the Internet, and falling sales. Sony Music, the world's number two in the sector, with a 14.1 per cent market share, combined with BMG, ranked fifth with 11.1 per cent, allowing the newly-formed Sony BMG to move closer to the market leader, Universal, which accounts for nearly 26 per cent of total market share. Universal Music, Sony Music, Warner Music, EMI and BMG together make up 75 per cent of the global music market.

One growth area in employment in the media and entertainment industries in the United States (and some other countries) has been that of pornography for cable and satellite television, films, DVDs and the Internet. This could be perceived as increasing the future volume of work, but determining quality in that area is a more contentious and subjective question.

Payments to rightsholders could increase substantially from new uses of material and the wider global audience now made accessible. However, new copyright protection systems may be used primarily to protect the interests of large companies and well-known performers and writers. It is important that copyright protection be enhanced, payments to the collecting societies for performers and writers increased, and more of this money channelled to performers and writers themselves. In most countries there is much scope for improvement in these areas. The ILO wishes to ensure that negotiation of copyright and related rights between artists, publishers or production/recording companies, and broadcasters or distributors, is fair to all parties, especially artists in developing countries and poorly paid or unpaid performers and other artists throughout the world (see Chapter 4 for further discussion on this topic).

The exchange of copyrighted material through Internet sites is challenging national and international norms, the economic rights of copyright holders and the moral rights of performers. MP3 files allow direct sales of recorded music over the Internet – they can be stored on computers and replayed at almost perfect quality. Steps have been taken by music companies to ensure copyright-friendly e-commerce in music and to fight online piracy, in association with the computer industry, through various initiatives including

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iTunes Music Store, Buymusic.com, Rhapsody, Sony's Connect service, and others. The slow pace of the development of legal online digital music services by the music and computer industries has created space for unauthorized exchange on services like Napster and Kazaa, but some of these are now becoming subscription services. Copyright is still under threat, and rightsholders are acting to defend their rights in the courts (for example, the Recording Industry Association of America versus a variety of companies and individuals), in order to avoid effectively allowing copyright to lapse.

Copyright piracy has been exacerbated by the development of digital technology and continues to escalate as a threat to the future of the entertainment industry, while disk piracy is estimated to have almost quadrupled from 1999 to 2002. The International Federation of the Phonographic Industry has estimated that the music industry loses around US\$5 billion per year through the sale of illegal copies of CDs and cassettes, and that figure does not cover private copying by consumers or peer-to-peer Internet copying of music files. While copyright protection is intended to encourage creativity and investment, piracy distorts market competition and discourages investment and product development. Data on the employment effects of copyright piracy are sparse, but US\$5 billion per year worldwide could mean around 100,000 jobs lost.

The internationalization of production in the broadcasting and film industries has been encouraged by several factors. These include a growing number of international joint ventures, co-productions and partnerships between broadcasters and film companies in several markets; global mergers and acquisitions; financial incentives to film in specific countries; and developments in ICTs. All of these have allowed large-scale international investment and distribution links for such products, often with a much larger market in mind. This has affected production processes, financing, marketing, working patterns and conditions of employment in most types of work in the multinational conglomerates and in related enterprises. In industrialized countries, companies such as Disney, Time-Warner, Fox, Miramax and Viacom were reported to be having an increasing influence on performers' work and collective agreements, and this impact is not always beneficial. Workers may be obliged to choose between accepting contracts that involve inferior pay and conditions than would normally be the case, and having no work at all. The internationalization of production makes it possible to avoid union agreements, use local performers in developing countries on inferior terms, and undercut established union rates. The economic impact of so-called "runaway" film and television production was estimated at between US\$10 billion and US\$15 billion in 2003,<sup>[3-302]</sup><sup>2</sup> a 500-800 per cent increase since the early 1990s. This cost the American entertainment industry more than 25,000 full-time equivalent positions, and a cumulative total of 250,000 positions from 1990 to 2003 (6,900 lost in 1990 and around 30,000 in 2002, for example). The jobs lost would be virtually all those available for stunt performers and background actors, technicians, costume, make-up and scenery workers, plus some even among leading actors.

The ICTs have perhaps reinforced the tendency for actors and other film industry workers to be freelance rather than salaried, and for a de-professionalization of their jobs. There has also been some reduction in the employment of actors, extras and other staff in films and television because of new technologies that can create special effects to substitute for their work. For theatre performers, this often means they have to be

<sup>2</sup> Center For Entertainment Industry Data and Research (CEIDR): "U.S. runaway major feature film production has continued to grow since Canada introduced federal tax subsidies in 1998", news release available at [http://www.ceidr.org/CEIDR\\_News\\_2.pdf](http://www.ceidr.org/CEIDR_News_2.pdf) ; NBC: "Hollywood hopes Schwarzenegger curbs runaway film production", which is available at [www.nbc4.tv/print/2622946/detail.html?use=print](http://www.nbc4.tv/print/2622946/detail.html?use=print), 9 Nov. 2003.

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increasingly adaptable to a system that allows them to operate computer-controlled lighting and scene-shifting equipment, given the lack of resources for the theatre industry.

As the number of television channels around the world increases, there has been much more broadcasting of live performances. However, performers are often not paid anything for these broadcasts, and some argue that this can undermine audiences for the theatre and is a poor substitute for live performance itself. Broadcasts can nevertheless generate greater interest in live performance and create new work opportunities. Workers' organizations are striving to ensure that the greater exploitation of performers' ancillary rights in live productions (videos, cast recordings, broadcasting) are properly remunerated in future, and that efforts are redoubled to prevent unauthorized recordings of live performances and piracy of authorized recordings.

## **Journalism**

Journalists generally work more regularly than performers, often have the status of employees, and their union structures and collective agreements differ considerably from those of performers. Like performers, journalists share concerns about the integrity of their work and the possibility of misuse and abuse which technology allows. There has been considerable change in the nature of journalism and employment for journalists in recent years. For example, new media such as online news services might to some extent lure readers and viewers away from newspapers, radio and television, although it is hard to differentiate the effects of new media from other factors. The growth of online media may ultimately lead to the decline of at least some traditional media, but newspapers and broadcasting companies can launch their own successful Internet ventures and do other things they have never been able to do before, ultimately creating jobs for more journalists.

Despite some predictions, the demand for reporters and editors continues, and there is no reason to think that significant parts of their jobs can be automated in ways that would reduce employment. Meanwhile, technological developments such as the Internet are in many respects helping journalists do their jobs better and more efficiently. However, technological change presents some concerns and challenges. For freelancers, a major question concerns electronic re-publication rights for their work. Meanwhile, all journalists have reason to be concerned that as new media develop, and technology changes the way news is gathered and distributed, ethics could be trampled in the rush, their independence could be threatened, and public trust in the news media could decline further.

The monopoly that traditional media institutions (newspapers, broadcasters, wire services and others) once had on the dissemination of information has been rapidly eroded by digital networks, not only because almost anybody with access to a computer could become a reporter or publisher, but also because media institutions are having to enter into dialogue with their audiences. This loss of exclusivity with regard to news and the weakening of the role of the media as news arbitrators began in the 1990s, and continues to bring further changes to the professional and social functions of the journalist. The magnitude of changes in media in the Information Society mean that journalists need to embrace and use the new technologies to become more productive and to make their material better and more accessible, as otherwise they may be challenged by other news sources without the same professional or quality-oriented approaches.

Freelance journalists, generally speaking, have been the ones using and exploiting the ICTs for the longest time and with the greatest gain. News and press releases, background data and other Internet sources have strengthened their position in relation to staffers – they now have access to story libraries as good as national newspaper offices, and experts on any subject are available for interview or comment anywhere in the world. Email is replacing fax and telephone as a means for journalists to communicate with their sources

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and editors, facilitating work at home. The gains are not just in the ability to write stronger articles and submit them electronically, but also in greater flexibility, effectively longer deadlines and greater opportunities for undertaking commissions from virtually anywhere. However, it can also weaken their employment rights and often increases the pressures on them.

New media technologies have clearly influenced the working lives of journalists, both positively and negatively. Media organizations are providing their editorial staff with ever more technical support, while reducing levels of human support and demanding greater productivity. The Internet has given journalists easier, wider access to information resources, but also swamps them with data. It is easier now for freelancers to obtain commissions and submit articles across the globe, but harder for them to control the copyright of that work. Quantitative and qualitative research is needed to gauge how this affects journalists. The technologies require journalists to learn new skills, and have affected how journalists do their jobs, further blurring the boundary between work and leisure (journalists can now work at all hours, especially if they have home Internet access). However, most believe that their traditional journalistic skills are still important: checking facts and, when possible, talking to sources; chasing up leads; not accepting rumour or the first opinion at face value; getting to the heart of the story and researching various angles. Skills like these have been the stock-in-trade of journalists since the profession began, and many believe that they cannot be replaced, whatever the technology used.

The demand for journalists remains high and will continue to do so. The way they do their work and the tools they use may change dramatically because of new communications channels, but they are essential for collecting and organizing information and opinion effectively, writing well, and providing the fact-checking and editing needed to make the information useful and interesting. The interactive nature of electronic media can make them more responsive to their readers, and helps journalists to obtain greater public confidence that can enhance job satisfaction. Online news media are of variable quality, but some have clearly earned the public's trust. When newspapers first started online, they were concerned that email could become a major problem in terms of overload, but email feedback on articles has become a more instant and inclusive process, and has had a major impact across the media industry.

News publishing is now available across the world, and people tend to favour brands that are trusted, but these brands may change over time. Around the world, online newspapers have developed since the mid-1990s, often based on traditional newspapers, but sometimes completely separate from them. Argentina's *La Nation Online* has existed since 1995, and was reported to have over 300,000 page hits per day in 2003. On an average day, tens of thousands of different stories are viewed on major news sites in Australia, Brazil, Canada, Egypt, France, Germany, India, Lebanon, Mexico, Poland, Senegal, Spain and South Africa, among others; most, but certainly not all of them, are written by journalists.

Ultimately, the new media channels have in many ways turned primary sources and ordinary people into de facto journalists themselves, perhaps reducing the previous monopoly that journalists used to have in producing public information. However, they are also giving a greater voice to all of those people who feel, for one reason or another, and some of them justifiably, that the media do not reflect their views, while every month new electronic information sources appear also in some of the poorest, least developed nations where increasingly skilled news men and women are leaping with alacrity over several

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stages of technological development to exploit the new platforms.<sup>3</sup> Meanwhile, weblogs have grown exponentially in importance, allowing readers of online newspapers and other web sites to see the original sources behind the news – a somewhat troublesome development for many media organizations and some public authorities. In addition, message boards and readers’ comments on Internet stories have become a discussion group in their own right. “Disintermediation” allows Internet users to go straight to the source of what they want. Has this diminished or improved the quality and availability of information and opinion? If the mass media were previously involved in one-way communication, disseminating the world-view of those that controlled it, that is no longer so, and communication can now be more truly interactive.

Governments have a key role in efforts to promote press freedom, protect individual privacy, and control the publication of certain kinds of content in the media (e.g. pornography, propaganda, fraudulent and other criminal activities and anti-government material). However, governments sometimes also curtail such freedoms, not always for reasons of national security. They have a responsibility to protect people’s lives and maintain law and order; this should mean that journalists and media enterprises are protected against violence and allowed to perform their work without undue restriction, while the media industries have to act responsibly and within acceptable standards.

## **2.2. A wider perspective on the concept of quality in the sector in the Information Society**

In addition to the aspects of quality that fall clearly within the ILO’s mandate, and were discussed in Chapter 1.2, other areas impinge to a greater or lesser extent on the world of work in this sector, and these will be developed in this section. Of fundamental importance in the sector are both the methods used to create products and services, and the resulting expectations. An assessment of how ICTs have affected the quality of these products may complement an observation of overall trends in employment standards. Questions of quality, whether of the product, of its content or of the profession, already permeate the debate. In keeping with the ILO’s mission, a value judgment, or the formulation of a policy, would probably be made in terms of defining “quality of work”, which takes questions of social justice into account. Limiting the definition of quality to these issues, without considering the changing standards of products or services themselves, or limiting the assessment of the impact of the Information Society to quality in the profession and the expectations that drive them, however, is only part of the overall picture. This is especially true in a sector so dependent on the tastes of the market, where maintaining competitiveness is often tied to ensuring the highest quality expected at the time. It is important, in this context, to use a definition of *quality* that includes the quality of the sector’s products.

### ***Quality of the work and its product***

From the perspective of “quality” of the work itself and its product, quality takes on a different character. While quality standards of products exist in the publishing and graphical industries under ISO 9000 and for broadcasting under ISAS BC-9001 (see Chapter 1.3), what we define as “quality” in a wider sense may be more subjective. In literary and artistic commentary, for example, intentions and expectations of quality are as numerous as the definitions of art itself. The application of standards of quality in such a

<sup>3</sup> T. Balding, Director-General, World Association of Newspapers, in World Electronic Media Forum: *Final report*, Geneva, 2004.

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subjective sense can be controversial. Such approaches to *quality* have been the subject of much debate in 2003-04, around a perceived decline in standards in media and entertainment (blamed on a whole range of causes including pro- and anti-government bias, commercial and political pressures, budget restrictions), or the risk of such a decline in the future. The threat to quality standards in news journalism may arise in part from problems such as manipulation, half-truths, favouritism and the “spin culture” of certain politicians and others who wish to hide unfavourable news, but also from the idea that there may also be more interest in providing melodrama and a consistent editorial line than in offering facts, explanation and balanced coverage. There is also growing convergence between news and entertainment in the media. Recent experience of news coverage of conflicts in various parts of the world has tended to confirm the adage that “truth is the first casualty of war”, and there has been a grim death toll of war correspondents. Some noteworthy cases involving specific journalists have raised issues relating to authenticity, corroboration of evidence and other aspects, and become part of a broader debate on standards in the media industry.<sup>4</sup> This debate has been very wide-ranging, politically charged and often polemical, but it is apparent that the threat to journalistic standards is real and complex. The threat comes not only from outside pressures such as political, economic and other influence on news organizations, but also from within – editorial policies that favour a more entertaining, lively and/or aggressive style, or a more compliant approach to the wishes of powerful vested interests.

In entertainment, there has also been much discussion about programmes that are cutting corners in terms of production or editorial values (reality TV, game shows, talent contests, chat shows and others), which may be offensive, in poor taste, and so on. However, this may also represent a recurrence of old arguments between the tastes of one group of people and another, whether on grounds of age, attitudes, politics, status or other factors. These changes may reflect supply and demand in a variety of ways; the public will not continue to watch material which they find unacceptable (unless there is no choice), but they do not necessarily watch only the best performances and programmes. Quality, popularity and success do not automatically come together in media and entertainment.

In relation to cutbacks in the regional services of the newly merged ITV network, the United Kingdom Parliamentary Select Committee for Culture, Media and Sport stated: “We believe that uncertainty over the consequences of the [ITV’s operational] proposals reflects a lamentable lack of meaningful and open consultation with the workforce. The outcome of negotiations, due to take place over the coming year, in relation to the final staffing levels that emerge will, in our view, provide an important indicator of ITV plc’s commitment or otherwise to regional television. [...] The Committee looks to Ofcom to monitor the situation closely, and to take steps to *safeguard the present high quality of programming* in all subregions across the whole country. The potential threat posed by over-consolidation of regional and subregional news production centres will provide an early, major and crucial test for the credibility of Ofcom.”<sup>5</sup>

Another aspect of quality in this context is the difference between its perception and its actual presence. It has been argued that the lack of access to ICTs is sometimes equated with a lack of professionalism, or at the very least with a lessened degree of credibility and authority for those in journalism and in the arts. Such perceptions can disadvantage those

<sup>4</sup> See, for example, M. Kalb: “A quest for more sensation is killing journalism”, in *Financial Times*, 1 Apr. 2004; and Lord Hutton: *Investigation into the circumstances surrounding the death of Dr. David Kelly*, London, 2004, available at <http://www.the-hutton-inquiry.org.uk/index.htm> .

<sup>5</sup> House of Commons Culture, Media and Sport Committee: *Broadcasting in transition*, Third Report of Session 2003-04 (HC 380), paras. 107 and 113.

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with less access to these technologies, even if the actual value of the content they produce does not warrant this. By the same token, there can be high-quality journalism in popular newspapers and poor-quality output in “quality” newspapers; or excellent popular films, theatre and music that compare favourably with material from prestigious institutions. An overlapping concern is that the greater commercialization of news has resulted in a greater homogenization of content. Many feel that a dominance of information by a few conglomerates can have a negative effect on the objectivity and neutrality of reporting, which many feel are essential to its fact-finding mission. Factors such as these can also reinforce widening economic and social divides.

Yet another strand of the debate about quality relates to questions of decency and of pornography in media and entertainment. Quality standards are perceived to have fallen when public service broadcasters air programmes that transgress boundaries in relation to explicit sex, offensive language, gratuitous or excessive violence, and other areas, although the Internet and cable/satellite television may well have very different standards in this regard. Public debate in 2004 on efforts in the United States to regulate decency in broadcast media<sup>6</sup> included one instance in which trade unions, media enterprises and NGOs joined forces to contest a crackdown on the broadcasting of “indecent acts or comments”.

### **Quality of content**

The concept of quality is used flexibly in this sector. In journalism, for instance, quality is said to be crucial, and is often measured by the extent to which fundamental levels of journalistic integrity are met in the creation of the work.<sup>7</sup> Although journalistic integrity itself proves hard to define, some criteria remain constant. Diversity of opinion, thoroughness of work, a high level of professionalism, a code of ethics, and editorial independence are widely considered essential.<sup>8</sup> The ability to withstand pressure from corporate, political and other interests may be a key aspect of such integrity.

In this respect, many feel that journalism faces a unique challenge in working with ICTs and the expectations that they create. The International Federation of Journalists (IFJ), for example, states that: “The Information Society facilitates investigations, access to information and the diffusion and promotion of media products, enhances networking and dialogue and offers additional tools for self-development, quality journalism and professionalism. But it also encourages editorial laziness, Internet-dependent journalism and a culture of immediacy that challenges ethical standards.”<sup>9</sup> The Project of Excellence in Journalism, part of the Columbia University Graduate School of Journalism, points out that “journalists feel even doubt about the meaning of news, doubt evident when serious

<sup>6</sup> See, for example, R. Armbrust: “Unions, allies petition FCC: Decency ruling called ‘unconstitutional’”, in *Backstage*, 20 Apr. 2004.

<sup>7</sup> See, for example IFJ: *Declaration of Principles on the Conduct of Journalists*, adopted by the 2nd World Congress of the IFJ (25-28 April 1954) and amended in 1986, available online at <http://www.ifj.org>; see also the site of the Project for Excellence in Journalism at <http://www.journalism.org/resources/guidelines/principles/default.asp>.

<sup>8</sup> *idem*, and ISAS BC-9001, *op. cit.*, Chapter 6.2.3 “Independence and non-discrimination of journalists, presenters and producers”.

<sup>9</sup> IFJ: *Quality media for the Information Age: Bridging the digital divide in journalism* (Brussels, 2003).

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journalistic organizations drift toward opinion, infotainment and sensation out of balance with the news.”<sup>10</sup>

The progression and erosion of these principles is influenced in large part by market dynamics. Journalists find themselves confronted with tighter deadlines and a greater demand for content, based largely on the need to satisfy a wider audience of news consumers,<sup>11</sup> who, in many countries, are increasingly accustomed to nearly immediate news coverage and accessibility, thanks in no small part to ICTs. These demands may cause employers and professionals to reassess how they meet the criteria fundamental to ensuring “quality” products.<sup>12</sup> Greater speed in producing content and a greater reliance on freelancers may involve a sacrifice of editorial thoroughness or a deeper dependence on ICTs, for example.<sup>13</sup> The idea that employers have allocated fewer resources to news gathering, and have promoted multiskilling<sup>14</sup> sometimes also raises concerns that the quality of the product is being eroded. Several broadcasters, however, have welcomed the possibility of using new technologies to reduce the size of news crews, and have encouraged a change to more cost-effective multi-tasking by reporters.

In Africa, a different aspect of quality of content was illustrated when Andrew Onalenna Sesinyi, the Secretary-General of the African Broadcasting Union (URTNA), observed that:

Development of local content does not only correct distortions created among our peoples and the rest of the world about Africa in particular, but the fact is that local content can be a development tool allowing people to have greater ability to improve their levels of life, reduce or overcome poverty, reduce the impact of disasters, build a fortitude to fight diseases and pandemics and create a new crop of visionary leaders that are committed to democracy and freedom of expression. Traditional broadcasters in Africa are already making inroads into the transformation of the perspectives of their own political leaders by using communication skills to change the thinking of politicians who view the media as a threat, a negative challenge, a nuisance or simply an unsettling factor.<sup>15</sup>

Quality of content thus also depends on the environment in which the media operates – respect for the principles of press freedom, freedom of expression and freedom of information enshrined in the United Nations General Assembly resolution 59(1) of

<sup>10</sup> Project for Excellence in Journalism: *Statement of concern* (2003), available at <http://www.journalism.org/resources/guidelines/principles/concern.asp>.

<sup>11</sup> See ILO: *Background document*, Symposium on Information Technologies in the Media and Entertainment Industries (Geneva, 2000), especially Chapter 2, “General impact of information technologies on processes, on content and on the role of government in the media and entertainment industries”, pp. 21-29.

<sup>12</sup> See ILO: *Final report*, Symposium on Information Technologies in the Media and Entertainment Industries: Their Impact on Employment, Employability, Working Conditions and Labour-management Relations (Geneva, 2000), p. 12.

<sup>13</sup> ILO: *Background document*, op. cit., p. 22.

<sup>14</sup> ILO: *Final report*, op. cit., p. 12.

<sup>15</sup> In an address given at the World Electronic Media Forum, 9-12 Dec. 2003.

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14 December 1946 and article 19 of the Universal Declaration of Human Rights, 1948.<sup>16</sup> Realization of these principles requires that printed and electronic media should be free, pluralistic and diverse – free of monopolies of any kind, reflecting the widest possible range of opinion, under diverse forms of ownership, and supporting linguistic and cultural diversity – and that there should be equitable access to communication. This aspect of quality is clearly essential to the development of the Information Society, and can promote more and better jobs in this sector. However, it requires new thinking on the part of media stakeholders in many parts of the world, as well as major additional investment in bringing media access to all via print, broadcasting, Internet and other media. As José Roberto Marinho, co-Chairperson of Globo Organizations (Brazil) observed, one aspect of media freedom is “the freedom for each nation to control the wealth created by its own cultural assets, which are intangible, high margin and of increasing importance for future generations. Cultural assets and content products are no commodities [...] the fundamental question for the post-modern society is not to allow the development of a bipolar world in which a few countries control the production of information, symbols and desires, leaving the rest as mere consumers”.<sup>17</sup>

### **Quality in film and other media**

Such discussions are by no means unique to journalism. In film, for instance, there are similar concerns about the character of content and production values. At one end of the spectrum, the question is put in terms of the visual and audio output made possible by a certain technology, and the resulting expectations of the public; one question that may arise is whether those involved have the technical skill necessary to assemble a product of sufficient quality.<sup>18</sup> At the other extreme, questions of artistic or personal talent, and the subjective worth of the actual content produced, can supplant such technical analyses. Some independent films are more creatively driven than many market-responsive big studio productions, while others increasingly match their Hollywood counterparts in terms of production values, so that in the words of Sharon Badal, former Sales Vice-President of Orion Pictures, “every filmmaker wants to get rich quick and easy, and suddenly it’s all about the money, which was the antithesis of the independent movement to begin with. This fiscal brouhaha results in a decline in the *quality* of independent films because too many people are making too many bad movies, partially because they want to get rich and partially because the technology allows them to do so”.<sup>19</sup> Each of these angles can in turn be characterized as a question of protecting the “quality” of work in the field. The perspective chosen will often inform crucial understandings of the needs and pressures facing those in the industry.

One issue that runs the gamut of these approaches is the use of digital media in film making. The technical versatility of such products, and their relatively cost-effective capacity to produce high-grade images and audio, are making them a staple of audiovisual

<sup>16</sup> “Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers.”

<sup>17</sup> In an address given at the World Electronic Media Forum, 9-12 Dec. 2003.

<sup>18</sup> See, for example, G. Gilmore: “Long live Indie film: Reports of its demise have been greatly exaggerated”, in *The Nation*, 2 Apr. 2001.

<sup>19</sup> S. Badal: “‘Independent’ film makers need to rewind to the basics” (Viewpoints), in *Newsday*, 2 Apr. 2002.

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production in major markets.<sup>20</sup> However, as it also allows for unauthorized reproductions to be truer to the originals and easier to produce and circulate, concerns arise that the use of digital technology may also fuel unauthorized copying and piracy.<sup>21</sup> This misallocation of resources can lessen the producers' and performers' ability to invest in future products, thereby lowering their quality.<sup>22</sup>

The question of the skill necessary to use such technologies promotes other debates as well. On the one hand, using them is relatively simple and cost-effective, and makes film production possible for larger numbers than was the case with traditional film.<sup>23</sup> This allows a greater diversity of voices to be heard. When viewed in a positive light, this encourages a wider participation and greater vigour in the field. But it also has the downside of diluting the production values presented to the public.<sup>24</sup> On the other hand, this technology creates expectations that force producers to assume new production methods in response to constantly evolving demands. This can ultimately be economically draining and affect the overall stability of a field. In another sense, however, there may be, and usually are, expectations of product quality. Consumers expect CDs and DVDs to play in their players (and computers!) and expect sound and image clarity of certain standard. They also expect such products to be legitimate rather than pirated copies. Trade regulations often, by their own terms, address the protection of product quality in this sense. Intellectual property protections that prohibit unauthorized reproduction and distribution of artistic works can be defended on these grounds as well. Beyond profiting certain parties who have not invested in the legitimate creation and distribution of the product, such practices, it is argued, lower the quality of the product available to the consumer. Such reproductions often do not remain true to the original, or at the very least do not benefit from the resources which the legitimate publisher has available to it in editing and formatting the item for distribution. Some recordings may infringe the moral rights of performers, producers and writers by inserting out-of-context excerpts of an original work within another product for which the relevant permissions have not been agreed. This misallocation of resources also lessens the producers' and performers' ability to reinvest in future products, likewise lowering their *quality*. This can also affect the quality of the job itself, as it deprives the industry of significant revenues. Intellectual property protections protect performers, writers, and media and entertainment employees and employers (although the balance of rights may not be as equitable as might be desired).

A certain level of professionalism is required to achieve a given quality of product. The presence of product quality standards or expectations, whether imposed by trade and intellectual property protections or otherwise, affects the sector and its employment practices. Changes in expectations or requirements of a certain quality in a product can have serious consequences for a profession. For example, cinema audiences' positive

<sup>20</sup> See ILO: *Background document*, Symposium on Information Technologies in the Media and Entertainment Industries: Their Impact on Employment, Working Conditions and Labour-management Relations (Geneva, 2000), p. 14. See also N. Sperling: "Landmark a cinema independent: Rollout not seen affecting studios' initiative", in *Hollywood Reporter*, 7 Apr. 2003.

<sup>21</sup> ILO: *Background document*, op. cit., p. 76.

<sup>22</sup> *ibid.*

<sup>23</sup> See, for example, R. Dominguez: "Film maker's 'Saint' hopes at Sundance", in *New York Daily News*, 23 Jan. 2003.

<sup>24</sup> See, for example, Badal, op. cit.

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response to computer-generated animation is persuading film studios to move away from hand-drawn cartoons, which in turn forces professionals working in this field to adapt to very different production methods. DreamWorks Studios, for example, is largely switching from hand-drawn films to computer-generated works, mainly as a result of the box office failure of recent productions compared to fully digitized pictures such as *Shrek* and Pixar Studios' *Finding Nemo*. It also acknowledges that shorter time frames involved in producing digital pictures allow studios to release movies that are better matched with the market's ever-changing tastes.<sup>25</sup> Meanwhile, the company synonymous with cartoons – Walt Disney – closed its cartoon drawing facilities in 2002, while digital animation has been a growing commercial success in recent years. Matching the audiovisual verve of digital imagery with a paintbrush may also be difficult, but questions such as these already involve more subjective assessments than the technical ones mentioned above.

Discussions on the aesthetic quality of art, performing arts and literature have raged for centuries, and are frequently almost entirely subjective. In the Information Society, the debate on the future of aesthetic quality may repeat many of the traditional dichotomies between elite and mass entertainment, classic and modern, sophisticated and basic, popular and arcane. However, there is no simple relationship between the technologies of the Information Society and improvements or declines in aesthetic quality – apart from giving consumers greater choice and potentially better information on which to base their choices and criticisms of the art, performing arts and writing that are now on offer.

### **Quality and professionalism**

The physical “quality” necessary for a certain work product will often directly affect the way in which the profession operates. As sectors strive to remain competitive, and as competitiveness depends on the quality of work products, this idea of quality may reflect the needs and goals of those working in a sector. As the methods and technologies used in this are crucial, such questions of work product “quality” are clearly relevant to the impact that the Information Society has had on the sector.

In view of the problems of defining the “quality” of content, for example, discussion of employment issues would probably arise mainly from those areas where the quality characteristics that define a work product are sufficiently universal. Journalism, for instance, could be such a work product, and the dubbing of television or films might be another. The various efforts made by professionals to protect designation of their practices may also be seen as a reflection of this idea. Concepts of product quality are closely linked to professionalism, so that discussion of how digital technology has affected the quality of dubbing, for example, can refer to factors crucial to the practice of dubbing (for instance, proper translation of the text, awareness of cultural relevancies), rather than solely to technical factors contributing to standards of trade (compatibility of digital disks, sound track synchronization). These approaches to quality can be applied to professions throughout the sector. Musicians and the recording industry echo many of the concerns voiced by their film counterparts, most notably with respect to the evolving production and distribution possibilities brought about by ICTs.<sup>26</sup> Issues surrounding the types of music available to listeners through the Internet and thanks to file swapping, for example, have

<sup>25</sup> L.M. Holson: “Animated film is latest to run aground at DreamWorks”, in *New York Times*, 21 July 2003.

<sup>26</sup> See, for example, “Music piracy; recording industry declares war on Internet file sharing”, in *Press Democrat*, 30 June 2003.

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attracted widespread attention.<sup>27</sup> Professional photographers, who are predominantly freelancers, also raise issues similar to those of journalists. They notably feel a strain from the production expectations that ICTs create, causing higher maintenance and business investment costs.<sup>28</sup> Attempts to protect a certain designation can also revolve around a description of the level of quality of work that is expected. Producers in the United States have made efforts to restrict the attribution of a “producer” credit to people whose work meets a certain standard.<sup>29</sup> The Producers Guild of America describes its mission as one of “setting the industry standards for knowledge, professionalism, expertise and *quality*”. In this sense, the term *quality* refers to the calibre of product one can expect when employing a Guild member. This product obviously depends on standards of professionalism within the field, which make the factors determining the product’s quality threshold especially relevant.

### 2.3. Information and communication technologies used in the sector

Few jobs in the media and graphical industries have remained unaffected by ICTs, and technology is crucial to most production processes and to preparing content for TV and radio, film, the press and online media. Digital technologies are replacing analogue, film and other technologies in production across the sector, while the use of text processing, statistical analysis and computing, database management, and so on, are becoming more and more widespread. In the cultural industries, ICTs are less pervasive, but their influence has nevertheless been substantial. Computer-generated special effects are used not only in audiovisual media but also in live performance, and the technologies are increasingly used in scene-shifting, musical performance and other aspects of the performing arts.

In the context of the Information Society, the value chain for the media, culture, graphical sector has undergone some changes.<sup>30</sup> While it remains broadly the same as before, the players involved at each stage may sometimes differ as a result of changes in technology, business model and work organization – downloaded music is an example of a shortening of the value chain and a change of some of the players, while subscription services for television and the increased importance of video and DVD sales by comparison with cinema audiences for films are variations on this theme. In the printing industry, the value chain has undergone different changes, as will be discussed in the next section, as changes in technology and in the media used for advertising have taken place.

<sup>27</sup> *ibid.*; see also, e.g., “Garage band launches evolved CD subscription service; helps music lovers discover top songs by independent musicians in 15 genres”, in *Business Wire*, 11 Nov. 2002.

<sup>28</sup> See, for example, P. Tam: “Photographers boycott glossies over payment – Fees for international, web editions are at issue”, in *Asian Wall Street Journal*, 14 May 2001.

<sup>29</sup> See, for example, C. Eller: “Company town: The biz film producers renew effort to end unearned screen credits”, in *Los Angeles Times*, 3 Oct. 2000.

<sup>30</sup> The “value chain” tool developed by Charles Landry to analyse policy-making in the creative industries comprises five phases or segments where economic value is created and enhanced, namely: beginnings; production; circulation; delivery mechanisms; and audience reception and feedback. See C. Landry et al.: *Glasgow: The creative city and its cultural economy* (Comedia, 1991); and A. Lebethe: *Promoting the culture sector through job creation and small enterprise development in the ADC countries: The performing arts and dance*, SEED Working Paper No. 52 (Geneva, ILO, 2003).

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## 2.4. Challenges of the Information Society for the graphical industries

The graphical sector can be seen as being partly in the emerging information economy and partly in the industrial tradition of printing, binding and packaging. Demand for printing and packaging has been affected both positively and negatively by ICTs, as packaging for video games, software, DVDs and other products creates employment, while other printed products have been superseded by online versions – such as PDF files and searchable databases. The printing industry is continuing to grow, but at a slower rate than before, and employment is tending to fall. The ability to organize printing at various locations around the world very quickly has been one aspect of the impact of the new economy, but the competitive edge is still with quality and speed of delivery, rather than with price considerations. Another aspect is the industry's growing need to produce for a variety of output media, including print, hence an increased emphasis on XML format, and the recent development of a comprehensive standard – the XML-based job definition format (JDF) standard – for integrating the whole work process, from the initial raw text and images through the design, editing, production, printing, binding, web publishing and other processes and workflows. Business models within the industry have evolved, partly as a result of technological change, but also through the development of, for example, free newspapers that compete with priced newspapers in particular markets.

However, the main challenge is to adapt to the streamlining of the whole production process in modern printing plants in industrialized and in some developing countries such as Brazil, Chile, Malaysia and South Africa, where digital technologies are transforming pre-press work. Such digital printing facilities can have an impact on other plants in the same country, as well as on printers in other industrialized and developing countries. Quality of *production* has been given a different meaning by these technologies (and also by ISO 9000), as they have enhanced the ability to produce better colour reproductions, eliminate errors and wastage and improve other aspects. However, it is clear that other aspects of quality – associated with skills and crafts of the compositor, proofreader, plate-maker, binder and others – are disappearing. Quality of *employment* in the graphical industry has not changed particularly over the past few years, but there is certainly a trend away from collective bargaining to individualized contracts in countries such as France. Quality of *content* may be an issue for graphical workers and employers, but is less apparent than for those working in the media and cultural segments – it is mostly an indirect issue for the graphical industries.

The impact of technological changes on work in the publishing and graphical industries, in conjunction with processes like liberalization, globalization and competition from new media, have affected employment numbers, the qualitative structure of employment, the organization and quality of work, skill requirements and labour relations. Employment in the printed media is generally declining, while in publishing it is relatively static (see Chapter 3.2, subsection on “publishing and graphical workers”). Employment in the pre-press area has particularly suffered from ICTs; the introduction of desktop publishing (DTP) has caused many composition and litho shops to close, shifting some of their work to new DTP shops and in-house DTP departments, but also resulting in some degree of global relocation of work. Indeed, typesetting, printing and colour separation have been outsourced abroad for many years, but the opportunities for doing so have been greatly increased by the digitization of data and the use of broadband, Integrated Services Digital Network (ISDN) and other links. Employment for graphical workers in some high-wage industrialized countries has declined, while employment prospects and wages have improved for graphical workers in developing countries with high printing quality standards and lower wages and benefits. Thousands of workers, particularly women, in Latin America, Africa and Asia are involved in data-entry work on behalf of western multinationals. French, British and other industrialized country publishing companies have

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long used typesetting, printing and binding companies in Colombia, India, Madagascar, Malta, Mauritius, Morocco, Philippines, Singapore and elsewhere; they are increasingly using suppliers in other countries such as China. Increased global competition has caused typesetting costs to fall over the past 15 years by about three-quarters, with wage levels in industrialized countries driven down in consequence. Manual data entry has been threatened by developments in optical character recognition and scanning technology, and by the increased prevalence of author/publisher-prepared PDF files or zipped disks that need little or no work by the typesetter.

The work process in the pre-press area has been completely transformed by the digital revolution, both in industrialized and (to a lesser extent) in developing countries. The conventional pre-press process consisted of separate activities (composition, layout, lithography, retouching, and so on) performed by various categories of technical craftsmen and women. ICTs have permitted the integration of the entire production process, using computer-to-press or digital printing systems, or XML/SGML files to allow printed and web versions of the material.

Work organization in the printing area has changed as well, though less fundamentally than in pre-press. Information technology provides the basis for computer-integrated manufacturing. Printing work in industrialized countries is tending to split into process management (including pre-press engineering, planning and workflow management) and press operation (running and cleaning printing presses, ensuring ink and paper supply, problem solving). The qualification requirements for process manager include high technical and IT skills as well as project management and teamwork abilities, while press operators need lower-level technical skills, although specialization in particular printing presses may require specific training. Press operators now often control more complex processes or mind more than one machine – there may be growing work intensity, increasing use of four-colour printing and higher quality-control standards than before. The transformation of work processes has strongly affected several traditional job categories in industrialized countries, such changes generally being less for advanced and slower-paced in developing countries. Typesetters and compositors are the categories that have declined most dramatically. Some compositors were retrained to work as DTP operators, but few were able to find employment in new media, even for jobs related to print composition such as web site designers. Qualification requirements in the multimedia industry are generally higher than in the printed media. Many multimedia workers have no background in the graphical industry, and some have found work straight after higher education, whereas technical jobs in the printing industry usually require secondary schooling and vocational training. Multimedia workers are generally well paid, change jobs and employers very regularly, and are often not unionized. Printing industry workers seeking employment in multimedia are also limited by the fact that, apart from their existing technical qualifications, other skills are required such as creativity, flexibility, client orientation, and communication and teamwork skills.

The fastest-growing occupations in the United States until 2010 are predicted to include desktop publishing specialists, with moderate growth in other printing and binding work. The projected reduction in pre-press employment can be directly linked to technology, as the major declines are among those directly challenged by the digital revolution – including typesetters, paste-up workers, photoengravers, camera operators, plate-makers and film-stripping workers.

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## 2.5. The role of governments in promoting the media, culture, graphical sector

Live performance is an indispensable and basic component of the arts, and has traditionally enjoyed substantial public funding and subsidies in most countries. Indeed, many countries used to have state-financed theatre, opera, ballet and other live performance companies, but many of these have been slimmed down, privatized or closed. In the past 20 years, generally less and less money has been available for the arts, and live performance has been a major victim of the decline in public arts funding. Governments appear to be less active in promoting live performances than in the past, and corporate sponsorship and contributions from foundations and individuals are increasingly important.<sup>31</sup> However, according to an ILO study,<sup>32</sup> while laws have been adopted to promote culture in Brazil, and increased public funds have been provided for musical training, live performance and local music in the Philippines, in many other countries little had been done to promote live performance. Initiatives to create employment for artists and performers (or to make such employment more sustainable), including several schemes funded by the European Union, hold some promise.<sup>33</sup> In this field, one technical cooperation project proposal being examined by the ILO, UNESCO, UNCTAD and other agencies at the time of writing is aimed at promoting employment and trade in the creative industries in selected developing countries. It is hoped that the project will be launched in 2005. Several governments have focused specifically on the promotion of cultural diversity as a means to promote sustainable employment and a richer cultural life. UNESCO has done much work in this area. There has been a decline in support from governments for public service broadcasting, combined with increasing calls for privatization or greater commercialization of such services.

The traditional role of governments in the film industry was often one of censorship or approval of films, encouragement of local film companies or restriction of foreign imports, promotion of the national film industry and national content, and sometimes direct financing of films. Now governments tend to be less directly involved, and independent bodies now perform some of their previous functions. Many governments have set up film commissions to promote the use of their locations, production facilities and labour by film companies, whether local or foreign. Some provide incentives, tax rebates and discounts, such as the assistance given in New Zealand to facilitate the filming of the highly successful *Lord of the Rings* trilogy, which has helped to raise the prestige of the film industry worldwide as well as boosting tourism substantially. In countries like South Africa, the local film industry would be unable to survive without investment by foreign film companies. In addition, globalization and ICTs have facilitated “runaway production” of American films in other countries, especially Canada. However, changes in exchange rates or other factors often lead to moves to other locations, making it dangerous for any national film industry to base its long-term future on enticing runaway productions.

<sup>31</sup> See D. Crane, N. Kawashima and K. Kawasaki (eds.): *Global culture: Media, arts, policy, and globalization* (New York, Routledge, 2002), Parts I and II.

<sup>32</sup> See J. Vincent: *The social situation of musical performers in Africa, Asia and Latin America*, SECTOR Working Paper WP.172, Geneva, ILO, 2001.

<sup>33</sup> See International Intelligence on Culture: *Innovative developments and good practice that promote and sustain employment in the performing arts*, Research paper commissioned for the Live Performance Social Dialogue Committee by the European Commission and the European Entertainment Alliance (FIA, FIM, UNI-EUROPA MEI, PEARLE), London, 2001.

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The European Union's Social Dialogue Committee for the Performing Arts agreed in 1999 to make the promotion of the performing arts their main issue within the framework of social dialogue, by addressing ways to increase audiences and employment, examining good practices and rules to promote live performance, focusing on the free circulation of performers in Europe, agreeing on a common lobbying strategy, and developing a network of national committees to support live performance. There have been significant initiatives in local government promotion of the arts as an employment generator in many cities throughout the world (e.g. in Barcelona, Berlin, Bogotá, Cape Town, Glasgow, Manchester, New York, Paris, Singapore, Stockholm).

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### **3. Impact of ICTs on the sector**

#### **3.1. Impact of new technologies on processes, content and quality**

##### **A. *Broadcasting***

In the past 25 years, broadcasting has been transformed from a fairly clearly defined, often state-owned or subsidized, national public service sector into a multinational business more focused on commercial success. Major broadcasters often straddle the media, entertainment, film and other industries (software, construction, telecommunications, utilities, etc.), and many are reaping benefits from multimedia convergence. Meanwhile, there has been a huge growth in small independent television production companies, and significant changes in the radio industry in terms of numbers and types of stations, sound quality, ease of reception and employment. Outsourcing and globalization are increasingly important. Broadcasting has been at the forefront of many technological changes, notably in digitization, in enhancements to existing services (in radio broadcasting for example, digital technology now enables listeners to obtain traffic and other news while listening to a cassette, CD or another radio station, to enhance tuning, and to display the name of the station, etc.) and in new ways of selecting what to broadcast and how to charge consumers for such services (e.g. satellite radio services for cars).

Technological advances have continued in broadcasting in recent years, including the further development of satellite technology and infrastructure, wide-screen high-definition digital picture quality, fibre-optic cable networks, and pay-per-view for sports, cultural and other programmes, and so on. More directly affecting employment, there has been a transition from slow, complicated and unreliable electro-mechanical broadcasting equipment to digital equivalents that have provided major efficiency benefits and tended to strengthen the employer's hand in labour-management relations. For example, many United States broadcasters are using control room automation systems (e.g. ParkerVision) that allow one person to do the jobs of five or six behind-the-scenes employees to help run programmes, and a practice called "hubbing" that centralizes master control operations in TV stations. Digital broadcasting and digital cable are increasingly important in North America and Europe. Fibre-optic cable and other technologies now permit the transmission and reception of greater quantities of data, making ever-greater choice available to consumers. Digital cable and alternative technologies such as digital microwave systems allow consumers to send return signals to programme suppliers, opening up additional possibilities. The integration of the computer with the home entertainment system and the new generation of television screens can combine with the return signal capability to provide full online interactivity and true video-on-demand (VOD), which gives the consumer the freedom to order any film or programme at home at any time. Many broadcasters have also been expanding their number of channels for the digital environment, to cater for specific market segments.

In general, multimedia convergence, industrial concentration and new organizational management approaches have all fostered the integration of film and television production (especially in the United States), rather than maintenance of separate structures, and this has had negative employment implications for certain categories of staff in broadcasting and film.

In the television and radio industries, satellite and cable broadcasting technology now greatly increases the number of channels, which can be received in many different

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countries at once, often in non-local languages. These factors have had a major impact on advertising, competition, programming and staffing (and also on language and culture) in many broadcasting companies. However, much satellite and cable programming consists of old television series, foreign programmes, sport and films, and there has been relatively little new investment in original production by cable and satellite companies. Thus, work opportunities for performers, except perhaps in a few leading countries, may differ little from those available before cable and satellite, but there are significantly more openings for media workers – presenters, journalists, technicians, producers and others – with these new channels.

The tremendous growth in income from advertising or other sources in certain broadcasting companies that have expanded using the ICTs has resulted in very high salaries for certain celebrity actors, comedians and other personalities, but salaries for performers at lower levels do not appear to have risen much (see section C, below).

The role of governments in regulating broadcasting has also evolved considerably in recent years, although it varies widely from country to country and is strongly influenced by political, religious, moral, commercial and other considerations. For example, the British Secretary of State for Culture felt that the next challenges for public policy in the broadcasting environment following the Communications Act was “Getting the conditions right for the market to flourish and deliver *quality* and range to the public” (emphasis added) as well as preparing the country for the switch to digital television by around 2010, setting in train an effective process to review the BBC and getting Ofcom running especially to review public sector broadcasting.<sup>1</sup>

Public broadcasters everywhere have a similar problem: they once controlled the airwaves, but now channels are multiplying, costs are increasing because of competition for talent, and broadcasters’ revenues are not rising as fast. Since many broadcasters are state-owned, governments around the world have to choose whether to increase or decrease their funding, or open them to the private sector. The choice has been made starker by the success of international media companies offering pay-television channels and of national commercial broadcasting firms. Government funding is now much less likely to go towards preserving state-owned broadcasting than for financing individual projects or a public-service channel. Governments have often sold part or all of their holdings in broadcasting organizations, while retaining some control over standards, content, ethics and the like.

In the United States until 1994, government restrictions on radio station ownership prevented broadcasters from owning more than two stations in a single market. With the deregulation of the industry, allowing firms to own up to eight stations in one market, there have been many mergers and acquisitions, with fewer purely radio operations. This has been accompanied by considerable growth of mixed-media companies like Viacom that sell advertising space on radio, television and billboards in one transaction. Gross advertising revenues for radio in 2003 were US\$19.6 billion.

Similar restrictions apply to television. A company is only allowed to control one broadcast network, and the collection of regional and local television stations held by one group is not allowed to exceed 35 per cent of the American audience. However, the rules on ownership of networks were loosened (e.g. in the merger of Viacom and CBS 1999-2000), and calls were made to remove the 35 per cent cap. After detailed discussion in June 2003, the Federal Communications Commission (FCC) adopted a series of rules loosening limits on media mergers. However, a federal appeals court in Philadelphia

<sup>1</sup> Ms. T. Jowell, in an address to the Royal Television Society biennial convention, 18 Sep. 2003.

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ordered a delay in implementation (which softened the impact of the legislation, in effect imposing a moratorium on the regulations until the court decides if the rules are legal), while it heard several challenges to the policy. It is expected to rule by mid-2004. In March 2004, the United States Senate Commerce Committee voted to bar the FCC from implementing its media merger rules for 12 months. Attached to a bill imposing fines on broadcasters that break indecency guidelines, the measure still required the approval of the full Senate and House of Representatives. It also required that the General Accounting Office examine the relationship between media consolidation and violations of indecency prohibitions during the year-long moratorium. Opponents of the amended FCC merger rules are continuing their campaign. Congress had already attacked the FCC decision to increase the percentage of households that any single owner of television stations may reach to 45 per cent, and reduced the cap to 39 per cent as part of a compromise with the White House.<sup>2</sup>

In July 1999, the European Commission launched a formal investigation into the financing of public broadcasters in Italy and France, following complaints from private broadcasters that public television companies were undercutting them as a result of capital injections, subsidies, tax exemptions and so on. The Commission has been under pressure from private broadcasters to clarify the rules specifying when public stations can outbid their private rivals for certain kinds of programming, or undercut advertising rates.

Major issues for the future include questions relating to further privatizations, regulations on content, programme balance, discrimination, fostering competition and restricting monopolistic behaviour, freedom of expression, media access and responsiveness to consumer demands; the effects of technology and restructuring on employment and working conditions, especially freelancers; the role of advertising in broadcasting; and the question of who should provide training – the industry or the individual.

## **B. Film industry**

Major technological changes are beginning to take hold in the film industry in many countries, with the United States at the forefront of the digital cinema production and editing revolution. Emerging trends suggest that the more widespread adoption of advanced digital equipment will have a major negative impact on the employment of technical staff in the film industry in many countries, as film and videotape technologies are displaced. One area of technological change has been animation, in which Walt Disney closed its cartoon drawing facilities in 2002 (see Chapter 2.2). The film industries in many countries have already experienced a marked negative impact on their success and competitiveness as a result of increasing market penetration by American-made films, which can be attributed to globalization, ICTs, better marketing, the ability to attract the best talent from around the world to their studios, the growing dominance worldwide of a culture closely connected to the United States' media and entertainment industries, and so on. The possibility of lower-budget films, thanks to the use of digital equipment, may represent a new threat. The film industries of India, Mexico, Hungary, France, South Africa, Brazil and other countries are all witnessing increasing numbers of dubbed American-made films in their cinemas, while fewer locally produced films can compare in terms of box office success.

<sup>2</sup> See R. Orol: "FCC blocked on merger rules", in *The Deal* (New York), 9 Mar. 2004, at <http://www.thedeal.com/NASApp/cs/ContentServer?pagename=IWM&c=TDDArticle&cid=1078420952031>.

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India is the world's largest film-producing country, but the number of films produced per year has varied widely (948 in 1990, 697 in 1997, 1,013 in 2001), partly because severe restrictions on film imports have been relaxed in recent years, allowing American and other foreign films greater ease of access. The centre of the Indian film industry "Bollywood" (Mumbai), employs more people than Hollywood, but there are many other film production centres in India. Technologies have had less impact on employment in India than elsewhere, as the pay among "daily rate workers" is low and the unions have a say on the introduction of technologies and on employment issues. Digital technologies for filmmaking have been introduced, but there is a considerable unmet need for training in the use of the new equipment, and less emphasis on the need to reduce labour costs than in other major film-producing countries.

As noted earlier, the American film, television and entertainment industries are major net exporters and very significant contributors to the economy, setting standards for consumers around the world, and are unrivalled in size or volume of exports, but many workers in Hollywood find that their job opportunities have dwindled as film industry investment is increasingly concentrated on a few "blockbusters" and there is a trend towards "runaway production" – producing films in countries other than the United States for economic reasons. However, this trend has diminished since 2003 owing to the weakness of the US dollar and other factors.

Technological developments have permitted such production innovations such as remote dubbing of voices and soundtracks for films and television, simultaneous recording of music by performers in studios in different countries onto a single track, synchronization of visual effects and musical score being prepared at the same time on opposite sides of the Atlantic, using ISDN lines and other networks. The film industry has been able to move away from traditional spools of film for projection in cinemas towards digital transmission of electronic master copies directly to the cinema, and increasingly to digital production and editing of the films themselves.

The 1990s saw the explosion of uses of film in supplementary markets, the growth of new supplementary markets worldwide, and the release of material in other formats. Other than videos, perhaps the first of these was the CD-ROM, which permits interactivity with the user, but its capacity is insufficient for feature-length films. The more current technology is DVDs, capable of delivering digital quality pictures and sound for a full-length feature film, with enhanced features, such as alternate versions, other languages, notes and biographies of participants "surround sound", etc. Many major films are now released on DVDs.

Multimedia convergence, industrial concentration and new organizational management approaches have all tended to encourage the integration of film and television production, rather than having separate structures. This has had a negative impact on employment for certain categories of staff, but in many countries the overall employment figures have improved substantially. Processes have been altered to accommodate the development of computer special effects, and take advantage of the possibilities of producing animation, soundtracks and other elements in countries other than the one where filming takes place. A transition from slow, complicated and unreliable electro-mechanical camera and sound equipment to digital alternatives has increased efficiency and tended to weaken the trade unions in labour-management relations (because of changes in workload, skill sets and employment in the industry).

The French Government (among others) has expressed its wish for a "cultural exception" to the principle of free trade, with specific reference to the film industry, and has argued in favour of a balance between French, American and other films being released in French cinemas. This discussion resurfaced in WTO talks and in UNESCO

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discussions on a preliminary draft International Convention on the protection of the diversity of cultural contents and artistic expressions.<sup>3</sup> In February 2003, 35 countries, led by Canada and France, met in Paris to discuss maintaining the WTO's recognition of a "cultural exception" in the context of negotiations on trade in services.<sup>4</sup> It is in these terms that questions like the protection of French entertainment workers' rights are sometimes framed: the need to protect the French cultural character and those employed by this industry from the tides of globalization and the undertow of commercialization.<sup>5</sup> In France, film producers registered with the National Centre for Cinematography can obtain an annual subsidy based on a percentage of its levy on all films released in France in the year – payable only for reinvesting in new film production or reimbursing debts on a previous film.

### **C. Live performance**

Live performers (actors, singers, dancers, variety artists, announcers, hosts, puppeteers, stunt performers, circus artists and others) bring to life artistic visions expressed in scripts, compositions, mimes or sketches, fulfilling the vision and giving it new meaning. They also work in other media, such as broadcast entertainment, television commercials or films. However, in many countries the live arts sector is the largest employer of performers and the one in which they can expect to earn most of their income – not because the work is better paid than in broadcasting or film, but simply because there are more work opportunities in live performance.

Performers are generally in casual employment or are self-employed (freelance or independent contractors), so that each year they will work for several employers and have periods during which they are not working. Those who work for permanent orchestras, theatre companies and the like may be engaged on long-term, ongoing contracts, but this is less frequently the case than in the past, especially in countries such as China and the Russian Federation, where the performing arts have undergone major change in recent years.

Performers may find that the need for a live performance is diminished by recording, but recording live performances often generates interest in live entertainment, and there will always be live audiences – studio recordings are simply not the same, for performers or the general public.

In many countries, performers have an ongoing economic interest in their work, because others gain from the value they add to a work and because they can be in a position of competition with themselves. This economic interest can take the form of residual, repeat or royalty payments. Among the arts, design, entertainment, sports and media occupations in the United States, performers' mean annual wages were estimated at

<sup>3</sup> See the Universal Declaration on Cultural Diversity, adopted at the 31st Session of the UNESCO General Conference in 2001, <http://unesdoc.unesco.org/images/0012/001271/127160m.pdf>, and the report relating to the second meeting of experts on the preliminary draft International Convention on the protection of the diversity of cultural contents and artistic expressions, Paris, UNESCO, 30 Mar.-3 Apr. 2004, at <http://portal.unesco.org/culture/>.

<sup>4</sup> See G. Bhaskaran: "Moves to curb Hollywood dominance in films", in *The Hindu*, 9 Feb. 2003; and T. Fuller: "Paris wins amendment in new EU Constitution – Veto power on some cultural matters", in *International Herald Tribune*, 11 July 2003.

<sup>5</sup> See, for example, R. Graham: "Curtain comes down on French arts festivals in row over casual labour unemployment benefits overhaul", in *Financial Times*, 11 July 2003.

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\$26,540 for dancers, \$48,940 for actors and \$51,580 for musicians and singers in May 2003,<sup>6</sup> the hourly rate for dancers being \$12.76.

As employment of musicians relates more to the sound recording/music industry than the film and television industry, they have different employers and are represented by their own distinct trade unions in most countries, while sharing many perspectives of other performers on new media developments. It should be noted that in 2004, major record labels were reviewing their contracts with many performers and terminating a large proportion of them, in order to focus their resources on best-sellers and emerging talents, in a context of major mergers in the industry and changing business models for distributing music via paid downloads.

The technological changes that occurred around the end of the twentieth century were by no means the first to have changed performers' working environment. Until the twentieth century, the performer's work was ephemeral, existing at one place and time, and efforts to organize performers into trade unions had been made only in a few, mostly European, countries. In the 1920s and 1930s, when the recording of sights and sounds became available in many places simultaneously, the world changed, and performers had to learn new skills in order to succeed. Whole new categories of performance emerged. Some individuals failed to make the transition to recording, or subsequent transitions (silent movies to talkies, for example). The recorded media brought new challenges for performers and their unions. Some unions representing live performers saw these developments as a threat, and did not seek to represent the new sector; others expanded their mandate to include them.

In general, live entertainment uses relatively little in the way of ICTs, with the exception of computer-based musical instruments, systems for scene-shifting, lighting, and giant television monitors displaying (for example) close-ups of the performance or opera libretto subtitles. There have been many examples of the conjunction of live entertainment and ICTs since the Net Aid concert held on 9 October 1999 in London, Geneva and New York, which was transmitted by television and over the Internet. For example, the AIDS benefit concert in November 2003, hosted by South Africa's former president Nelson Mandela in Cape Town, was broadcast live by the South African Broadcasting Corporation's Africa channel and on the Internet as part of an appeal to governments to declare a global AIDS emergency. Live performances are often supplemented by interactive elements available on computers, allowing viewers to send funds to charities over the Internet and to find further information concerning the event and the fund-raising beneficiaries.

Worldwide, performers have a vital stake in the development of the Internet. Since the early days of the Web, it has been possible to obtain digitally perfect radio and television materials, although entire audiovisual programmes remain rare. Most of the world's largest producers and broadcasters maintain web sites, primarily for promotional purposes and the sale of merchandise related to their productions. However, it is possible to download film trailers and samples from the latest musical recordings. Some independent film producers are using the Internet to distribute their latest short films. MP3 technologies are establishing the Internet as a viable distribution system for musical recordings, bypassing traditional music distributors and record stores, although a similar development for audiovisual material is not so easy, given the substantially larger volumes of data required to transmit it.

<sup>6</sup> See United States Department of Labor (Bureau of Labor Statistics): Table 1: National employment and wage data from the Occupational employment statistics survey by occupation, May 2003, at <http://www.bls.gov/news.release/ocwage.t01.htm> .

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Performers have a stake in both aspects of new media – new methods of distribution and new creative products. Existing programming in which performers appear receives new life from these developments, and the producers/developers have new distribution channels to make the work available. Performers are called on to act, sing, narrate and otherwise perform in productions created specifically for these new formats and emerging marketplaces.

With regard to musicians, the development of computer systems that are used in live performance and recording sessions has diminished the demand for live and session performers, reduced the musical skill requirements for obtaining work, and had a negative impact on the professional status of musicians. On the other hand, it has also permitted a wealth of musical innovation, and it is likely that many performers will enhance their work opportunities by adopting or adapting to the new computer-based equipment. Digital recording techniques have greatly enhanced the recorded sound quality of live musicians, whether in the studio or the concert hall, and this can provide additional income for performers and music companies selling such live recordings.

Within the music business, new opportunities may be opening up to performers from developing countries to enjoy greater success on world markets without having to leave their home countries. Jamaican music has a huge international following, but it is British, American and other recording companies that have benefited from this, rather than the country of origin of the music, partly because Jamaican manufacturing processes were largely confined to vinyl records (and, to a lesser degree, cassettes), while CDs have had a long had a dominant position in global markets. Jamaican companies and recording studios have been unable to compete effectively with their multinational counterparts in terms of studio technology, distribution networks, corporate power, musicians' fees, marketing and other factors. However, efforts are now being made to give musicians from Africa, the Caribbean and elsewhere better access to world markets by improving the quality of recording studios and enterprises and distributing music via the Internet.

Reported earnings of performers have generally grown over the past decade beyond the levels of the collectively bargained fee increases. While there was growth in both original production and residual fees, the latter rose faster, which means that performers are receiving relatively more for the circulation and re-use of their work, brought about by the explosion in demand for material. In some production agreements, there is a benefit to producers who agree to prepay for certain use rights at the time of production. The fees for each market are lower than if the producer decides later to exploit the work in that particular market. Accordingly, the fees received by the performer at the time of production are a mix of session and use fees. Residuals are a significant issue in collective bargaining in Australia, Canada, the United Kingdom, the United States and elsewhere. In North America, payment for use in supplementary markets generally requires a royalty or a share of the producer's receipts to be divided among eligible performers. The leading agreements provide that 3.6 per cent of the distributor's gross revenues are provided to performers, divided among all performers in residual categories, based on a formula which factors in the time spent actually working on the production and the original fee received, with a maximum that prevents one or two performers from receiving most of the royalty.

Performers are involved in enhancing existing films and television programmes for release in various formats, when adding sub-plots, dubbing, alternative endings or a new voice-over component. When producers film additional scenes or footage at the time of production to permit the interactive component to be added subsequently, additional work is in some cases created for performers, but there has been no significant impact on performers' earnings from this so far.

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The possibilities the Internet provides for promoting live performances, including selling tickets or reserving seats online, indicate that many theatres and concert venues cannot afford not to embrace the technologies. Wider dissemination of theatrical, musical, dance and other recordings via television and the Internet can encourage greater public interest in attending “the real thing”.

#### **D. Performers in multimedia and other new media work**

One of the more mature segments of new media production that uses performers is the production of live action sequences for computer/video games. Most performers’ unions in industrialized countries have experience in this field. Such production has brought new opportunities for actors, narrators, voice-over artists, singers, stunt performers, dancers and others and is growing in importance worldwide.<sup>7</sup> In 2002, the American Federation of Television and Radio Artists (AFTRA) has negotiated a new collective bargaining agreement for interactive productions in the United States, which covers games that appear on CD-ROM and the Internet, as well as other entertainment-oriented interactive programs.

Digital television requires new production, but this has had little direct impact on performers, since their fundamental role has not changed, and such production largely replaces traditional technologies like videotape. Additional work is required to film the scenes in a fully interactive production, the script for which will be much longer than typical film or television scripts, but offset by increasing use of computer-generated images and performances. Differences and nuances exist where rights for performers are established by law versus rights in contract, and between contractual rights accorded or supported by law and those that are purely voluntary. In new media production, the interests of performers and producers may diverge significantly, which is not the case with existing material, since producers have substantial control over the process. Generally, rights provided by law improve the performer’s position, although this is not always true. Where collective bargaining takes place pursuant to a country’s labour laws, labour boards may certify the performers’ unions as the bargaining agent and require negotiations.

Developers in new media often have low budgets for performers, compared to mid-range feature films or television dramas. Such developers have insecure and uncertain markets, with distribution occurring through book, record, computer or video stores. Many have little or no experience with trade unions or the concept of ongoing economic rights for performers, and are in an industry that has generally poor labour practices. Even where a large multinational is ultimately responsible for distribution, a small company is often created to develop the work and engage performers. There is uncertainty about which associations represent the interests of the new media developers. Some developers have links to traditional film, television and publishing companies, whose associations represent their interests, including in collective bargaining. In most countries, trade associations representing new media developers are emerging as the industry itself grows, and this creates challenges for the unions.

Most performers’ unions report that developers are seeking reduced fees for the original work and to acquire all rights in perpetuity for all potential markets. The Interactive Agreement of the Screen Actors Guild in the United States provides a “buy

<sup>7</sup> In the United States, performers are employed on terms outlined by the Screen Actors Guild or AFTRA in their Interactive Media Agreements; see for example <http://www.aftra.org/member/irates.htm>.

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out” for all current uses. AFTRA has negotiated arrangements for a few projects that provide for 30 years of use rights in CD-ROM and DVD formats. While such positions may make sense for developers who have relatively small budgets and uncertain distribution networks, the trade unions have often fought hard to defeat such concepts elsewhere.

Performers’ unions in the recorded media are trying to extend their jurisdiction to performers in new media. Existing members of these unions have the expertise required by new media developers, and collective bargaining agreements cover the circumstances involved in filming new media work. Developers use the services of professional performers when they undertake production, and most unions have successfully asserted their jurisdiction. However, challenges to union jurisdiction, and the applicability of the agreements to such work, may grow as the industry matures. Asserting jurisdiction in this field varies for almost every country; outcomes will be determined according to local laws, relative strengths of the unions and the employers, and other factors. However, if laws provide that individuals cannot be filmed without their consent, or provide a statutory process for obtaining certification rights in a country with a strong tradition of union organization, the union’s task is made easier.

The lack of success of new media developers to create applications for mass markets can be traced in part to inadequacies in the technology, but also to a failure to embrace the idea that interactivity may require new storytelling techniques. The traditional linear story with a beginning, middle and end may need to be replaced by a more dynamic process that permits consumers to fashion their own individual story from options presented. Scripts for interactive production may be much longer than for an equivalent traditional production. Scriptwriters must learn new skills and new ways of thinking. Directors and other members of the creative production team may also need to apply different methods. Many countries are now beginning to produce television programmes specifically for webcasting.

Certain categories of performers will be affected by these changes, including puppeteers, stunt performers and other performers. New digital production techniques may require more sensitivity in physical movements, for things such as motion capture. However, the job of actors has always been to convince an audience that they are someone they are not, that a given fictional situation is real. Actors have been required to deliver their performances in a variety of different combinations, working with others or alone, pretending to be in dangerous situations when they are in a studio. The actors in *The Lord of the Rings* trilogy were often unable to see large parts of the sequence in which they were acting, but made the audience believe they were in the thick of the action. This is similar to producing a scene in a studio against a blue background, as is done for many interactive projects. These skills will continue to be required, regardless of how the production is put together, and whether or not it involves the use digital techniques.

In the longer term, the work of the actor may be changed by new technologies. We have already seen the move to digital special effects and digital stunts. Animation techniques improve and make such productions more and more realistic. There have been productions involving performers physically separated by time and geography and examples of significant alteration of performances. For instance, some scenes of *Gladiator* had to be rewritten and reworked significantly because of the untimely death of Oliver Reed, one of the stars of the film, before filming had finished.

The voice synthesizer is emerging as a possible replacement for some voice artists, while the motion capture technique may begin to replace dancers in some cases, and the creation of entirely computer-generated performances and stars, so-called “synthespians” or “vactors” (virtual actors) is possible. However, this raises fundamental issues. If you can “resurrect” performers with well-established track records to appear in entirely new works,

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will it increase the difficulty for the next generation of performers? What is the legal situation for the company and its roster? Legal cases in the United States suggest that copyright holders of digitally created derivative work, based on digitized versions of recorded performances in which a performer consented to appear, have stronger rights than those of the performer in the original work. The situation for performers in other countries may be little better. Many of the same principles could apply, and the question remains whether such work is a re-use of an existing copyright-protected work, or an original work. In any case, performances are only protected for 50 to 75 years, after which the work moves to the public domain and becomes fully available to those who wish to use it in new ways, or to manipulate it in a manner not intended by the original performer.

## **E. Media journalism**

Digital production, content management systems and electronic workflows are now commonplace in media newsrooms around the world. While newspapers and magazines have content management systems, TV and radio have electronic news production systems. Feeding digital elements into these systems are the content providers – journalists, camera operators, photographers, illustrators – who in turn are increasingly fed by online services: newswires, library databases, image banks and the Internet. Most large newspapers and magazines have also developed online media, and these often began as distinct operations, with new staff hired on a different contractual status from print colleagues. However, there has been considerable convergence of journalistic work between online and print media in recent years. The reasons for this include synergies between the different operations, as well as efforts to reduce costs. Most journalists in such operations report having to do more work for the same pay.<sup>8</sup> Other forms of convergence are being sought between the diverse media interests of some conglomerates – content from books to television and Internet services across the various parts of an organization, cross-promotion, encouraging greater compatibility between the cultures of different branches and specializations, and consolidating operations geographically as appropriate.<sup>9</sup> Convergence, like the introduction of ICTs, needs to be carried out with effective consultation and participation of those involved, in order to allow time to adapt to the changing environment and workplace culture, to improve the multimedia content, to adopt appropriate new work organization methods, and to avoid conflict. In most cases, this is more likely to result in enhanced job satisfaction, better career prospects and higher quality overall.

The biggest and furthest-reaching single ICT development for the media has been the growth of the Internet, which has revolutionized the processes of news and information gathering, publishing and distribution, as well as the associated products, services and ways of working, and has had both positive and negative impacts on quality and on work. In recent years, the Internet has emerged as a significant medium in its own right. Newspaper, magazine and book publishers have learnt many lessons about it from their own experience and from studying competitor activity locally and around the globe. The Internet needs to be treated as an entirely new medium, and newspaper publishers are going well beyond simply thinking of online facsimiles of newspapers by actively exploiting opportunities to offer various new products and services that surpass printed products. For example, some newspapers are providing instant newsflashes and alerts, developing newsletters, weblogs and discussion groups, or publishing classified

<sup>8</sup> M. Deuze: “What is multimedia journalism?”, in *Journalism Studies* (Sheffield, United Kingdom), 2004, forthcoming.

<sup>9</sup> J. Singer: “Strange bedfellows? The diffusion of convergence in four news organizations”, in *Journalism Studies* (Sheffield), Vol. 5, No. 1, 2004.

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advertising only on the Web, while others are concentrating on information technology publications for specialist audiences. The newspaper business had long been virtually the sole recipient of classified advertising revenue worth billions of dollars in the United States alone, and some of that revenue has shifted to the Internet, so that media companies have had to move quickly to keep pace.

Looking specifically at online newspapers in Latin America, a survey for *El Tiempo* (Bogotá) found that although 10 per cent of them are round-the-clock, six-day-a-week operations, most of them are closer to traditional newspapers in terms of work organization. Their journalists are mostly aged 20-30 years, half of them earn less than their print colleagues, and many print journalists often view them as lower-level professionals. They spend most of their time on writing, editing, multimedia development and content processing rather than on reporting.<sup>10</sup> Around half the online newspapers use audio and video on their sites, and it is clear that few of them are mere online copies of the print version – most add material that cannot be displayed in newspapers, some provide real-time news flashes, and many omit certain items that are only available in printed form or via subscription.<sup>11</sup>

Broadcast journalists need to learn to use various database-driven content management systems, as well as applications like Photoshop, Illustrator and Quark, especially when working across several media. Radio production journalists using these applications are now often responsible for producing scripts ready for air and audio ready for transmission, undertaking work previously done by people whose jobs have disappeared, like studio managers. TV production journalists are still more reliant on technical support, mainly because the electronic news production systems (ENPS) technology for TV is behind that of radio. Nevertheless, television crews have been scaled down, and journalists now go out with just a camera operator. With more broadcast outlets – radio and digital TV, a World TV channel, an online news service, and analogue services – reporters can be asked to file versions of stories for many more outlets than before.

A senior British broadcast journalist has commented that: “Employers have used the new technologies in broadcasting to achieve ‘multiskilling’ of journalists, making them carry out technical production work on top of their editorial work. The majority have acquired these new skills, but most would say technical and editorial standards have dropped because they are not specialists. I have often heard reporters say that they are too busy filing to meet all the requests from the different outlets, that they do not have time to find out what the story is, or keep track of developments – i.e. actually do the reporting job.”<sup>12</sup> Some employers argue that individual journalists are acquiring new skills that make them more employable if they want to work elsewhere. However, the journalists’ unions tend to argue that most broadcasting organizations have pushed this too far, opting for levels of journalist staffing of individual bulletins and programmes that are too low, and that employers have not passed on the benefits of increased productivity to the journalists. They believe such issues should be taken up in a broad agenda, also covering safety and health (especially stress and repetitive strain injury). Journalists sometimes produce stories for three different media (radio, TV and the Web), so that they take longer to finish the job,

<sup>10</sup> W. Sandoval: “Las unidades on-line no reportan ingresos suficientes a las empresas de medios”, in *El Nacional* (Caracas), 28 Apr. 2004.

<sup>11</sup> *ibid.*

<sup>12</sup> T. Goodchild, BBC, quoted in ILO: *Background document*, Symposium on Information Technologies in the Media and Entertainment Industries: Their Impact on Employment, Working Conditions and Labour-Management Relations, (Geneva, 2000), p. 11.

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have to edit late at night, and need to be a jack-of-all-trades. Doing so many different jobs can be stressful and may not be the best way of getting the work done.

For journalists in general, particularly freelancers and employees of smaller publications, technology has changed the way of working. Most changes are for the better, although technology can have unfortunate side-effects such as increasing the pressure on the reporter by raising expectations and leading to “information overload” that can get in the way of work and quality. The personal computer, the modem and the Internet have all speeded up the process of writing and filing stories. The computer eliminates some of the time-consuming steps of editing on paper and retyping. Many creative writers and some journalists lament this, believing that the process of typing two or more drafts helped them polish their copy. Others argue that word processing makes changes and corrections much easier, so that writers are encouraged to do more polishing, rather than less. The time saved is usually beneficial, even if some reporters believe retyping a draft sometimes produced better results than hurried editing of on-screen text.

For freelancers, word processing means greater productivity. Time once spent retyping a clean copy can now be devoted to the next article. This can translate into more income, if work is available, but money is needed to pay for up-to-date computer and other equipment that is becoming increasingly necessary. The cost of such equipment is an issue for publishers and journalism schools, and is critical for developing countries. Although new technology introduces some extra costs, it has also brought benefits. Laptops enable reporters working remotely to deliver stories quickly, simply and reliably using a modem, rather than dictating them to a typist on a rewrite desk. The ability to submit stories and communicate with editors electronically saves time for most journalists, particularly freelancers, who often used to deliver their finished copy by hand. Now they can easily work for publications far from home, without worrying about the time and cost of delivering completed work.

The impact of computers and modems is less important to most reporters and editors now than the Internet as a means for gathering information. Research among national, international, business, broadcast and technology journalists in 2002 indicated that the Web was seen as a prime source of information by around three-quarters of journalists, and 40 per cent of respondents had been using the Internet since 1995.<sup>13</sup> When used well, the Internet removes the disparities between editorial employees of medium-sized and large daily newspapers and their colleagues at smaller dailies or specialized periodicals and freelancers. Thus, magazines, trade publications, online news services and freelancers now have access to material they previously could not obtain or had to request through other channels. Web sites set up by companies, government departments and agencies, pressure groups and others also provide useful information that journalists can access quickly from their desks. The disadvantage can be that this accessible but often biased and self-serving information becomes a substitute for independent reporting. Reporters and editors have to be vigilant, but press releases are often useful, and the ability to obtain them quickly and conveniently when needed leaves more time for real reporting. Other technologies contribute to wider access as well. For example, it has become increasingly common for firms to hold telephone conference calls with reporters to discuss financial results, product announcements, mergers and acquisitions, and some companies even webcast such events. Reporters who would previously have had to choose between travelling to cover a story or relying on phone calls can now listen to and put questions to senior managers without leaving their offices. Audio and video conferences can replace face-to-face meetings, in journalism and other areas. These can ease time pressures, and open opportunities to

<sup>13</sup> Rainier International: Global study on journalists’ use of the Internet, Mar. 2002, at [www.rainierco.com/internet\\_based\\_reporting.html](http://www.rainierco.com/internet_based_reporting.html).

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freelancers and journalists working for smaller publications that were previously reserved for those whose employers would pay travel expenses. For many publications in the past, if time and money were invested to send a reporter any distance, a story had to come out of the journey to justify it. Most broadcast journalists now have desktop access to online services, including their own internal library database, wire feeds, the Web and email, as well as electronic news production systems that can allow journalists to do everything on-screen, including audio and video editing.

Newsrooms in most industrialized countries are now fully online, having gone from a notable lack of access for most journalists, to almost complete access, at least in major firms, since the mid 1990s. However, this process has taken much longer in developing country newspapers. Internet usage in industrialized country media is also now nearly universal.

Another impact of ICTs on journalists is the fact that for 20 years, technology has been one of the most popular subjects for publishing. Magazines about computers and telecommunications have proliferated. Daily newspapers and business and consumer magazines have reinforced their coverage of technology. Journalists who acquired some knowledge of the subject have had a rich vein of job opportunities and freelance work.

Freelance journalists can avoid some of the uncertainty that comes with working in an industry in transition by having a foot in both camps, i.e. doing a mixture of work for traditional and new media. The rise of online media means new opportunities, but some old markets are fading away, so freelancers have to be adaptable.

Undoubtedly, the biggest recent change in journalistic practice came from the Internet, with the use of the Web for research and email for communication since around 1995, but usage was low until around 1999. Senior managers and journalists enthusiastically adopted the Internet because they saw it as a way of reducing costs. Searching the Web to obtain research and data from companies, government departments and official institutions was the principal use, followed by reading foreign newspapers and press releases. Journalists have been working from home more in recent years, and increasingly using email and mobile phones rather than face-to-face contacts. Additional research resources enable journalists to attempt stories that would previously have been beyond them, but while stories may have greater breadth, there are increasing problems of information overload, doubts over sources, and so on. ICTs are increasingly central to the journalistic process. More and more publishers, particularly in national newspapers, have made the Internet a universal and indispensable tool.

While the Internet seems to have made life considerably easier for freelancers, for staff journalists the opposite appears to be the case. Information overload is one of the main complaints made by full-time journalists regularly using the Internet, email being the main culprit. Press releases, electronic newsletters, internal memos and readers' responses all ensure a steady stream of data into in-boxes. While this has made it easier and faster to obtain information, it is a double-edged sword and often clearly "too much of a good thing". This paradox is at the heart of the first main adverse effect of the digital technologies: an increased workload. Because ICTs allow journalists to work faster, there are greater expectations on staffers to produce more. Digital workflows now allow content to be "repurposed" for other media, and this has exacerbated the problem. The second main problem, diminishing authors' rights, has ironically, really only affected freelancers, in the United Kingdom at least, since the 1988 Copyright Act effectively gave authors' rights to their employers, and was one of the first impacts of the ICTs.

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## **F. Publishing and the graphical industries**

The publishing and graphical industries are very diverse in terms of technologies and size of enterprises. In terms of production volume in the printing industry, there are a limited number of large-scale operations, but many small ones. Printing is one of the largest industries, generating annual revenues of at least US\$500 billion worldwide. The restructuring of publishing and the graphical industries, and moves towards their partial incorporation into an integrated information industry, have been driven to a large extent by major technological developments and convergence, based on microelectronics, information technology, computers and telecommunications. This explains why convergence in the media industries can now be qualitatively different from the conglomeration of entertainment and media activities in the 1980s. An example of the latter was Time Warner, which grew out of the merger of *Time* and Warner Bros. in 1989, and produced magazines, books, music and film products, which were mainly separate activities. The subsequent merger of America Online with Time Warner was intended to create a true multiple media company specializing in print, film, broadcasting, off-line products (such as CD-ROMs and DVDs) and online information services (e.g. web sites, electronic commerce) that fully integrate text, data, sound, still images and video and allow interactive use.

One fundamental effect is thus the dissolving of technological boundaries between the different sectors of the media industry. Not all firms that specialize in printing will disappear, but an increasing number of firms will carry out various media activities, and some which traditionally did not perform publishing and graphical work will now do so, using digital technology and media-independent storage of information in databases. Printers now also offer non-traditional services such as building and maintaining databases, production of Internet sites and communication consultancy.

However, the convergence process and the emergence of multimedia companies do not simply mean more giant firms operating globally. In fact, the structure of the graphical industry, which has always had an above-average share of small and medium-sized companies, will probably not be greatly changed by the ICTs. In publishing and printing, the combination of a small group of huge enterprises and a large number of small firms is likely to continue. For digital information processing, which has been particularly affected by outsourcing and relocation of work to low-cost countries, a wide range of specialized small businesses and a few larger, more integrated enterprises will perform these activities; these firms will probably provide global services, interconnected with customers and allied firms via high-speed Internet connections. Production, including printing, for very large (typically global) markets is expected to be concentrated in very large companies, but many smaller specialist firms and local producers will continue to exist.

Each industry segment has several examples of big global firms. In printing, leading companies include Amcor (Australia), Quebecor (Canada), SCA (Sweden), Toppan and Dai Nippon (Japan). Quebecor has around 40,000 employees working in about 160 plants in 17 countries.<sup>14</sup> In digital information processing, SPI (Philippines) currently employs about 6,000 workers in Asia, with a network of marketing/sales offices and agents in the United States and Europe, serving international publishers such as Bertelsmann, Elsevier and Houghton Mifflin; text and image files can be transferred to any production facility, depending on technological expertise, logistics and labour costs. Printing on a global scale was not unknown in the 1980s. Some international newspaper publishers used overseas

<sup>14</sup> Quebecor World: *The global printer*, 2003, at [www.quebecorworldinc.com/data/investor/79/sections/global2003\\_EN.pdf](http://www.quebecorworldinc.com/data/investor/79/sections/global2003_EN.pdf) and <http://www.quebecorworldinc.com/en/about/>.

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printing plants, like the *International Herald Tribune*, with ten printing plants outside the United States. However, global printing is now qualitatively different, being based on cooperation between telecommunications companies and manufacturers of digital colour printing machines like Scitex, Xerox, Indigo and Agfa. Some of these companies have digital printing equipment around the globe which can be fed by clients with “printing-on-demand” orders through the telecom network.

The pattern of trade in graphical products among EU Member States and between the EU and other regions remains strongest within Europe, followed by trade with the United States, Japan and East and South Asia. However, when this aggregate analysis is supplemented by an analysis of segments of publishing, a differentiated pattern of internationalization emerges. Some segments, like scientific information and electronic information services, are tending towards a globalized economy in the sense of global distribution of sales and an oligopolistic type of market controlled by a few multinationals; professional and business information, and general interest magazines, exhibit limited internationalization, with a regional bloc or national production structure serving a market controlled by national or multinational media companies; and other segments have purely national control and production – e.g. non-English-language educational publishers.

A whole variety of technological developments have transformed the way publishers and printers operate to produce printed products. Original texts from writers are now usually in disk or email form, rather than typewritten, dictated or handwritten. On-screen editing, using spellchecking, proofreading, formatting and calculation software tools, has grown in importance and can be done while graphic designers and production staff prepare the text for printing using the same electronic version of the text. Fact-checking, referencing and research can be performed using the Internet, and electronic correspondence and transmission of fully formatted material to printers is becoming the norm. Versions of the same text can be turned into electronic products or posted on the Internet.

Mechanical typesetting has been increasingly overtaken by digital typesetting, developments in optical character recognition and scanning technology, as well as the increased use of pdf files or zipped disks from authors/publishers that minimize work for typesetters. Digital printing is displacing lithography for short-run printing, and can offer personalized products. It is also taking a steadily increasing share of printing in general in industrialized countries. Computer-to-plate technologies have cut out several parts of the production process. Colour reproduction has been transformed by digital technologies, which, for example, allow photographs to be downloaded from a photo library on the Internet and “dropped in” to a page layout, without the printer ever having the original photographic transparency.

Changes in the technologies used in copy preparation, typesetting, printing and binding, as outlined above, have transformed the graphical industries in many countries. Publishers have often found that they must, in order to exploit the electronic medium to the full, diverge from their paper counterparts, and they require a new and radical conception of an interactive, hypertext-linked, multimedia product. There are evident advantages in online products being interactive, such as the possibility of peer review of academic articles, instant global responses to information posted on the Internet, and direct access via hyperlinks to the sources of articles and other relevant information. Co-authoring packages exist, allowing writers from around the world to collaborate on drafting for publication. The technologies have also permitted the growth of copyright piracy that is having a major impact on the publishing and graphical industries. Piracy and illegal photocopying are costing publishers and authors around the world dearly. For example,

Mexican publishers estimate their losses from piracy at 2 billion pesos per year and from illegal photocopying at 4 billion pesos per year, primarily for textbooks.<sup>15</sup>

### 3.2. Impact of ICTs on the employment of media, culture, graphical workers

For some occupational groups, particularly those engaged in providing creative content, the multimedia revolution promises tremendous growth in opportunities for work as distribution channels multiply. Eurostat estimates the number of jobs in the cultural sector at between 2.7 million and 3.9 million in the 15 countries of the European Union in 2002,<sup>16</sup> or 1.7-2.5 per cent of all employment in the EU, and the EU has anticipated that the audiovisual and multimedia sector could be a substantial employment growth area for artists in the future. A forecast from the United States Department of Labor estimated that the number of workers employed in most media and culture occupations would grow substantially between 2002 and 2012, opportunities being especially abundant for writers, artists and entertainers (see table 3.1).<sup>17</sup> The occupations considered likely to experience the largest job declines included pre-press technicians and printing workers, who are affected by developments in electronic publishing and printing-on-demand. The number of radio and TV announcers and newscasters is also expected to decline, owing to radio and television station consolidation and technological change. There would be great opportunities for growth among designers, writers, artists, producers, actors and musicians, singers, agents and business managers, and film and video editors. The transition to digital camera equipment for broadcasting and film has already been completed in the United States, while it (and its employment effect) is still in progress or has been completed more recently elsewhere, especially in developing countries.

**Table 3.1. Employment by occupation in the media, culture, graphical sector, United States, 2002 and projected 2012**

Occupation	Employment ('000s)		Change		Total job openings due to growth and net replacements, 2002-12 ('000s)
	2002	2012	'000s	%	
Agents and business managers of artists, performers, athletes	15	19	4	27.8	7
Actors	63	74	11	17.7	19
Producers and directors	76	90	14	18.3	25
Dancers and choreographers	37	42	5	13.3	28
Musicians and singers	161	189	27	17.1	61
Music directors and composers	54	62	7	13.5	19
Multimedia artists and animators	75	87	12	15.8	28

<sup>15</sup> G. Bolio: "Editores acusan a rectores de fomentar la piratería" in *La Crónica de Hoy* (Mexico City), 28 Jan. 2004, at <http://www.cronica.com.mx/nota.php?idc=106471>.

<sup>16</sup> Eurostat: *Cultural statistics in Europe; population and social conditions 2002*, cited in European Commission: *The sectoral social dialogue in Europe*, Luxembourg: Office for Official Publications of the European Communities, 2003, p. 32.

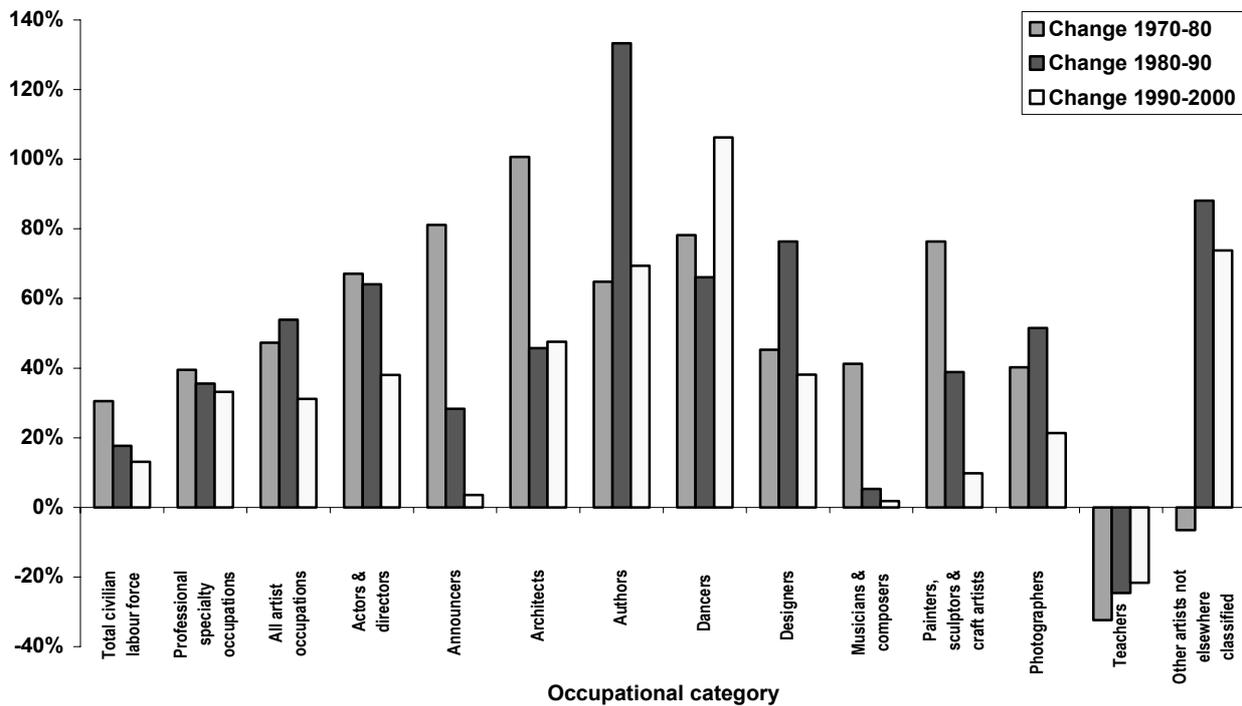
<sup>17</sup> D.E. Hecker: "Occupational employment projections to 2012", in *Monthly Labor Review* (Washington, DC, Department of Labor), Feb. 2004, pp. 80-105.

Occupation	Employment ('000s)		Change		Total job openings due to growth and net replacements, 2002-12 ('000s)
	2002	2012	'000s	%	
Graphic designers	212	258	46	21.9	75
Camera operators, television, motion picture, video	28	32	4	13.4	10
Photographers	130	148	18	13.6	44
Radio and TV announcers and newscasters	76	68	-8	-10.1	19
News analysts, reporters and correspondents	66	70	4	6.2	20
Writers and editors, including technical writers	319	370	51	16	121
Broadcast and sound engineering technicians and radio operators	93	111	18	19.6	41
Film and video editors	19	25	5	26.4	9
Job printers	56	61	5	9.2	18
Pre-press technicians and workers	91	81	-10	-11.2	21
Printing machine operators	199	208	9	4.6	55
Bookbinders	7	7	0	1.3	2
Other bindery workers	91	86	-5	-5.2	24
All other printing workers	21	23	2	9.3	7

Source: D.E. Hecker: "Occupational employment projections to 2012" in *Monthly Labor Review* (Washington, DC, Department of Labor), Feb. 2004, pp. 82, 86 and 95.

The workforce in the creative industries has grown much faster than the total civilian labour force in many countries around the world in the past few decades, as illustrated by the example of the United States in figure 3.1 and table 3.2. Growth has probably been slower, but in the same direction, in most other industrialized countries. For those in craft occupations tied to particular technologies, the challenge is to acquire new skills and adapt to new modes of working in a context of diminishing opportunities in their former specialities. Technology has erased or reduced the entrance barriers to much technical work by becoming more user-friendly. Skills have become more easily transferable from one domain or type of equipment to another, enabling more crossovers among technical and non-technical staff, and sometimes reducing the number of staff required. The pre-press area in the graphical industry has been particularly affected, and similar developments are taking place in film and TV production. The miniaturization of camera equipment has rendered obsolete the cumbersome mobile TV units of the past, replacing the camera operators, sound specialists and support personnel with, for example, single reporters carrying lightweight camcorders, or much smaller crews.

**Figure 3.1. Trends in the artist labour force, United States, 1970-2000**



Source: Based on US Census and BLS data from the Cultural policy and the arts national data archive (Princeton University): "National trends in artist occupations – All artists, 1970-2000", at <http://www.cpanda.org/arts-culture-facts/artists/lbrfrcartist.html>.

**Table 3.2. Trends in the artist labour force, United States, 1970-2000**  
(in '000s)

Occupational category	Change 1970-80	Change 1980-90	Change 1990-2000
Total civilian labour force	24 256	18 415	16 365
Professional specialty occupations	3 475	4 373	5 350
All artist occupations	349	586	502
Actors and directors	27	42	41
Announcers	21	13	2
Architects	54	49	70
Authors	18	61	59
Dancers	6	9	17
Designers	106	257	209
Musicians and composers	41	7	3
Painters, sculptors and craft artists	66	60	22
Photographers	27	49	27
Teachers	-14	-7	-10
Other artists not elsewhere classified	-3	44	62

Source: Based on US Census and BLS data at the Cultural policy and the arts national data archive (as cited in figure 3.1.).

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## **Film and audiovisual workers: Performers**

Assessing the impact of new technologies on the employment of performers is complicated by the fact that employment in the performing arts is characterized by work for multiple employers, temporary work, seasonal jobs, freelance employment, self-employment, and relatively few possibilities of finding stable employment. Recent studies show a significant increase in the number of employees in the performing arts in many countries, including Australia, Canada, Finland, France and the United Kingdom, but unemployment rates are high as well. The audiovisual and multimedia segments are likely to provide an ever greater share of employment opportunities for performers. Performers tend to be geographically mobile, but there are continuing problems with work and residence permits, visas, recognition of qualifications, and status in terms of social protection and taxation. There are substantial disparities in legislation between different countries in this field.

Employment in the production of films and audiovisual products in Europe in 2003 stood at over 1 million jobs,<sup>18</sup> compared to about 850,000 in 1995, and only 630,000 in 1985. The American motion picture industry employed 583,000 in 2002, as against 341,000 in 1988,<sup>19</sup> with more than twofold growth in the production/services category (from 113,700 in 1988 to 259,200 in 2002), and now employs more people than the aerospace industry. Some of that growth, which has continued until 2004, can be attributed to ICT-related work in fields such as computer-generated digital production, visual special effects technologies, computer animation, and systems and network management. Some observers believe that by 2010, films, multimedia and television will be the single largest employer in Europe. However, this employment growth is not uniform across occupational categories, and there are many notable exceptions to this optimistic forecast for creative content providers. Technological developments such as synthesizers have eliminated many employment possibilities for musicians, and similar changes have also adversely affected technicians in motion pictures and television.

Statistics from Australia, Canada, Finland, France, Germany, Spain, United Kingdom and the United States indicate that the number of performers rose rapidly in the 1990s, with generally weaker growth among musicians than other occupational categories. Opportunities for American entertainers are expected to be especially good (see table 3.3), including growth for musicians and singers (17 per cent), producers and directors (18 per cent), and actors (18 per cent).

Musicians in general have found fewer possibilities for employment since the arrival of computers on the musical scene in some developing and most industrialized countries. Some have continued working as performers, but many have shifted to work in other fields, or to composition or musical arrangement. The development and increased availability of electronic instruments had caused a drastic reduction in demand for acoustic musicians and led to a great increase in unemployment among performers. In Japan, the explosion in the availability and use of synthesizers and computer musical instruments – and the development of karaoke – has caused a marked growth in unemployment among musicians. Musicians in many countries have a second job,<sup>20</sup> and around one-third of

<sup>18</sup> See: “Activities of the European Union: Audiovisual” at [http://www.europa.eu.int/pol/av/overview\\_en.htm](http://www.europa.eu.int/pol/av/overview_en.htm) .

<sup>19</sup> Based on Bureau of Labor Statistics data.

<sup>20</sup> See J. Vincent: *The social situation of musical performers in Africa, Asia and Latin America*, SECTOR Working Paper WP.172, Geneva, ILO, 2001.

musicians and composers in the United States in 2001 said that music was their secondary job only, compared to 16 per cent of dancers and 12 per cent of actors and directors.<sup>21</sup> By contrast, the unemployment rate among actors and directors was 9.9 per cent, compared to 6.3 per cent of dancers and 3.7 per cent of musicians and composers.<sup>22</sup>

**Table 3.3 Employment by occupation, performers, United States, 2002 and projected 2012**

Occupation	Employment ('000s)		Change		Total job openings due to growth and net replacements, 2002-12 ('000s)
	2002	2012	'000s	%	
Agents and business managers of artists, performers and athletes	15	19	4	27.8	7
Actors	63	74	11	17.7	19
Producers and directors	76	90	14	18.3	25
Dancers and choreographers	37	42	5	13.3	28
Musicians and singers	161	189	27	17.1	61
Music directors and composers	54	62	7	13.5	19

Source: Hecker, 2004, op. cit., pp. 82 and 86.

When regular workers in these industries are under threat of unemployment, some may be able to retrain or be redeployed with their existing employer (often as part of an agreement between management and trade unions), while those who lose their jobs may be able to find work with other employers (perhaps after retraining or relocation). However, certain sectors strongly affected by labour-saving technology offer few prospects for displaced workers. An early retirement scheme was negotiated by POSPERT, the Greek Broadcasting Workers' Federation, with the aim of minimizing job losses among Greek Radio and Television (ERT) employees. The workforce of 3,350 permanent staff fell gradually to 2,700 from 1999 to 2002, with several hundred early retirements, attributable partly to the impact of new technologies along with other restructuring factors, but at the same time there was a shift towards increased use of short-term staff on less favourable conditions.<sup>23</sup> In Spain, employment in Radio Televisión Española stood at around 9,400 in 2002, a figure little changed since 1998, as against some 15,000 in 1993; the decline in the 1990s was partly due to restructuring, as well as technological and market changes, and was given greater impetus by the group's growing indebtedness. Permanent employment in public radio and television corporations in Europe declined substantially over the period 1997-2002 in Finland, Greece, Ireland, Italy, Latvia, Lithuania, Poland, Spain and Turkey, and similar declines were already apparent from 1992 to 1997 in Austria, Belgium, Germany, Hungary, Italy, Portugal, Spain and the United Kingdom.<sup>24</sup>

<sup>21</sup> Based on BLS data at the Cultural policy and the arts national data archive: *Artists' employment status – Secondary employment of artists*, 2002, at <http://www.cpanda.org/arts-culture-facts/artists/artistemployother.html>.

<sup>22</sup> *ibid.*

<sup>23</sup> See Z. Lanara: *Public service broadcasting: New challenges for a new age* (Athens, UNI-MEI), 2002.

<sup>24</sup> See Appendix II, table 1.

## Journalists and other media workers

Technology has affected employment for journalists positively in some ways, its impact in others is unclear. Worldwide, perhaps 1 billion people read a printed newspaper every day.<sup>25</sup> However, daily newspapers have been losing readership in many industrialized countries for years. In 1970, about 78 per cent of American adults were regularly reading daily newspapers. By 2002, the figure had declined to 55.4 per cent.<sup>26</sup> However, this trend goes back far enough to show that online media are not to blame, although television may be a factor. The 2002-12 projections for the United States suggested that opportunities would be especially good for film and video editors (26.4 per cent growth) and for writers and editors (16 per cent growth), among whom there would be a significant shift towards online journalism, while jobs for radio and TV announcers would decline, and those for newscasters and reporters and correspondents should remain fairly static (see table 3.4). There are many examples of the internationalization or regionalization of journalism work; newspapers are often prepared in core centres and partly sub-edited and designed in satellite offices, with copy and artwork sent electronically between offices. This has usually cut the number of media workers, and has been facilitated by the use of ICTs.

**Table 3.4. Employment by occupation, media, United States, 2002 and projected 2012**

Occupation	Employment ('000s)		Change		Total job openings due to growth and net replacements, 2002-12 ('000s)
	2002	2012	'000s	%	
Multimedia artists and animators	75	87	12	15.8	28
Graphic designers	212	258	46	21.9	75
Camera operators, television, motion picture, video	28	32	4	13.4	10
Photographers	130	148	18	13.6	44
Radio and TV announcers and newscasters	76	68	-8	-10.1	19
News analysts, reporters and correspondents	66	70	4	6.2	20
Writers and editors, including technical writers	319	370	51	16	121
Broadcast and sound engineering technicians and radio operators	93	111	18	19.6	41
Film and video editors	19	25	5	26.4	9

Source: Hecker, 2004, op. cit., p. 85.

Daily newspapers have also lost ground more recently in many newly industrializing and transition countries, in which new media such as the Internet and satellite TV have been growing rapidly – for example in Egypt, Jordan, Lebanon, Malaysia, Morocco,

<sup>25</sup> Statistic quoted by T. Balding, at the World Electronic Media Forum, Geneva, 10 Dec. 2003; see *Final report*, Geneva, 2004.

<sup>26</sup> Newspaper Association of America: “U.S. daily and Sunday newspaper readership audience”, 2003, at [http://www.naa.org/info/facts03/4\\_facts2003.html](http://www.naa.org/info/facts03/4_facts2003.html) (sources: W.R. Simmons and Associates Research Inc. 1970, Simmons Market Research Bureau, Inc. 1980-97, Scarborough Research, Top 50 Market Report, 1998-2000).

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Pakistan, Turkey, Tunisia, much of Latin America and Eastern Europe, and elsewhere. Several of these countries have opened up their media to private and sometimes foreign participation, and there has been growth in employment with local or foreign media firms as a result.

According to the Uruguay Press Association, the situation for the media deteriorated substantially in 2002, with 600 redundancies in Montevideo alone (out of a workforce of around 2,500), the closure of some companies, reductions in page numbers for daily newspapers, redundancies, pay cuts, and replacement of experienced professionals by trainees, as a result of economic crisis and other factors.<sup>27</sup> Similar stories were heard from Argentina, Brazil, Venezuela and other countries in the region at that time, but more recent news indicates that the media business environment has since improved.

By 1998-2001, new online media were rapidly creating new employment opportunities in many industrialized countries (especially in the United States, the United Kingdom, Germany, Japan, Canada and France). While employment in the traditional media remained essentially flat, online operations were hiring. When the “dotcom bubble” burst, many of these jobs also disappeared. However, opportunities have grown in this area since 2003, more sustainable business models have been developed for new media, and many young journalists are more attracted to online media than to traditional print. On the other hand, journalists working for some of these new media outlets face challenges which their counterparts at newspapers and broadcast outlets do not. Their jobs in new media are less well defined, the people who take them need to adapt rapidly, and they have to struggle to obtain recognition for online media and to gain media accreditation.

New media replacing old is a theoretical (and sometimes an actual) threat to jobs in journalism. Another is technology in the workplace reducing the need for people. On this front, journalists have been fortunate. New technology has done little to reduce reliance on reporters and editors in traditional media. While it has eliminated many jobs in newspapers over the past 25 years, largely among pre-press and clerical workers, the total number of staff required in a newsroom has declined only slightly, and journalists are not being replaced by computers.

### ***Broadcasting, media and film industry workers***

Workers not included in the above sections have all been affected to some degree by the trends in ICTs, work organization, subcontracting, casualization, mergers and acquisitions, globalization, privatization, and moves to increase flexibility in the sector. There has been a shift in the balance of power in broadcasting, film and media enterprises away from workers and trade unions and towards employers, and away from centralized collective bargaining. This has weakened the position of camera operators, technicians, scenery workers, clerical and other staff touched by these changes, but it has not been possible to examine these effects in any detail.

### ***Publishing and graphical workers***

Employment in the graphical industry is generally declining, while in publishing it is relatively static. As figures 3.2 and 3.3 show (with slight differences in the country and population coverage of the two charts), the total employment and the number of employees in publishing, printing and reproduction of recorded media in selected OECD countries

<sup>27</sup> See A. Rama “Se cierre año negro para la prensa uruguaya”, *Reuters Noticias Latinoamericanas*, 31 Dec. 2002.

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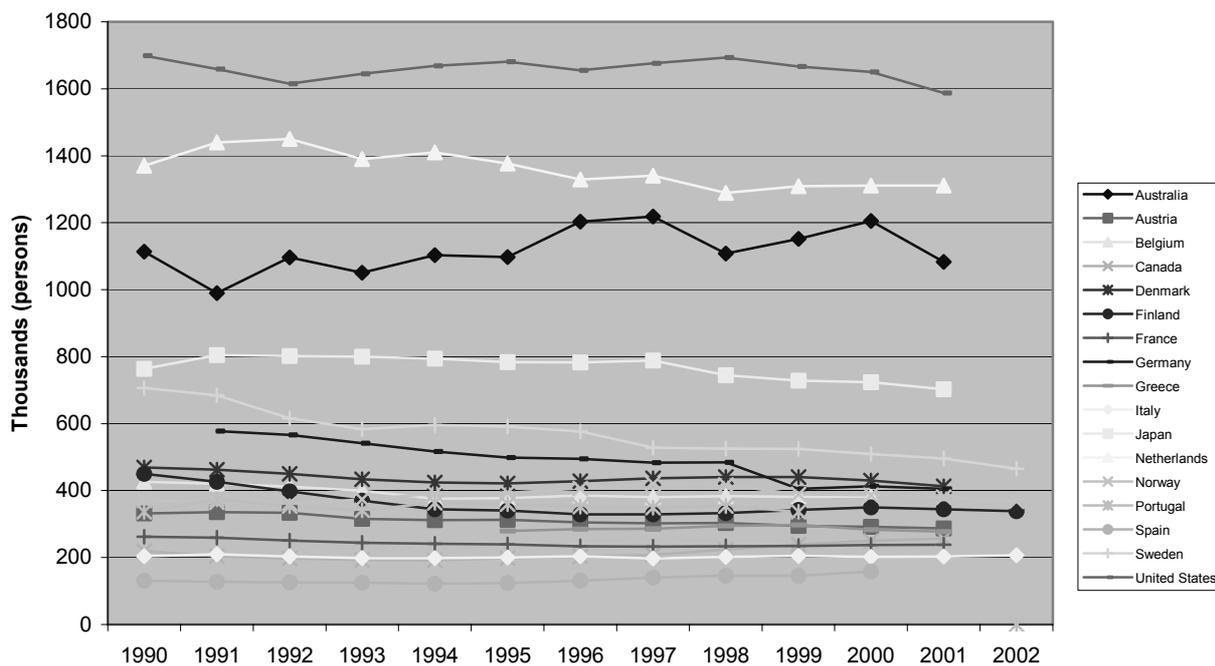
were static or declining from 1990 to 2002 in most countries, with marked declines since 1997 in most of them. Until 1991, employment in printing and publishing grew steadily in the 12 EU Member States, from 801,632 in 1985 to 882,654 in 1991, but in 1995 employment was down to 817,318 and fell again towards 2000. The debate about the effects of ICTs on books, magazines and newspapers has concentrated on the “substitution” thesis. However, although further substitution is foreseen in segments such as business forms and scientific and professional information, there is no indication of a clear trend towards a paperless society. Employment in the graphical industry is falling slightly, rather than dramatically; between 1994/5 and 1999, employment fell by about 17 per cent in European Union countries and 20 per cent in Europe overall, with a gentler fall in 1998-99 than in previous years. The decline can be partly attributed to higher productivity of automated production processes. Van Ark et al. identified a significant relative improvement in productivity in printing and publishing in Europe compared to the United States in the 1995-2000 period, all of which could be explained by productivity growth alone, rather than by other factors.<sup>28</sup> OECD research indicates that printing and publishing in the United States has high ICT intensity but a low incidence of new work practices, which partly explained its 0.5 per cent annual labour productivity growth rate in the 1990s (compared to 7.8 per cent for banking and finance – the sectoral leader worldwide in organizational change coupled with ICT investments – and other sectors with high incidence of new work practices and ICT intensity). Manufacturing firms that had high levels of ICT use and did not adopt new work practices had poor productivity performance, exemplified by printing.<sup>29</sup>

Further changes are apparent in the employment projections in table 3.5, in which the decline in pre-press is likely to continue (with printing-on-demand and electronic publishing exacerbating the trend), but some graphic arts occupations may grow substantially. These projections give indications of the general tendency towards ICT-intensive work in the sector, and the disappearance of many old technology jobs and professions.

<sup>28</sup> B. van Ark, R. Inklaar, R.H. McGuckin: *ICT and productivity in Europe and the United States: Where do the differences come from?* (New York), Conference Board, Oct. 2003, p. 14, at [http://www.conference-board.org/pdf\\_free/workingPapers/EPWP0305.pdf](http://www.conference-board.org/pdf_free/workingPapers/EPWP0305.pdf).

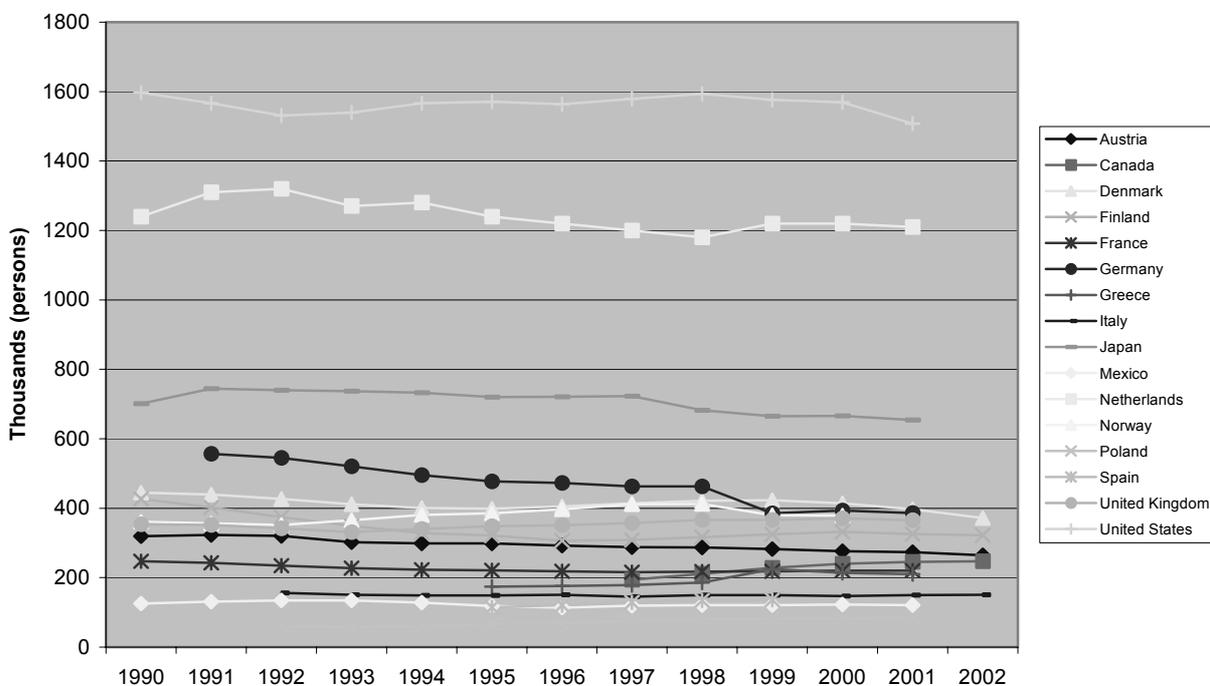
<sup>29</sup> E. Arnal, W. Ok and R. Torres: *Knowledge, work organisation and economic growth* (Paris, OECD), Labour Market and Social Policy Occasional Papers No. 50, cited in M. Murphy: *Organisational change and firm performance* (Paris, OECD), STI Working Paper 2002/14, p. 32 (table 17).

Figure 3.2. Total employment in publishing, printing and reproduction of recorded media, 1990-2002



Source: Compiled from OECD STAN database for industrial analysis.

Figure 3.3. Employees in publishing, printing and reproduction of recorded media, 1990-2002



Source: Compiled from OECD STAN database for industrial analysis.

**Table 3.5. Employment by occupation, graphical sector, United States, 2002 and projected 2012**  
(numbers in thousands of jobs)

Occupation	Employment ('000s)		Change		Total job openings due to growth and net replacements, 2002-12 ('000s)
	2002	2012	'000s	%	
Graphic designers	212	258	46	21.9	75
Camera operators, television, motion picture, video	28	32	4	13.4	10
Photographers	130	148	18	13.6	44
Job printers	56	61	5	9.2	18
Pre-press technicians and workers	91	81	-10	-11.2	21
Printing machine operators	199	208	9	4.6	55
Bookbinders	7	7	0	1.3	2
Other bindery workers	91	86	-5	-5.2	24
All other printing workers	21	23	2	9.3	7

Source: Hecker, 2004, op. cit., pp. 86 and 95.

### 3.3. Impact of ICTs on safety and health

The background document and final report for the 2000 ILO symposium<sup>30</sup> provide much detailed information on this subject, and readers are referred to those two sections, to avoid repeating them in this report. There has subsequently been a reinforcement of the trends observed there, but no dramatic change. One aspect covered by the ILO in more detail recently was the general area of violence and stress (see Chapter 1.6 of this report), including a working paper on “Violence and stress at work in the performing arts and in journalism”,<sup>31</sup> as part of a project that led to the adoption of a code of practice on workplace violence in services sectors and measures to combat this phenomenon, at an international experts meeting held in October 2003. As was brought out in that research, violence and stress in the media and entertainment sector particularly affect journalists and, to a lesser extent, performers. The impact of ICTs on journalists’ safety and health can be seen in the greater time constraints and pressures to produce up-to-date information round the clock for 24-hour news programmes and for online news. This has meant new work patterns for workers who even before did not have regular hours, eight-hour days, or set meal breaks, and are often employed on short-term, intermittent and precarious contracts. Front-line journalists face being shot at, beaten, imprisoned and even killed in the line of duty. Their work involves direct contact with the public and coverage of issues such as public disorder, war, acts of violence and abuse of power. War correspondents in particular, in getting as close to the action as possible, face the added danger of being caught in crossfire. Their work in witnessing acts of violence, and the need to treat such events impartially and in detail, may sometimes lead to post-traumatic stress disorder. The risks to journalists and media staff working in dangerous situations and conflict zones are

<sup>30</sup> ILO: *Background document* (pp. 63-72) and *Final report* (pp. 26-30), Symposium on Information Technologies in the Media and Entertainment Industries: Their Impact on Employment, Working Conditions and Labour-management Relations (Geneva, 2000).

<sup>31</sup> ILO: *Violence and stress at work in the performing arts and in journalism*, Sectoral Activities Working Paper, WP. 201 (Geneva, 2003).

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well known, and more than 1,000 journalists and media staff have been killed on duty over the past ten years. Many journalists are killed, injured or harassed in war zones – either targeted by one side or another or caught in crossfire. Journalists or media organizations cannot avoid some casualties, but they can reduce risks by ensuring adequate preparation, training, health care and social protection for journalists in dangerous situations. The IFJ has published a guide on this subject – *Live news: A survival guide for journalists* (2003).<sup>32</sup>

The International News Safety Institute, an initiative of the IFJ and the International Press Institute (which represents editors and media executives), is campaigning for action to stem violent incidents against journalists and media staff worldwide, by raising awareness and lobbying for safety. The IFJ has called on journalists' groups, media organizations and all relevant public authorities to respect an international code of practice for the safe conduct of journalism, which stipulates among other things that: "Journalists and other media staff shall be properly equipped for all assignments, including the provision of first-aid materials, communication tools, adequate transport facilities and, where necessary, protective clothing."<sup>33</sup>

### 3.4. Impact of ICTs on training

Quality in work, employment, working life, products and content (see Chapters 1.2 and 2.2) is likely to be promoted by access to training that can help improve productivity, adaptability and employability. Technological changes, the emergence of new markets for products and services, international competition, new business strategies, new management practices, new forms of business organization and work organization, are all transforming the media, culture, graphical sector. Many of these developments are dramatically increasing the importance of applying knowledge and skills to work. The social dimension of these changes requires responses, which should come in part from training. Training develops skills and knowledge to help employers and workers to utilize new opportunities, enhance workers' employability, productivity and incomes, improve the quality and organization of work, boost competitiveness, and promote job security and equity.<sup>34</sup> Lifelong learning is the key to developing human capital, improving motivation and making work organization more effective. Many future jobs will be based on areas of technology which are today in their infancy; these jobs will call for skills that cannot yet be foreseen. While many job-specific skills are acquired in the workplace, either through employer-provided training schemes or informally through the sharing of knowledge among colleagues, employers will increasingly expect applicants with a well-stocked skills portfolio.

Enterprise-based training may no longer be sufficient to meet the needs of future media workers. The employment structures of many firms in these converging industries rely on a diminishing core of permanent, or at least long-term, employees and on a growing portion of contingent workers employed part time, temporarily or on a project-by-project basis. Because of their part-time status, and especially in the case of short-term engagement, these employees rarely, if ever, benefit from employer-provided training packages, which are largely directed at permanent staff. Workers in the media, culture,

<sup>32</sup> See <http://www.ifj.org/pdfs/safetycover.pdf> .

<sup>33</sup> See: <http://www.ifj.org/default.asp?index=832&Language=EN> .

<sup>34</sup> See: *Resolution concerning human resources training and development*, International Labour Conference, 88th Session, 2000.

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graphical sector are preparing the way for more knowledge-based enterprises, but nowhere near all of them will have access to training to equip them for the new challenges. Key issues will be to identify the most suitable skills and establish how enterprises can find them in the workforce, how training programmes can meet the future requirements of employers and potential employees, and whether they can adapt effectively to the changing technologies and requirements. Tripartite cooperation in this area is of prime importance in preventing serious skill shortages. Enterprise-based training may be limited by two factors. First, the employment structures of firms in these industries rely on a shrinking core workforce and a growing number of atypical or contingent workers employed temporarily or part time; employers tend not to provide training to freelance, short-term or part-time staff. Second, small and medium-sized enterprises account for the most dynamic employment growth in this sector, and few are able to offer training or release staff from ongoing work. These employers (and many larger firms experiencing rapid growth) depend greatly on their employees' existing skills, obtained through formal education, previous experience or training at their own initiative. Thus much of the future burden and expense of training may ultimately fall on individual workers, whether for initial preparation, ongoing training, or adapting to new opportunities or professional orientations.<sup>35</sup> The social partners could work together to design training programmes to fit the needs of workers in these rapidly evolving industries, maximizing the possibilities of using interactive training and ICTs.

Training programmes to meet the future requirements of employers and potential employees in the information communication technologies must (where appropriate and relevant) be open to all staff in the media and entertainment industries, irrespective of age, gender, contractual status or other considerations. Fewer training opportunities have tended to be offered to women, part-time and temporary staff, teleworkers and workers older than 45 years. However, all of these groups have to be adaptable to change, and may in fact have greater commitment and motivation when they are able to share involvement in the training and change process. The aim should be to promote a multiskilled and versatile workforce, willing to undertake "lifelong training", which is in the interests of workers and employers, and can improve the world of work in general in the longer term.

### ***New skills requirements for media, culture, graphical workers***

Specific new skills required include Internet research, new applications for page layout and design, multimedia and new media skills, coordination between different media projects, and operation of remotely controlled equipment and e-commerce applications. Innovative courses are being developed in many countries all the time, in response to the rapidly evolving requirements of the sector. For example, training for journalists, camera operators, photographers and others in how to deal with working in countries at war or in contexts of violence (see Chapter 3.3) is increasingly essential, because media workers need to be able to assess dangers clearly and make judgements about fast-moving reporting situations, as well as to acquire a basic knowledge of first aid, and to obtain advice from media veterans on how to report from hazardous locations. In addition, increased investment in professional training and journalistic ethics could emphasize the importance of investigative journalism to the health of democracy.

The International Federation of Musicians (FIM) has supported efforts to narrow the gap separating the information-rich from the information-poor, through national policies to reduce disparities between rich and poor countries in terms of information technology

<sup>35</sup> ILO: *Final report*, Symposium on Multimedia Convergence, Geneva, 27-29 Jan. 1997, p. 9.

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resources. FIM felt that this proposal was particularly relevant to musicians, whether in recording and production, including multimedia, or distribution of music via the Internet or other digital networks. These new modes of distribution were relatively cheap to develop and could perhaps give developing countries the opportunity to develop an export industry which they could control. The FIM therefore recommended creating a training programme for musicians, focusing on digital technologies for the recording and distribution of music.<sup>36</sup>

### ***Training initiatives by governments, industry and trade unions***

The European Commission's MEDIA Programme (2001-05) aims to strengthen the competitiveness of the European audiovisual industry with a series of support measures dealing with training of professionals, development of production projects, distribution and promotion of cinematographic works and audiovisual programmes. The MEDIA Training Programme encourages European training initiatives allowing audiovisual industry professionals to increase their competence and competitiveness on the international market, and is based on close cooperation and exchanges of know-how between partners working in the training area: cinema and television schools, specialized training centres, production and distribution companies, trade unions, and others.<sup>37</sup>

In South Africa, *Create SA*, a skills development programme for the creative industries produced by the Media, Advertising, Publishing, Printing and Packaging Sector Education and Training Authority (MAPPP-SETA), has been launched in partnership with the Department of Arts and Culture with funding from the Department of Labour's national skills fund. It aims to develop a new approach to education and skills training for those involved in creative industries, including visual arts and craft; design; music; performing arts; heritage; film, video and multimedia production; technical production services for events; and arts and culture management.<sup>38</sup>

The audiovisual industries were among four sectors selected by the British Government to pilot Sector Skills Agreements (SSAs) in 2004. Skillset is brokering a nationwide agreement between employers and training providers, giving employers the chance to determine the skills their business needs to increase productivity and profitability. The SSAs will be developed in 2004 and are expected to be approved by ministers in December, with implementation beginning in early 2005. Ivan Lewis, Minister for Skills and Vocational Education, observed: "Sector Skills Councils are a crucial part of our strategy. We are putting employers' needs centre stage and giving them a powerful voice in how public money on skills is spent. [...] The agreements will enable Sector Skills Councils to work with the Government to develop world class learning provision, meet business needs and give individuals the right skills for proficiency in their jobs." Chief Executive of Skillset, Dinah Caine, said:

A Sector Skills Agreement for our industries will put employers in the driving seat. They are detailed and costed plans of action to improve skills development within a sector. Skillset has already produced a comprehensive strategy for film: *A bigger future: The UK film skills strategy*, and will be building on this model, working to develop agreements that best serve the business interests of our industry. Being one of the first four industries chosen shows that

<sup>36</sup> Vincent, 2001, op. cit., pp. 2-3.

<sup>37</sup> See [http://europa.eu.int/comm/avpolicy/media/forma\\_en.html](http://europa.eu.int/comm/avpolicy/media/forma_en.html) for details.

<sup>38</sup> See <http://www.mappp-seta.co.za/general%20info.htm>.

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Government recognises the economic significance of the audiovisual industries and the importance of safeguarding the high-end skills of its workforce.<sup>39</sup>

One instance of training assistance to developing countries in making the transition in the area of printing technology is INGRIN (the Foundation for International Graphic Training Cooperation), which has been in operation for 15 years. It has carried out activities ranging from “train the trainer” programmes to setting up vocational training institutes and implementing business-linking and technical assistance programmes in the graphical industries in 18 countries in Asia, Africa and the Americas, in cooperation with organizations including the European Graphical Federation and INTERGRAF (International Confederation for Printing and Allied Industries).<sup>40</sup> Similar initiatives have been organized by training boards in various countries.

The European Union’s MEDIA Programme (2001-05), as part of its general effort to strengthen the competitiveness of the European audiovisual industry, offers support for training through the MEDIA Training Programme to encourage the establishment of European training initiatives to allow audiovisual industry professionals to increase their competence and competitiveness. It is based on close cooperation and exchange between various partners working in training: cinema and television schools, specialized training centres, production and distribution companies.<sup>41</sup>

There are hundreds of examples of interactive training packages and distance learning by Internet and television for the media, culture, graphical sector. For example, the CWA (Communication Workers of America) has offered online training to its broadcasting industry members, eventually leading to industry certification in areas such as IT essentials, cabling (voice and data) and fundamentals of UNIX. Such training helps engineers to become more qualified than information technicians to work on the new computer-driven television equipment that broadcasters are now using. The British Film Institute/Skillset Media Courses and Multimedia Courses Directory gives details of 4,616 courses across the United Kingdom.<sup>42</sup>

<sup>39</sup> Skillset (Sector Skills Council for the Audio Visual Industries): “Government spotlight on media employers’ productivity and skills needs”, London, 16 Feb. 2004, at [http://www.skillset.org/about\\_skillset/media\\_centre/news/article\\_2779\\_1.asp](http://www.skillset.org/about_skillset/media_centre/news/article_2779_1.asp) .

<sup>40</sup> See <http://www.ingrin.org/objectandactive.asp> .

<sup>41</sup> See [http://europa.eu.int/comm/avpolicy/media/forma\\_en.html](http://europa.eu.int/comm/avpolicy/media/forma_en.html) .

<sup>42</sup> See <http://www.bfi.org.uk/education/courses/mediacourses/> .

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#### 4. Intellectual property rights and labour rights in the Information Society

In the Information Society, it is more important than ever to stress the importance of promoting the intellectual property rights of artists, writers, performers, composers and producers, as well as protecting or improving the economic and social status of artists and performers, in order to strengthen the basis of the cultural industries. Particularly relevant in this sector is the field of copyright and related rights, but issues relating to brands, trademarks and patents are also significant. Copyright protection of literary works such as novels, poetry, plays, musical compositions and films protects the authors, composers and publishers of such material; it is essential to the success of businesses and the economic well-being of workers in the sector, as well as being in the interests of government. Equally important are “related rights”, which can protect performers, producers of recordings, and broadcasters, among others. In addition, there is the issue of moral rights, as enshrined in article 27 of the Universal Declaration of Human Rights, 1948, according to which, “Everyone has the right to the protection of the moral and material interests resulting from any scientific, literary or artistic production of which he is the author.”

These rights have come under threat from widespread copyright piracy, as counterfeiting of goods, illegal copying, peer-to-peer file-sharing and the like have been facilitated by ICTs. There are also frequent arguments about CDs, DVDs and books being overpriced, consumers paying too much money for media and entertainment products, top artists and performers earning enormous sums, and top media and entertainment firms making huge profits. However, media and entertainment is an expensive and risky business, in which it often takes years to achieve modest success, and the costs of promotion, distribution and product development are very high, while the potential damage to creativity through copyright piracy could weaken the cultural industries significantly.

It should also be borne in mind that most artists, writers and performers are in precarious employment, on short-term contracts or self-employed. Professionalism among artists, writers and performers may be difficult to achieve, given the widespread and often inevitable need for them to have several jobs to make ends meet, and the difficulty of financing education and training in their art or the purchase of instruments, equipment and so on. Intellectual property rights have greatly improved in the past 50 years, but protection and remuneration of individual performers and writers remain inadequate worldwide.

In recent years, the media, culture, graphical sector has experienced many labour disputes over pay, working conditions and social protection, revolving partly around a perception that performers were not getting a fair deal over intellectual property rights. Examples include the six-month boycott of advertising work in the United States by actors in 2000, and the major action taken by casually employed entertainment workers in France in 2003,<sup>1</sup> which resulted in the cancellation of major festivals and other events that summer.

The international exploitation of copyrighted works or performances has increased dramatically in recent years, particularly in “borderless” media such as broadcasting and online information services. Such works or performances can now reach screens or markets in almost any country, whereas in previous decades import restrictions and technological and other barriers restricted such potential. However, more traditional parts

<sup>1</sup> See also Chapter 1 under “Quality of work/employment/working life”.

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of the sector, like book and magazine publishing and film production, are also experiencing rapid internationalization, particularly in the European Union. The internationalization of audiovisual production has boomed in the past decade. Contractual relationships between authors and performers on the one hand, and publishers, producers and broadcasting organizations on the other, have an increasingly international dimension. Differences at the national level about the law applicable to copyright contracts in this more internationalized context have raised the question whether some form of harmonization at the European level is required.<sup>2</sup> There is also increasing discussion relating to the balance between collecting societies and authors' or performers' trade unions in representing those holding intellectual property rights on the workers' side.

In addition to these issues, there is controversy over human rights and employment issues relating to freedom of speech (especially where independence of the media is becoming an increasingly critical issue), freedom of artistic expression, and "abuse" of these freedoms, which is often omitted from discussions on the rights of creative artists. It is likely that the future of work and quality in the sector will be best served where such freedoms are best respected.

#### **4.1. Intellectual property rights and labour rights for performers**

Protecting the rights of performers and other rightsholders in relation to audiovisual performances is of great importance in today's entertainment industry, with digitization creating unlimited possibilities for copying, reproducing, recreating and reusing the works of performers. Following its involvement in the ILO/UNESCO/WIPO "Rome Convention", 1961 (see Chapter 7.2), the ILO continues to follow developments in this area in WIPO and other forums, and trusts that these will lead towards an effective system that protects the future of rightsholders and performers in the digital environment. In the early 1990s, WIPO prepared the way for new treaties to cover the area of copyright in the context of rapidly evolving technologies, multimedia convergence and the globalization of media and entertainment in the digital age. These were the WTO/WIPO Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS Agreement, 1995), the WIPO Copyright Treaty (WCT, 1996), and the WIPO Performances and Phonograms Treaty (WPPT, 1996). The WPPT provides for improved protection for performers, producers of phonograms and broadcasters, but its general application to audiovisual performances was excluded because agreement could not be reached at the Diplomatic Conference held in 1996. Instead, a resolution was adopted on audiovisual performances, calling for the convocation of an extraordinary session of the competent WIPO Governing Bodies during the first quarter of 1997 to decide on a schedule of preparatory work on a protocol to the WPPT concerning audiovisual performances, with a view to its adoption not later than 1998. WIPO has been in the process of negotiating such an instrument, to complement the WPPT, ever since.

At the WIPO Diplomatic Conference (7-20 December 2000) to develop an instrument on the protection of audiovisual performances, there was considerable debate over the controversial issue contained in the various drafts of article 12 concerning the presumption of transfer of performers' rights to the producers of audiovisual productions (when their performances are recorded or "fixed" in audiovisual productions). A consensus was eventually reached on the Preamble and 19 articles dealing with the following: relation to

<sup>2</sup> See L. Guibault and P.B. Hugenholtz: *Study on the conditions applicable to contracts relating to intellectual property in the European Union*, Amsterdam, Institute for Information Law, 2002, <http://www.ivir.nl/publications/other/final-report2002.pdf>.

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other conventions and treaties; definitions; beneficiaries of protection; national treatment; moral rights; economic rights of performers in their unfixed performances; right of reproduction; right of distribution; right of rental; right of making available of fixed performances; right of broadcasting and communication to the public; limitations and exceptions; term of protection; obligations concerning technological measures; obligations concerning rights management information; formalities; reservations; application in time; and provision on enforcement of rights.

However, with respect to article 12, no agreement could be reached. Four alternatives were put forward: a provision on transfer of rights; a provision on entitlement to exercise rights; a provision on law applicable to transfers; or no such provision. The Conference closed with the following statement: “The Diplomatic Conference notes first their provisional agreement on 19 (out of 20) articles [and the Preamble] and, second, recommends to the WIPO Assemblies in September 2001 Session to reconvene the Diplomatic Conference to settle outstanding issues.” Despite strong statements of regret from some governments and NGOs, the general mood favoured continuing efforts to solve the remaining problems.

The process of updating international law in this area is continuing, through efforts in WIPO to prepare and adopt an international instrument on the rights of broadcasting organizations and on audiovisual performances probably in 2005 or soon after.<sup>3</sup> The ILO supports this process, although a WIPO instrument on the protection of audiovisual performances would in itself call for a substantial re-examination of the Rome Convention, 1961.

## **4.2. Intellectual property rights and labour rights for journalists**

Copyright protection has long been considered to be of great importance for publishers and copyright owners, and efforts to protect and enforce these rights have been redoubled in the digital environment. However, in the Information Society there is continuing controversy about moral rights and re-use rights, which may be seen as labour rights that may allow authors more say over the use of their work, and possible additional remuneration. The Authors’ Rights Campaign of the IFJ<sup>4</sup> aims to strengthen the specific rights of authors and raise awareness worldwide among journalists, photographers and media professionals on the necessity to protect their authors’ rights. The campaign calls for writers and photographers to be recognized as the authors of the work they create, to have control on further use of their work and to receive an equitable remuneration for it. The IFJ argues that journalists, photographers and media professionals need strong legal protection of their moral rights (the right to be named as author, and to protect their material from being used in a detrimental way or context). Their rights to exercise control over the use of their work could be a benchmark for maintaining ethical and quality standards in journalism. The Federation supports legal harmonization of authors’ rights throughout the world, with the aim of bringing all countries up to the level of protection that exists in continental Europe.

<sup>3</sup> See <http://www.wipo.int/copyright/en/index.html> for the latest developments.

<sup>4</sup> See <http://www.authorsrights.org/> .

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### **4.3. Intellectual property rights and labour rights for authors, directors, writers, producers, photographers and others**

It may be argued that authors, directors, writers, producers, photographers and others fare just as well (or badly) as before the Information Society. However, ICTs have weakened the position of photographers, for example, in many ways, from the impact of image banks to the transition to digital equipment and photographic processing. Unauthorized, unremunerated and/or unacknowledged use of photographs in different media is a growing problem, and there is greater difficulty in proving ownership of an image than in the days of photographic films and negatives.

As discussed above in relation to journalists, other groups like authors, directors, writers, producers, photographers and others may feel that the use of their material in another format or in other media (e.g. web pages, DVDs, video-on-demand) is not being adequately remunerated, or that their moral rights are being infringed. For many individual directors, writers, producers and photographers, their intellectual property rights are the key to their livelihood, which depends on fees or royalties rather than a salary, and they do not have the labour rights of employees unless they can come together to organize collectively in their occupation.

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## 5. Impact of ICTs on contractual arrangements in the sector

It is in the media and entertainment industries that trade unions have most experience of organizing workers who are not employees of a specific employer – whether freelance, independent, own-account worker or self-employed. Such workers include performers (actors, musicians, dancers, etc.) and writers (journalists, authors, editors).

### 5.1. Performers

The employment status of performers varies widely but, unlike workers in many other sectors who work under long-term employment contracts with one employer, actors and musicians typically work for several employers, under temporary, short-term engagements on a non-exclusive basis. The nature of a performer's contractual status often plays a pivotal role in determining whether he or she is recognized as an employee or independent contractor (or not recognized at all), and therefore either enjoys the various protections and benefits afforded to employees under national legislation, or is excluded from them. An ILO/FIM research study on the social situation of musical performers in Africa, Asia and Latin America concluded that most musicians are either self-employed or have no status at all.<sup>1</sup> Self-employed status and no status at all tend to have the same common denominator – total precariousness, with no social protection, and pay as the only reward for work. In most African countries, casually employed and “self-employed” musicians have almost no social protection – and this is their typical status in Africa. Most employment of this kind is not covered by written contracts and is at the employer's discretion – and it is sometimes difficult even to identify the employer, who may be a promoter, an agent, the organizer of an event, a bandleader, or sometimes the audience at a venue. Salaried performers rarely have permanent jobs, and fixed-term contracts are almost universal for salaried musicians, even for permanent musical groups. Precarious employment partly explains why, in most countries, musicians are represented by associations rather than trade unions. In many countries, musicians strive for employee status (in the police or army, for example), which is reserved for a small minority and usually involves restrictions on artistic freedom and trade unions. There is a huge contrast between the poor status of folk musicians (paid directly by audiences) and the commercial development and success of some local music, especially when packaged as “World Music”. The ILO/FIM study also revealed that musicians had found fewer employment opportunities since the arrival of computers and electronic instruments, pre-recorded music and so on. Their job prospects had suffered more generally because of new technologies for using and distributing music worldwide. There was a drastic reduction in demand for acoustic musicians, as musicians with electronic keyboards can produce sounds equivalent to many acoustic instrumentalists, and there has been a great increase in unemployment among performers. Some musicians continued as performers, but many had shifted to composition or musical arrangement, or had given up trying to seek employment in music altogether, while others needed to have other jobs to make ends meet; the profession of musical performer had thus been devalued. In general, musicians with traditional skills and limited adaptability to the changing environment, or older performers, are more vulnerable to unemployment.

The social status of performers could be transformed through more systematic use of model contracts and legal standards. Intellectual property rights of performers could form

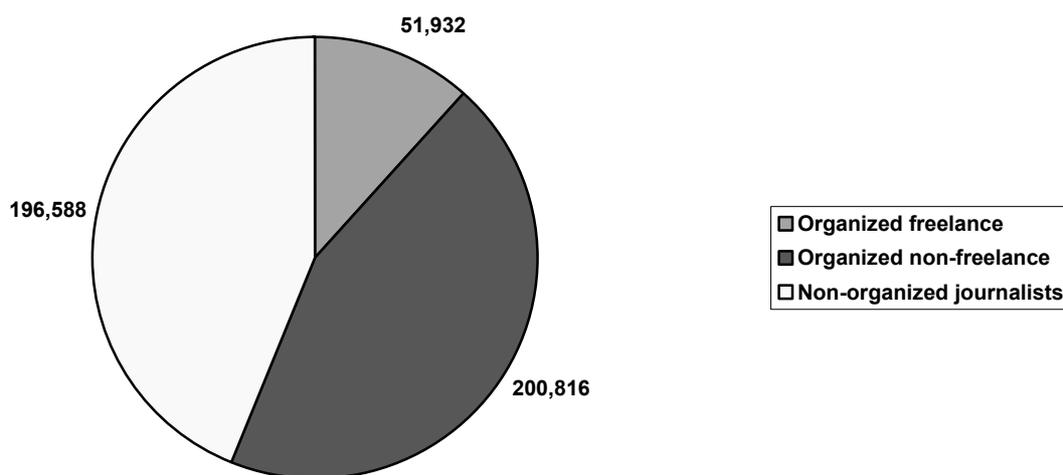
<sup>1</sup> J. Vincent: *The social situation of musical performers in Africa, Asia and Latin America*, Sectoral Activities Working Paper WP.172, Geneva, ILO, 2001.

the basis for pay and funding social security. Better protection of performers' rights – particularly on the basis of the WIPO Performance and Phonogram Treaty (WPPT) – and establishing efficient structures to collect royalties and make payments to performers would reduce musicians' dependence on other employment and provide support for social protection.

## 5.2. Journalists (freelance and others)

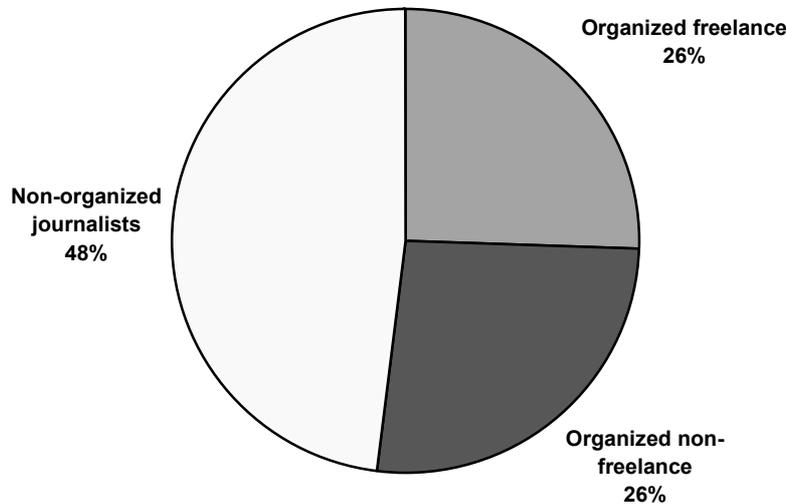
Most journalists' unions accept self-employed freelancers as members, and for many unions they constitute a large proportion of total membership. According to an IFJ world survey, about 80,000 of the 336,000 journalists organized in unions in 1999 were freelance, representing about 23 per cent of the membership. In 29 European countries (whose unions represent the majority of IFJ's membership) about 20 per cent of organized journalists were self-employed (see figure 5.1), while in Central and South America, 17,300 out of 35,200 union members were freelance, or almost exactly 50 per cent (see figure 5.2).

**Figure 5.1. Total numbers of freelance and staff journalists in 29 European countries compared with levels of union membership, 1999**



Source: Based on IFJ, *Freelance Futures*, World survey on the social and economic status of freelance journalists, Brussels, 1999.

**Figure 5.2. Percentage of unionization of journalists in ten Central and South American countries, among staff and freelancers, 1999**



Source: Based on IFJ, op. cit.

Unions organizing in the media and entertainment industries are acutely aware of the ICTs and the Information Society. Negotiating for use and reuse rights in new media has become a major issue. Workers' organizations that are trying to develop among new "e-lance" workers face new problems. Traditional union models of collective bargaining and representation were organized around the needs of employees working together in centralized workplaces, but independent/self-employed members require more individualized services. Unions are increasingly responding to individual inquiries from members – perhaps on legal or contractual matters, taxation or occupational health and safety – using new methods of service delivery, such as advice hotlines or email newsletters. There may be legislative restraints, such as anti-trust legislation, on the ability of unions to organize collectively among freelance/independent workers, who may be seen as competing micro-enterprises. In the United States, anti-trust laws limited the ways in which Communications Workers of America could help members of the Graphic Artists Guild. In the United Kingdom, the National Union of Journalists has had to convince the Government's Office of Fair Trading that its work in setting recommended fees for freelance members did not constitute promotion of a cartel. Independent/self-employed workers may choose to join unions to represent their interests if they can effectively set the price for their services, rather than it being fixed in ways outside their control.

### **5.3. Graphical workers**

Among graphical workers, there has been a tradition of more regular employment than among other parts of the sector, with contracts more akin to those of workers in manufacturing industries. Broadly speaking, that tradition is continuing, but probably with fewer jobs and with contracts of shorter duration. However, cost pressures and increasing automation have in some cases led to more temporary or seasonal employment. Outsourcing is being used increasingly to cut costs in the printing and packaging industry. This may lead to staff being made redundant in order to obtain the services more cheaply – sometimes from the same workers, but employed on casual rather than regular contracts, a

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trend reported by trade unionists in several countries. In other cases, transfer of printing and other graphical work to another country or to another sector may take jobs away from the graphical industries.

#### **5.4. Other media, culture, graphical workers**

Broadcasting workers, film workers, technicians, directors, producers and others are increasingly likely to be employed on a more casual, flexible basis than in the past, and this may be partly because “just-in-time” or ad hoc approaches to contractual status are easier to manage, thanks to the speed of searching for, identifying and contacting content or service providers. However, such changes in contractual status probably have more to do with pressures to cut costs and reduce regular payroll numbers, or to increase productivity and efficiency, rather than being the specific results of technological change. Production of films and television programmes has become more geographically mobile in recent years, and this has affected not just overall employment statistics in the industry but also the contractual status of many of those involved in the work. Some choose to become independent or self-employed for business reasons, but many others are freelance for want of a regular job and may be unable to find enough work on a regular basis.

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## 6. The Information Society and gender equity

### 6.1. Differential impacts on women and men as employers and workers in the sector

The impact of the Information Society and ICTs on the gender dimension of employment in the sector is difficult to assess, but it would appear that many areas in which technological change has made the deepest impact in this sector recently have been those that were previously dominated by men. Although there may be broadly equal numbers of men and women in the sector at the aggregate level, the workforce is horizontally segregated along gender lines in some particular occupations and subgroups, notably within specific areas of printing, journalism and the performing arts, and there is a high level of vertical segregation, as there are few women in senior management. In general, the increased frequency of precarious employment arrangements in the sector – which is partly a consequence of technological changes – makes it more difficult for workers with family responsibilities to arrange regular and suitable childcare. This has often had a negative impact on the employment prospects of women.

There are indications that some progress has been made in the media since the international comparative study on women in the media found that in 1995, around one-third of radio and television producers in southern Africa and Latin America were women and the figure was 37 per cent for Europe.<sup>1</sup> An IFJ survey found that in 2000, about 40 per cent of journalists in Europe and the Americas were women (although only 3 per cent and 5 per cent respectively were in decision-making positions),<sup>2</sup> while in Africa the proportion of women journalists was 25 per cent, and in Asia only 12 per cent (with only 1.4 per cent and 0.1 per cent respectively in decision-making positions). The main obstacles to women's advancement in journalism were identified as stereotyped attitudes expecting women to be subordinate and subservient, unequal pay, lack of access to further training, unfair promotion procedures, a "glass ceiling", sexual harassment, age limits, job segregation, conflicting family and career demands, lack of childcare facilities and lack of self-esteem.<sup>3</sup> Technology was not cited as an obstacle to advancement. In addition, the media itself are seen as perpetuating stereotyped portrayals of women, giving less voice to women in general and women experts in particular, and trivializing issues of concern to women.<sup>4</sup> Another key aspect of this issue is that women may not be sent on specific assignments such as war reporting<sup>5</sup> (although there have been more women reporters covering the conflict in Iraq since 2003 than in previous ones) and that the rules of

<sup>1</sup> M. Gallagher and M. von Euler: *An unfinished story: Gender patterns in media employment* (Paris, UNESCO, 1995).

<sup>2</sup> B. Peters: *Equality and quality: Setting standards for women in journalism* (Brussels, IFJ, 2001), p. 4.

<sup>3</sup> *ibid.*, p. 17.

<sup>4</sup> *ibid.*, pp. 14-16.

<sup>5</sup> See K. Adie: *The kindness of strangers* (London, Headline, 2002), *passim*.

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journalistic culture may disfavour women in a variety of direct and indirect ways.<sup>6</sup> The only professional category of the media in which women predominate is as television presenters.<sup>7</sup> It has been argued that:

[...] stereotyping of women in media and the restricted entry of women into the charmed circle and largely male world of management in journalism are key obstacles to gender equality in the media industry. Despite rising numbers of women working in journalism, the executive floors of mainstream media remain dominated by men with women editors and women managers unequally represented despite their numbers. [The IFJ declared that] Around the world the struggle for equality in media is a constant battle for recognition of women's rights. The issue is always there – whether it is in discrimination over jobs and pay or in the diet of sexist and titillating journalism that still contributes to the difficulties faced by women in all sections of society.<sup>8</sup>

Employment opportunities for women in the performing arts are particularly age-sensitive for several reasons, and this may be a further disincentive to young women seeking such work. Overall, other factors would appear to have a greater influence on gender issues in employment here than the impact of ICTs. New technologies, the Single European Market, unemployment and changing work patterns have all influenced some of the radical changes occurring in the media industry in the European Union, often with negative consequences for women. Among these changes are: a large increase in the importance of commercial broadcasting companies more responsive to the market than to public scrutiny; a rise in the share of independent production companies; steadily decreasing permanent, full-time staff and a growing number of short-term or freelance contracts, often hired directly by individual units so that no centralized personnel records of these workers are held; and major restructuring within public broadcasting companies, thus making equal opportunity issues a low priority. Although the independent sector may offer new career possibilities to women, some discriminatory practices found in older broadcasting institutions have been carried over to the independent sector, and men continue to occupy the majority of decision-making positions.

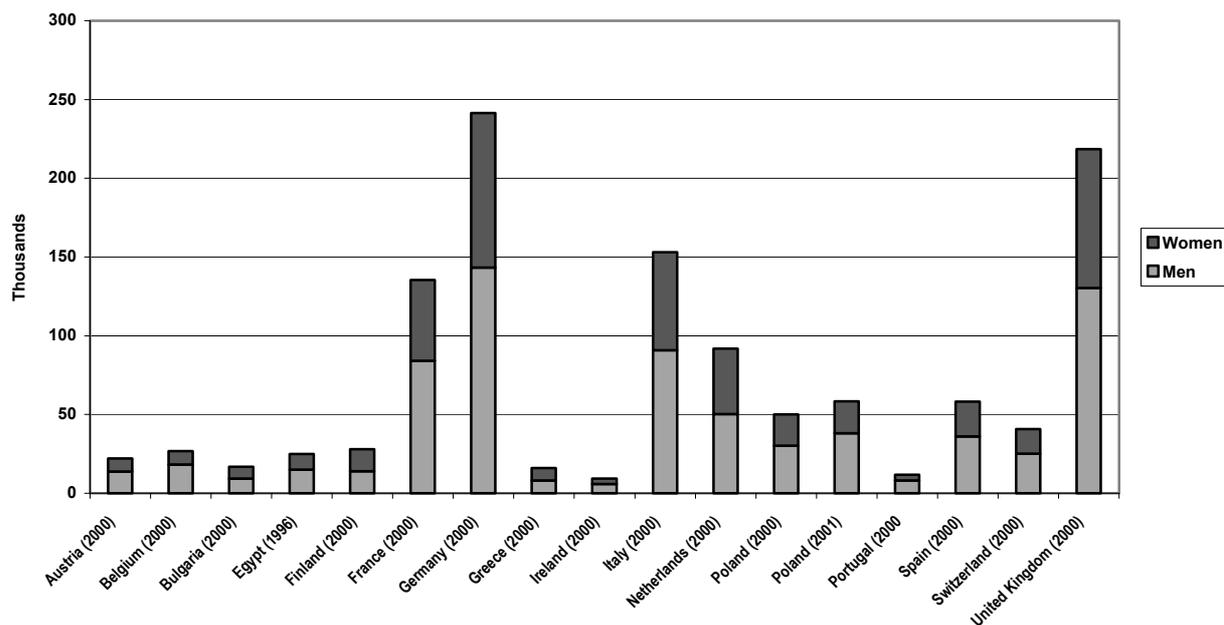
The gender distribution among writers and creative/performing artists in selected countries around the year 2000 (for which broadly comparable data were available) suggested that equality had been achieved only in Finland (see figure 6.1), and although progress had been made since the 1990s, there remained room for improvement. The impact of the Information Society and ICTs on employment in the media and entertainment industries over the coming years is likely to combine with greater efforts on the part of all stakeholders to promote gender equity in these and other countries, especially as these industries are among the most visible to the general public, and therefore more susceptible to such change.

<sup>6</sup> M. Gallagher: *Women, media and democratic society: In pursuit of rights and freedoms*, paper for the UN Division for the Advancement of Women (DAW) Expert Group Meeting on Women and the Media, Beirut, 12-15 November 2002 (doc. EGM/MEDIA/2002/BP.1), pp. 6-7.

<sup>7</sup> G. Spears and K. Seydegart: *Who makes the news? Global Media Monitoring Project 2000* (London, World Association for Christian Communication, 2001).

<sup>8</sup> IFJ: "International Women's Day: Prime Time to Put Women in the Media Picture Says IFJ", 8 Mar. 2004, at <http://www.ifj.org/default.asp?Index=2280&Language=EN>.

Figure 6.1. Gender distribution among writers and creative or performing artists, selected countries



Source: Compiled from the ILO SEGREGAT database.

In the United Kingdom, the Equal Opportunities Commission (EOC) reported that women’s average representation in top jobs in the United Kingdom’s media and culture sector in 2003 was 10 per cent, with the percentage of women among chief executives of media companies in the FTSE 350 only 7 per cent, directors of major museums and art galleries, 21 per cent, and chairs of national arts companies, 0 per cent.<sup>9</sup> The Commission noted: “The media has a particularly wide-ranging influence on all our lives, but women are still largely absent at the top level in the media business. There are 26 media companies listed in the FTSE 350, but only two have women chief executives; and just 9 per cent of national newspaper editors are women.”<sup>10</sup>

In 2002, women comprised only 1 per cent of cinematographers, 11 per cent of writers and 15 per cent of executive producers, and women directed only 7 per cent of the top 250 United States films, a figure little different from that of 1997.<sup>11</sup> In those films, male characters outnumbered females by more than two to one, some 77 per cent of clearly identifiable protagonists were male (only 16 per cent were female) and female characters were generally younger and more likely to be identified by their marital status than their

<sup>9</sup> EOC: *Sex and power: Who runs Britain?* (London, 2004), p. 3, <http://www.eoc.org.uk/cseng/policyandcampaigns/whorunsbritain.pdf>.

<sup>10</sup> *ibid.*, p. 5.

<sup>11</sup> M.M. Lauzen: *The celluloid ceiling: Behind-the-scenes and on-screen employment of women in the top 250 films of 2002* (San Diego State University, 2003), at <http://www.womenarts.org/advocacy/CelluloidCeiling2002.htm>. In 1997, women represented 15 per cent of all film writers, producers, directors, cinematographers and editors, and 21 per cent of all creators, executive producers, producers, directors, writers, editors and directors of photography for top-rated television programmes, according to Dr. Lauzen and Women in Film, at <http://www.wif.org>.

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male counterparts.<sup>12</sup> In that same year, among leading *Fortune 500* communications companies in the United States, survey results included examples such as 50 per cent women in executive positions at Scholastic Corporation, and 31 per cent women on the board of the *New York Times*, but a minority of other companies had no women in executive positions or on the board. On average, publishing companies had 18 per cent of women in executive positions, while in entertainment the figure was 12 per cent, with 18 per cent and 8 per cent respectively of women on their boards. Women-friendly benefit packages were strongly associated with women in corporate leadership.<sup>13</sup> Data from the ILO's SEGREGAT database for the United States indicate that, at the aggregate level, most journalistic occupations except announcers had broad gender equality (see figure 6.2), apart from photographers; that profession may open up more to women with the advent of digital equipment, but there is little evidence of this as yet. At the more detailed level, a 2002 survey indicated that while women represent around 40 per cent of the United States workforce in radio and television, only around 10 per cent of managers are women; the only TV positions that were more inaccessible than that of news director were sports anchor, sports reporter, photographer and weathercaster, but women were also under-represented among managing editors, Internet specialists and graphics specialists. The proportion of women in those categories had remained more or less unchanged since 1999, although women had progressed as news anchors and reporters.<sup>14</sup> The annual survey by the American Society of Newspaper Editors on employment of women and minorities by American daily newspapers<sup>15</sup> found that in 2002, women represented 43 per cent of newspaper employees overall and 35 per cent of executives and managers. Female employment was highest in the accounting/finance (80 per cent) and advertising (70 per cent) departments, and lowest in production (19 per cent) and information services (28 per cent, a 5 per cent decline from 1995). The percentage of women in newsrooms remained at 37 per cent in 2001 and 2002. Women represented 33 per cent of all newsroom supervisors, slightly down from 2001. Of the 20,168 women, 15.9 per cent were from minorities (10 per cent of employees were minority men, while 8 per cent were minority women).

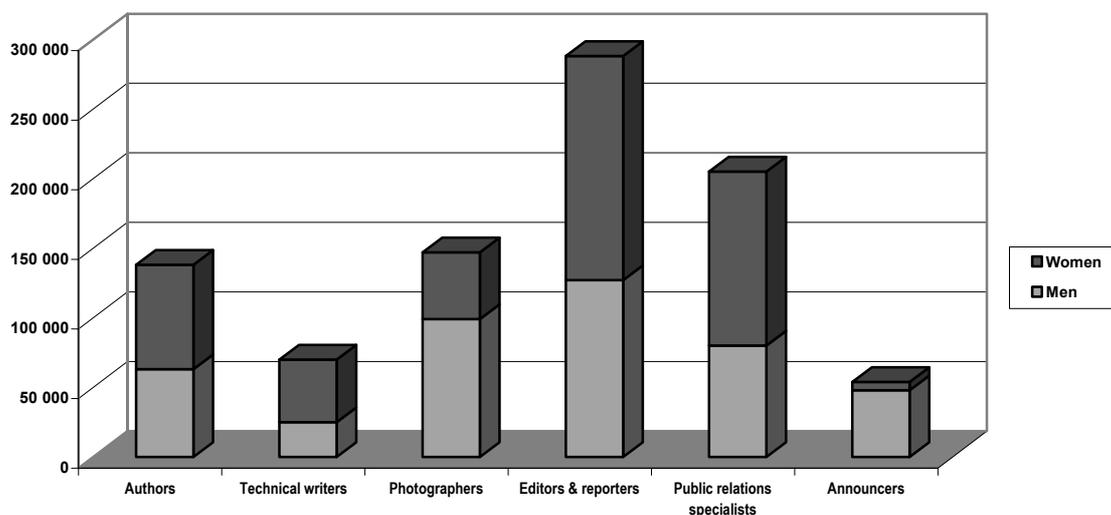
<sup>12</sup> Lauzen, loc. cit.

<sup>13</sup> E. Falk and E. Grizard: *The glass ceiling persists: 3rd Annual APPC report on women leaders in communication companies* (Annenberg Public Policy Center, University of Pennsylvania), Dec. 2003.

<sup>14</sup> Radio-Television News Directors Association: *2002 Women and Minorities Survey* (Washington, DC, 2002), at <http://www.rtnda.org/research/womin.html> .

<sup>15</sup> See Newspaper Association of America: "Employment of women and minorities", 2003, at [http://www.naa.org/info/facts03/33\\_facts2003.html](http://www.naa.org/info/facts03/33_facts2003.html) .

**Figure 6.2. United States – Gender segregation among writers, authors, journalists and related occupations, 2000**



Source: Compiled from the ILO SEGREGAT database.

In India, women are now more able to find work as producers, directors and technicians than in the past, with more likelihood of employment in television than in film, but with fewer opportunities and lower pay than men. However, young actresses may earn more than their male counterparts and work more regularly, although older actresses find it difficult to obtain employment. Women account for about one-third of actors in film and television in Mumbai, around 50 per cent of singers, 40 per cent of dancers and less than 1 per cent of musicians.<sup>16</sup> Women film and TV producers remain rare, women constitute only 2 per cent of Class I officers in government-owned All India Radio, and there are very few women journalists in print media.<sup>17</sup>

Recent structural changes in media industries, and especially the introduction of new technologies, have increased the number of freelancers in this field. Large broadcasting and publishing companies are increasingly downsizing in order to remain economically viable, as well as outsourcing, often to small teams (some are required to outsource a percentage of their programme production to independent contractors). The independent firms may provide women with more opportunities because of greater flexibility in working hours, for example, but discrimination against women may still be a problem. It seems that, compared to women, men tend to remain more fully self-employed in media and entertainment, and there is concern that the loss of full-time permanent employment would have a very negative impact on future training and qualification of women in the industry. As a result of women's increasing familiarity with new technology in daily life applications, and greater encouragement for girls to acquire computer skills at school, the perceived male-female divide in technological qualifications may be disappearing. However, as far as the new media, software development, electronic games and Internet

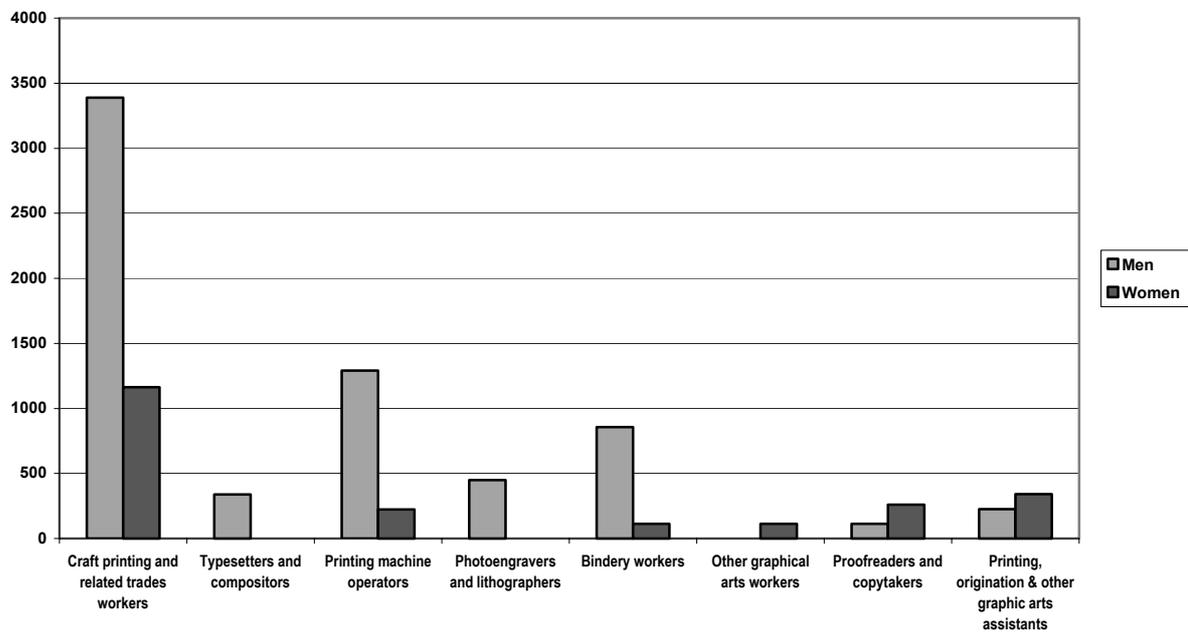
<sup>16</sup> Arunaraje: "Role of women in the film and television industry" (Mumbai, 1999), pp. 4-5, unpublished.

<sup>17</sup> See K. Manjari: "Women journalists in a changing media world" (IFJ, 2002), at [http://www.ifj-asia.org/page\\_india\\_Manjari.html](http://www.ifj-asia.org/page_india_Manjari.html).

publishing are concerned, there is as yet little sign of progress towards gender equality – men still tend to hold most jobs in those areas.

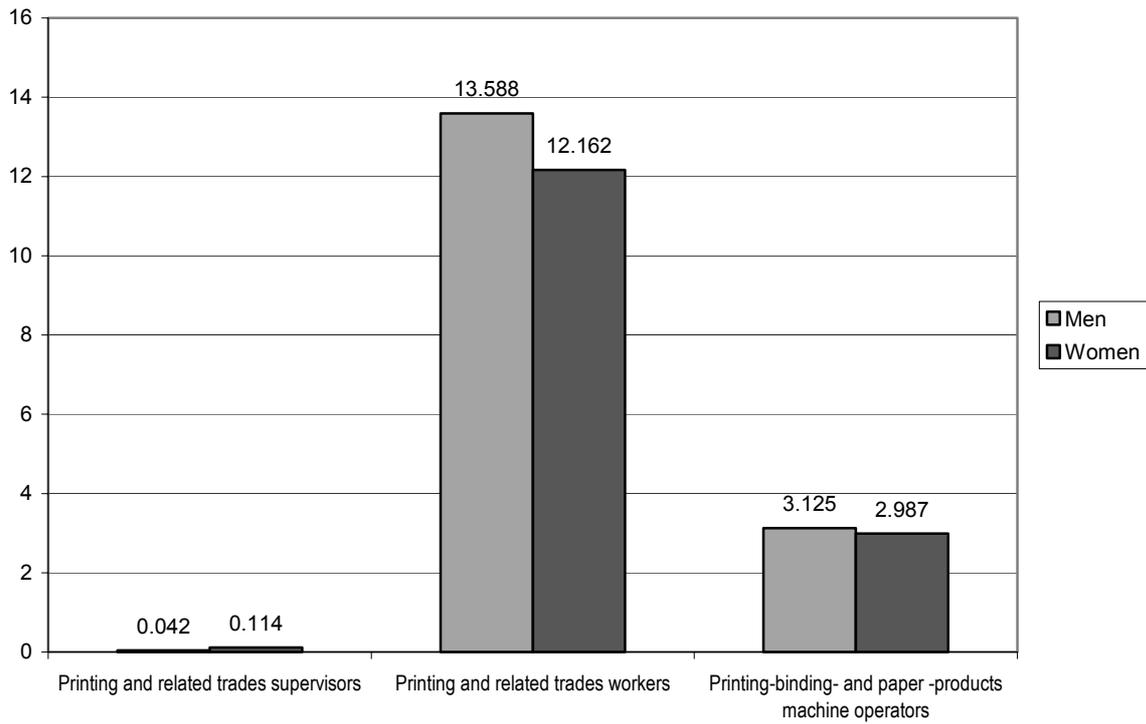
The graphical sector is apparently becoming increasingly feminized, having long been a male bastion. This change is often associated with subcontracting and cost-cutting; the workforce is more frequently low paid, from a minority group, and perhaps located in a new supplier country or region. While more detailed analysis of the trends, realities and causal factors behind the statistics in the ILO’s SEGREGAT database was not possible, segregation within the sector is apparent from several national examples (see figures 6.3-6.5). Among these, Costa Rica appeared to be moving from a male-dominated industry to a slightly more balanced one as the new technologies were being introduced; Egypt had more female than male supervisors in printing and related trades; while the United States remained especially male-dominated in printing.

**Figure 6.3. Costa Rica – Sex segregation, graphical industry, 2000**



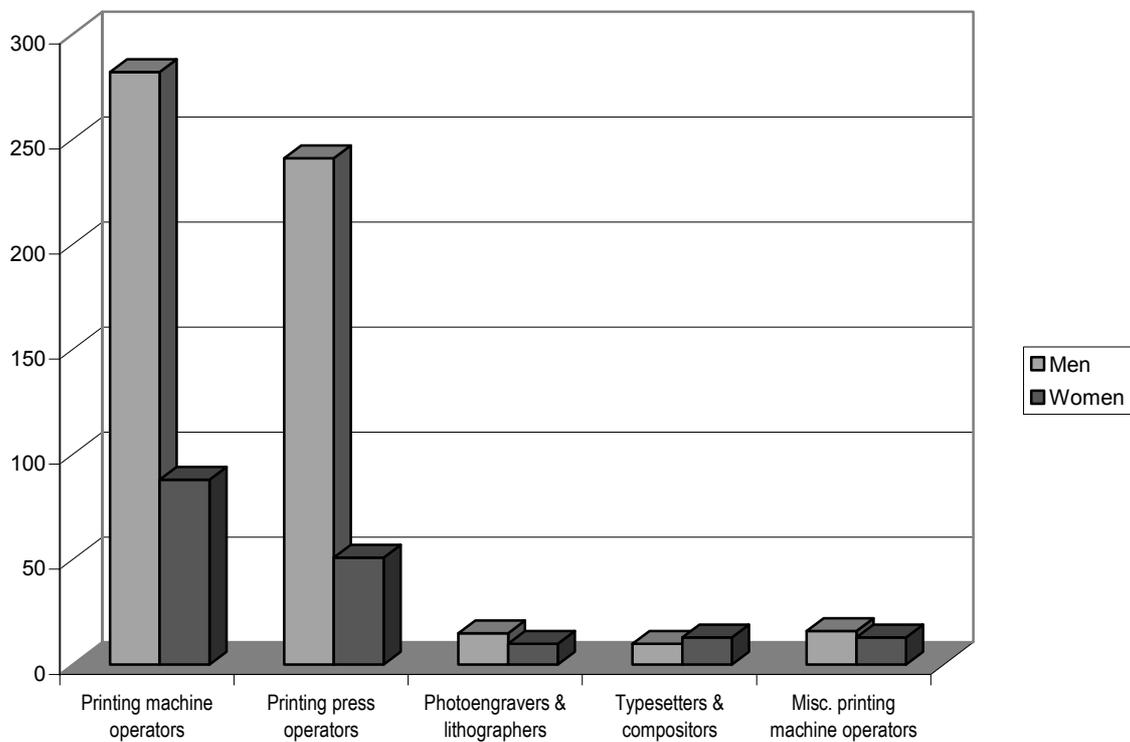
Source: Compiled from the ILO SEGREGAT database.

**Figure 6.4. Egypt – Sex segregation, graphical industry, 1996 (thousands)**



Source: Compiled from the ILO SEGREGAT database.

**Figure 6.5. United States – Sex segregation, graphical industry, 2000 (thousands)**



Source: Compiled from the ILO SEGREGAT database.

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## 6.2. Measures to promote equal opportunities in the sector

Leading broadcasters and publishers in countries such as Australia, Canada, Denmark, Finland, Ireland, South Africa, the United Kingdom and the United States have had very good and innovative equal opportunities policies, some of them dating from as long ago as 1980. Many such policies helped to bring about real change in institutions previously dominated by a male management culture. In some of these, progress has been made at all levels of the organization, but in others a glass ceiling still appears to exist. News Corporation's statement includes the following:

The Company maintains a strong policy of equal employment opportunity for all employees and applicants for employment. The Company hires, trains, promotes and compensates employees on the basis of individual competence and potential without regard for race, color, religion, sex, sexual orientation, national origin, citizenship, age, marital status or non-job related disability, as well as all other classifications protected by applicable laws.

The Company's equal employment opportunity philosophy applies to all aspects of employment with the Company, including but not limited to recruiting, hiring, training, transfer, promotion, employee benefits and compensation, termination, educational assistance, leave of absence and social and recreational activities.<sup>18</sup>

The BBC's equal opportunities guideline states:

Our intention is to create and sustain a working environment in which true equal opportunity for all is created through understanding and behaviour. This guideline explains why equal opportunity is vital to the BBC and explains initiatives that can be taken to encourage a positive approach to equal opportunities. It applies to all employees and potential employees. [...] We have a duty to cover all audiences and broadcasting needs and extend choice for viewers and listeners by guaranteeing access for everyone in the country. In order that audiences have confidence in us and in order that we are consistent it is fundamental that we do not discriminate unfairly within our recruitment, employment and development processes. A balanced workforce reflecting the nation will inspire confidence and enable the BBC to make use of all the nation's available talent. As an organisation positioning itself as the best managed public service institution in the UK, we cannot afford to lay ourselves open to criticism of our approach to equal opportunities. Equal opportunity is covered by a framework of UK and European law which we must conform to.<sup>19</sup>

The IFJ has launched an international action plan aimed at challenging policies and practices that are contrary to gender equity within mass media, arguing that: "In all areas of media – including within the associations and unions that represent women – there needs to be a cultural shift that will put women into the picture. It is vital that the twenty-first century media challenge the practices and outdated social traditions that restrict the rights of girls and women to play an equal role at work and in society."<sup>20</sup>

At the WSIS, there were calls from civil society to develop ICT-based information systems with relevant content for women; to increase their economic opportunities and

<sup>18</sup> Quoted in ILO: *Company policies: The News Corporation – Summary of the provisions*, at <http://www.ilo.org/public/english/employment/gems/eo/company/usa/news.htm> .

<sup>19</sup> BBC: *Guideline on equal opportunities*, 2004, at [http://www.bbc.co.uk/foi/docs/working\\_at\\_the\\_bbc/equal\\_opportunities\\_and\\_diversity/Equal\\_Opportunities.htm](http://www.bbc.co.uk/foi/docs/working_at_the_bbc/equal_opportunities_and_diversity/Equal_Opportunities.htm) .

<sup>20</sup> IFJ: "International Women's Day: Prime time to put women in the media picture says IFJ", 8 Mar. 2004, at <http://www.ifj.org/default.asp?Index=2280&Language=EN> .

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entrepreneurship skills, including information about national economic and trade policies and programmes; and to strengthen relevant and diverse programmes focused on gender-sensitive curricula for all and enhancing communication and media literacy for women. Across the whole sector, women previously had less access to training and were excluded from training for certain jobs. It is important to ensure that training opportunities in the sector are made available more equitably.

Overall, the impact of the Information Society and ICTs on the sector in terms of equal opportunities is likely to favour further progress towards gender equity in employment, and to an improvement in quality of media and entertainment products and services in terms of better representation of women as reporters, performers, news sources and subjects. This sector can be among those that can lead to change in society, as audiences respond to and demand higher quality and better representation of society in general.

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## **7. International instruments relevant to the sector**

### **7.1. Relevant ILO standards**

Recent ILO instruments of interest for the sector, particularly those in atypical employment, concern fee-charging employment agencies, the employment relationship, and the Declaration on Fundamental Principles and Rights at Work.

Performers and media workers employed through private employment agencies can benefit from increased protection with the adoption of the Private Employment Agencies Convention, 1997 (No. 181), which is designed to allow the operation of private employment agencies, increase the efficiency of labour markets and protect jobseekers using their services. The Convention sets general parameters for the efficient operation of private employment agencies, allowing them wider scope for cooperation with public employment services, thus increasing the efficiency of the labour market and providing positive benefits for jobseekers. It underlines the role of representative employers' and workers' organizations in all labour market policies covered by the Convention, taking workers' interests into account by ensuring that agencies operate in line with ethical codes, and giving national authorities the flexibility needed to deal with private agencies in the context of their own realities and concerns. The Convention lists general principles and guidance that protect both workers and jobseekers against poor terms and conditions of employment, providing a framework for sound industrial relations in a rapidly globalizing economy. It calls on member States to ensure that private employment agencies "treat workers without discrimination on the basis of race, colour, sex, religion, political opinion, national extraction, social origin, or any other form of discrimination covered by national law and practice, such as age or disability". It applies to all private employment agencies, all categories of workers except seafarers, and all branches of economic activity. The Convention also provides that private employment agencies cannot charge directly or indirectly, in whole or in part, any fees or costs to workers. However, in the interest of the workers concerned, exceptions may be authorized for certain categories of workers, and specified types of services provided by such agencies. Ratifying member States are required to ensure adequate protection for workers employed by private employment agencies in relation to: freedom of association; collective bargaining; minimum wages; working time and other working conditions; statutory social security; access to training; occupational safety and health; compensation for occupational accidents or diseases, compensation in case of insolvency and protection of workers' claims; maternity protection and benefits, and parental protection and benefits.

Of particular interest for performers, journalists and others is the ongoing examination by the ILO of "the employment relationship". Many media and entertainment workers are employed on short-term contracts or through subcontracting. Their lack of continuity in employment, often combined with so-called "independent" employment status, can mean they are locked out of social security schemes and have limited access to benefits such as paid holidays, maternity protection, and safety and health protection. A major agenda item for the International Labour Conference in June 2006 will be the discussion of a proposed Recommendation on the employment relationship. This would continue previous work on that topic (at the June 2003 session of the International Labour Conference) and on issues surrounding contract labour (in 1997-98) and the informal economy (in 2002), which included consideration of the employment and contractual status of journalists, writers, performers and artists. A standard on the employment relationship could be welcome for performers, among others, who tend to be self-

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employed or in precarious employment and often excluded from labour law or social protection schemes.

Delegates to the International Labour Conference in 1998 adopted a Declaration on Fundamental Principles and Rights at Work and its Follow-up, committing the Organization's member States to respecting the principles and rights inherent in core labour standards and promoting their universal application in good faith. These fundamental principles are: freedom of association and effective recognition of the right to collective bargaining; elimination of all forms of forced or compulsory labour; effective abolition of child labour; and elimination of discrimination in employment and occupation. Unlike Conventions, which bind only ratifying Members, the Declaration applies to all countries that have accepted the ILO Constitution, whether or not they have ratified the fundamental Conventions. It also serves as a point of reference for the entire global community – employers' and workers' organizations, lawmakers, NGOs, enterprises, and other international organizations. It mandates the ILO to encourage other international organizations to help create a climate for economic and social development that respects fundamental principles and rights at work. The annual reports required of governments that have not yet ratified one or more of the fundamental Conventions provide a new source of information on member States' needs in realizing these fundamental principles and rights. One employer observed that the Declaration is an extremely valuable step in the right direction, reconfirming the core principles of the Conventions without limiting or qualifying them, and that the Declaration will become increasingly important because it states very valuable general principles without overly prescriptive limitations. An ILO programme on promoting the Declaration and its follow-up focuses on media and educational campaigns; research into how each of the rights relates to economic growth, employment creation, poverty reduction and gender equity; policy advice on job creation and social protection underpinned by respect for fundamental principles and rights; legal support to strengthen the capacity of lawmakers and labour administrations; and widening involvement of employers' organizations, trade unions and other civil society groups and regional and international organizations. A global report assesses the overall trends and the effectiveness of ILO technical support and facilitates determining technical cooperation priorities and developing plans of action to assist member States in efforts to promote these fundamental principles and rights.

Protecting workers against occupational illness and injury, and ensuring a safe and healthy working environment, are subjects embodied in nearly 60 ILO standards that guide national policy and action towards a safe and healthy working environment, protecting the well-being and dignity of the worker, including proper supervision of safety procedures concerning hazardous usage of machinery and equipment. These standards include the Occupational Safety and Health Convention, 1981 (No. 155), and its Recommendation (No. 164); the Occupational Health Services Convention, 1985 (No. 161), and its Recommendation (No. 171); and the Prevention of Major Industrial Accidents Convention, 1993 (No. 174), and its Recommendation (No. 181). They also provide protection against particular agents, occupational cancer, handling of machinery, and specified risks in the working environment. Other standards include the Maternity Protection Convention, 2000 (No. 183), the Worst Forms of Child Labour Convention, 1999 (No. 182), the Part Time Work Convention, 1994 (No. 175), and the Home Work Convention, 1996 (No. 177).

At its 90th Session in June 2002, the International Labour Conference adopted a resolution concerning tripartism and social dialogue. Governments are called upon to “ensure that the necessary preconditions exist for social dialogue, including respect for the fundamental principles and the right to freedom of association and collective bargaining, a sound industrial relations environment, and respect for the role of the social partners”. The resolution calls on workers' organizations to “continue to empower workers in sectors where representation is low in order to enable them to exercise their rights and defend their

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interests”, and on employers’ organizations to “reach out to sectors where representation levels are low in order to support the development of a business environment in which tripartism and social dialogue can flourish”. This could apply well to efforts to organize those “e-lance” workers, independent/self-employed performers and others who have not been part of social dialogue until now.

## **7.2. The Rome Convention, 1961**

Technological change in the media, culture, graphical sector is nothing new. Earlier technological change in the media and entertainment industry encouraged international discussions on the rights of performers, producers of phonograms and broadcasters, from the late 1920s onwards. These discussions ultimately led to the adoption by a Diplomatic Conference held in Rome in 1961 of the International Convention for the Protection of Performers, Producers of Phonograms and Broadcasting Organizations (the “Rome Convention”), which the ILO, UNESCO and WIPO jointly administer. The Convention addresses the protection of “neighbouring rights”, which arise when a contribution is made to an original work through performances, recording and broadcasting, so creating other protected works (audio recordings, including records, tapes and CDs). In today’s Information Society, the Rome Convention remains an important intellectual property standard for copyright and related rights in the digital environment, even though it only covers phonograms (not film or television production), and excludes images from its definition of recordings as “aural fixation of sounds”.

The interconnection between the three rightsholders to be protected (performers, phonogram producers and broadcasters) and the need to create a balance between the three led to the creation of this Convention, which is unique among international intellectual property standards in dealing with three rightsholders in one instrument. Some countries had legislation granting rights to one or two of the beneficiaries, but the Rome Convention provided for rights for all three rightsholders. Because it was a pioneer Convention, many countries had to legislate to create the minimum rights provided for before they could ratify. The progress of ratifications was relatively slow, but by March 2004, 77 States had ratified the Convention, over half of them since 1990. It has been influential, with many countries legislating to grant rights or additional rights to one or more of the three beneficiaries for the first time. Under the Convention, performers are protected against certain acts to which they have not consented, such as: broadcasting and communication to the public of their live performance; fixation of their live performance; reproduction of such fixations if the original is made without their consent or if the reproduction is made for purposes different from those originally authorized. Effectively, performers only have the possibility of preventing the original recording in the first instance. Producers of phonograms enjoy the right to authorize or prohibit the direct or indirect reproduction of their phonograms (i.e. any exclusively aural fixation of sounds of a performance or of other sounds). When a phonogram published for commercial purposes gives rise to secondary uses (such as broadcasting or communication to the public in any form), a single equitable remuneration must be paid by the user to the performers, or to the producers of phonograms, or to both. However, contracting States are free not to apply this rule or to limit its application. Broadcasting organizations enjoy the right to authorize or prohibit certain acts, namely: rebroadcasting of their broadcasts; fixation of their broadcasts; reproduction of such fixations; communication to the public of their television broadcasts if such communication is made in places accessible to the public against payment of entrance fees. The Convention provides that, once a performer has consented to the incorporation of his or her performance in a visual or audiovisual fixation, the provisions on performers’ rights have no further application. Protection must last at least until the end of a period of 20 years computed from the end of the year in which: (a) the fixation was made, for phonograms and performances incorporated therein; (b) the performance took

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place, for performances not incorporated in phonograms; (c) the broadcast took place, for broadcasts. However, national laws now frequently provide for a 50-year term of protection, at least for phonograms and for performances.

Under Article 32 of the Convention, the ILO, UNESCO and WIPO constitute the joint Secretariat of the Intergovernmental Committee of the Rome Convention, the eighteenth ordinary session of which was held in June 2001 at ILO headquarters. In 2005, UNESCO will host the nineteenth ordinary session of the Intergovernmental Committee.

### **7.3. International protection of creators, producers, broadcasters and performers**

Against this backdrop of standards-related activities, the ILO, as a member of the Rome Convention Secretariat, has been involved in efforts to ensure adequate protection for performers, journalists and others in the context of rapidly evolving technologies, multimedia convergence and the globalization of media and entertainment. Since the adoption in 1996 of the WIPO Performances and Phonograms Treaty (WPPT), the ILO has closely followed developments in this area. For example, as part of its continuing work on issues related to the Rome Convention and to the media, culture, graphical sector, the ILO participated in the Diplomatic Conference on the Protection of Audiovisual Performances (December 2000), and in subsequent discussions on that issue and protecting the rights of broadcasting organizations.<sup>1</sup> The ILO supports member States adopting or amending copyright laws, as appropriate, to protect rightsholders in accordance with international standards, such as the Rome Convention, the TRIPS Agreement and the WPPT.

In the Information Society, value lies increasingly in intellectual property, and copyright and related rights raise profound public policy issues concerning access to and ownership of information. In mid-2000, WIPO published an overview of issues posed by the growth of the Internet, e-commerce and electronic forms of data storage,<sup>2</sup> which states that: “Materials protected by copyright and related rights, spanning the range of information and entertainment products, will constitute much of the valuable subject matter of electronic commerce”. Although the WIPO document did not address industrial relations issues, there are significant concerns relating to the intellectual property rights of workers. The intellectual property framework now being built will establish how public and private interests are met in the near future. The ILO recognizes the very important work carried out in this field by WIPO, UNESCO and others. Global trade union federations representing workers in this sector have been active on this issue. The IFJ launched an international authors’ rights campaign in June 2000, to counteract moves by several international publishers to try to secure the rights necessary to exploit created material in new digital media, as well as in other media not yet invented. These moves have been controversial and the subject of several legal cases. In the United States, Jonathan Tasini and other freelance members of the National Writers Union in 1993 challenged the right of the New York Times to republish, in a commercial electronic database, material originally contributed by them for use in the print edition. An interim court ruling in 1997 found in favour of the newspaper, but this was reversed on appeal in 1999 in a judgement that appears to establish that freelance writers should be paid for electronic publication of copyright material. However, there are also examples where the issue of electronic publication rights has been resolved through collective agreements.

<sup>1</sup> See also Chapter 4.1.

<sup>2</sup> WIPO: *Primer on electronic commerce and intellectual property issues* (Geneva, 2000), at <http://ecommerce.wipo.int/primer/> – see section III, para. 109.

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Some examples are the agreements between Radio France Internationale and the French journalists' union, Guardian Newspapers and the National Union of Journalists (United Kingdom), and the Danish Union of Journalists and Danish newspaper publishers.<sup>3</sup> The IFJ's Authors' Rights campaign draws attention to differences between countries, between copyright and authors' legal and moral rights, and between the rights enjoyed by employees and the self-employed. Copyright in work produced by workers under employment contracts is generally acquired automatically by the employer.

The International Federation of Actors (FIA) and the International Federation of Musicians (FIM) have both drawn attention to issues raised by performance rights in new electronic media. For actors, FIA has identified the creation and development of mechanisms for obtaining secondary payments for the use of performances as perhaps the most challenging issue facing actors' unions worldwide, and claims that "the balance of power in the bargaining relationship between the performer and producer means that rights can be easily transferred to the producer, and in most film contracts the actor is required to assign to the producer all rights in all media in perpetuity".<sup>4</sup> Audiovisual performers' rights were the focus of the WIPO Diplomatic Conference in December 2000 (see Chapter 4.1). The distribution of music electronically over the Internet and the challenge posed to the established music industry continue to be the subject of much attention. Recent developments include court cases by the recording industry against individuals and groups, and the development of paid web subscription services and paid download services to supplant "illegal" downloading through Kazaa, Morpheus, etc. For individual musicians, there are similar problems to those faced by writers and performers in maintaining any control over the electronic exploitation of their work. FIM has drawn particular attention to the situation facing musicians in developing countries. In the study of musicians in Asia, Africa and Latin America, FIM pointed out that the usual self-employed status of musicians and the common lack of written contracts leave individuals vulnerable. FIM has called for the establishment of efficient structures for collecting royalties and paying artists in these regions.

For individual creative artists, the difficulties of policing copyright and obtaining payments for use are almost insuperable. In many countries, therefore, copyright creators have chosen to work collectively through established collecting societies. As intellectual property rights become increasingly important, these collecting societies will become more directly of relevance in industrial relations. The IFJ's Authors' Rights campaign calls for a focus "on the importance of close cooperation between licensing systems for authors all over the world and the possible advantages of creating one worldwide author-controlled licensing system".<sup>5</sup> Whilst intellectual property rights are an issue primarily facing freelance and "e-lance" workers, workers' representatives may wish to ensure through collective bargaining that individual employees receive adequate remuneration for the benefits derived by their employer from their creative efforts. This concerns not only workers in the media and entertainment industry but also software writers of computer programs.

<sup>3</sup> A. Bibby: *Negotiating the new economy: The effect of ICT on industrial relations*, background paper produced for the *World Employment Report, 2001*.

<sup>4</sup> Quoted in A. Bibby, *op. cit.*

<sup>5</sup> *ibid.*

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## 8. Social dialogue in the sector

Traditional labour-management relations have problems coping with technology and other developments in media and entertainment, because the workforce is more fragmented than before, and enterprises are outsourcing work that used to be core business. Thus new forms of social dialogue and interaction are seen by the ILO as essential for developing these industries at all levels, addressing the impact of information and communication technologies, tackling issues relating to social protection and informal economy workers in media and entertainment, and promoting training as a central strategy to safeguard the interests of all stakeholders.

Some labour characteristics of this sector that have developed over decades – relatively stable employment relations, collective agreements, worker representation, employer-provided training, jointly funded social security schemes – have been weakened by globalization, liberalization, casualization and technological developments. Until recently, it was hard for workers' and employers' organizations in these industries to communicate across boundaries, but multimedia convergence, mergers of firms and of workers' organizations, and the increasingly global nature of these industries seem to have encouraged new, broader forms of social dialogue, sometimes across sectors, occupational groups and frontiers. There is great scope for such initiatives in this restructured, more globalized and technological environment, and the Internet and email offer increased scope for communication and organization within and across sectors and countries.

Social dialogue in the entertainment industry helps employers, workers and governments to deal with problems like the effects of globalization and technology, allowing agreements to be reached. Sectoral meetings, like this 2004 Tripartite Meeting and the ILO Symposium on Information Technologies in Media and Entertainment in 2000, and action to follow-up on their conclusions, provide opportunities for social dialogue at the international level. The Symposium's conclusions recognized that information and communication technologies are revolutionizing media and entertainment, accelerating the globalization process, and opening new avenues for employment, and urged the ILO to encourage employers' and workers' representatives to engage in social dialogue in the entertainment sector, especially on the introduction of technological change; identify obstacles to the development of workers' and employers' organizations and collective bargaining; enhance cooperation with organizations in related media and entertainment industries; and cooperate at the international level in efforts to promote action to protect copyright and related rights.

Bringing together the importance of ensuring high quality media and corporate social responsibility (CSR) in the Information Society in this sector, a recent development was the launching of the Media CSR Forum in the United Kingdom in March 2004 by employer representatives from across the media, including broadcasting, newspapers, magazines, book publishers, online publishers, music, printing and advertising enterprises.<sup>1</sup> Fifteen leading media companies in the United Kingdom (AOL, the BBC, Capital Radio, EMI, Guardian Media Group, GWR, ITV, Pearson, Polestar, Reed Elsevier, Reuters, Sky, Trinity Mirror, United Business Media and WPP) joined forces to improve the way the sector responds to its corporate social responsibilities. Media companies are concerned that they are unfairly seen as laggards in this field because of the way that

<sup>1</sup> J. Confino: "Communication with care: Some of Britain's top media companies want to take on more social responsibility", in *The Guardian*, 15 Mar. 2004, at <http://society.guardian.co.uk/news/story/0,7838,1169258,00.html> .

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various institutional investors and organizations measure CSR. CSR indices and investor questionnaires are geared more towards sectors such as manufacturing and retail, and fail to take into account the fact that the key role of the media industry lies in its unique intangible benefits, such as freedom of expression and promoting a culturally diverse output. At the launch of the Forum, Bob Phillis, chief executive of the Guardian Media Group, observed:

Media companies have much in common with other sectors in the area of CSR. We have the same range of stakeholders, and the media industry's impact in these areas can and should be measured and compared with companies in sectors such as manufacturing or retail. At the same time the media also occupy a unique position in supporting the democratic process by making information, knowledge and a range of opinions openly available and ensuring that public and private institutions are accountable for their behaviour. This is social responsibility in its highest form and should also be recognized.<sup>2</sup>

### **8.1. Social dialogue and collective bargaining on issues arising from ICTs**

The major direct impact of ICTs on work is, of course, seen in the introduction of new equipment and ways of working. Social dialogue before such changes are introduced will often allow a smooth transition and prevent conflict. One example of a national collective agreement in this area was the one signed in Italy in April 2001, which for the first time covered online journalism, and specifically new hires.<sup>3</sup> Another was the first national collective agreement for audiovisual production company technicians in Spain,<sup>4</sup> signed in June 2000 for 2000-03, in an area that had little previous experience of collective bargaining, and where technologies are having a major impact. Some technologies used in the sector are designed to provide entirely new services or higher quality, for which social dialogue may be relatively easy. However, bargaining may be much more difficult when technological changes are more specifically aimed at efficiency, productivity or cutting labour costs. In some cases, dynamic firms may be able to introduce labour-saving digital equipment while maintaining the size of the workforce by developing new products or services; however, industrial relations will be difficult in the context of control-room automation in broadcasting, for example, as it is unlikely to lead to anything but job losses.

In the United States, as regards forthcoming bargaining on work related to the impact of technology, SAG and AFTRA plan in the third quarter of 2004 to negotiate a new feature film and TV agreement with the Alliance of Motion Picture and Television Producers (AMPTP), focusing on priorities including "achieving more equitable and lucrative residual formulas for secondary distribution markets, including DVDs, pay TV, and made-for-basic cable, as well as increased funding for the unions' pension and health

<sup>2</sup> Quoted by Confino, *ibid.*

<sup>3</sup> European Industrial Relations Observatory On-line: "New agreement for journalists faces up to changing profession", at <http://www.eiro.eurofound.ie/2001/04/Feature/IT0104367F.html> , Dublin, 2001.

<sup>4</sup> European Industrial Relations Observatory On-line: "First national agreement signed for audiovisual technicians", at <http://www.eiro.eurofound.eu.int/2001/10/inbrief/es0010115n.html> , Dublin, 2000.

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plans, further unification of television agreements and stronger terms for background actors”.<sup>5</sup>

Strengthening the social dialogue process in the graphical industry could help maintain its competitiveness and safeguard employment security – through increased flexibility in the labour market and in work organization, and effective negotiation when common issues (e.g. changes in work organization, the introduction of temporary workers, mobility) are the subject of consultation or bargaining.<sup>6</sup>

A conference of trade unionists and researchers held from 15 to 18 June 2000 in the United Kingdom<sup>7</sup> analysed the British graphical industry according to the following criteria: corporate structure in the graphical industries; technological innovation and the impact on skills; changes in work organization; and barriers to cross-border cooperation by graphical workers. It drew conclusions on the need to strengthen social dialogue and cross-border cooperation among graphical workers, in five separate areas:

- *Fundamental labour rights* – promote the right to organize employees, to have employment conditions determined by collective bargaining and to undertake industrial action not limited by national borders.
- *Simultaneous action* – demonstrate to graphical multinationals and union members that unions can act simultaneously and across the EU and beyond.
- *European Works Councils (EWCs)* – give priority to establishing EWCs in companies that have yet to comply with the EWCs’ Directive, and seek to strengthen the Directive (70 or so graphical multinationals fell within the scope of the EWCs’ Directive and 42 EWCs existed in this sector in 2000, representing 60 per cent of eligible companies).
- *Traditional and new membership* – continue to protect the interests of traditional print workers while expanding membership within new media. In 1994, print media accounted for 57 per cent of the communications industry while electronic media accounted for 43 per cent; by 2005, the proportions are forecast at 34 per cent and 66 per cent, respectively.
- *Skills development* – ensure that members have access to training, retraining and lifelong learning in order to acquire and develop relevant skills for an industry that is progressing rapidly and undergoing rapid technological change.

The Conference’s main points of action were: to support the inclusion of fundamental trade union rights in the EU Treaty; coordinate collective agreements in the graphical and new media sectors in Europe and North America; exchange information on technical

<sup>5</sup> SAG press release: “SAG and AFTRA members overwhelmingly say ‘yes’ to one-year contract extension”, Los Angeles, 18 Mar. 2004, at [http://www.aftra.org/press/pr\\_20040318\\_sag\\_aft\\_Ref\\_results.htm](http://www.aftra.org/press/pr_20040318_sag_aft_Ref_results.htm) .

<sup>6</sup> J. Gennard: *Strengthening social dialogue and cross-border trade union networks in the graphical industry*, Final report of the research project carried out by of the University of Strathclyde, Glasgow, Sep. 2001.

<sup>7</sup> Reported in European Industrial Relations Observatory On-line: “Strengthening social dialogue in the graphical industry”, at <http://www.eiro.eurofound.eu.int/2000/11/feature/eu0011282f.html> , Dublin, 2000.

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developments, collective bargaining, education and health and safety; strengthen EWCs in transnational companies, and give priority to establishing EWCs in those companies that did not have one; protect the interests of traditional graphical workers while expanding membership in new media; support research and information projects about the graphical industry and educational projects in Asia, Africa, Europe and South America; and develop a joint cross-border strategy for all graphical multinationals.

## 8.2. Social dialogue on social protection

The issue of social protection in the sector is a crucial one, given that rights to unemployment, health and retirement coverage for performers, artists and writers are usually available only to permanent staff, to people whose benefit entitlements are part of a universal system that does not specifically exclude them, or to those with the means to cover insurance payments from their income or from a collective scheme based on union membership or collecting society revenues. A serious dispute over the unemployment benefit scheme for temporary workers in entertainment in France (see Chapter 3) came to a head in 2003, with major industrial action that disrupted many festivals and other events during the summer, and was continuing at the time of writing (May 2004). More positive news concerns an agreement reached in September 2003 between representatives of AFTRA and BMG, EMI Music, Sony Music, Universal Music and Warner Music for a collective bargaining agreement that includes a new structure to guarantee access to health insurance to all AFTRA-covered royalty artists and session vocalists on sound recordings under contract to a major record label.<sup>8</sup>

The legal status of artists and performers under national labour law is particularly important. In many countries, the labour codes and statutes exclude independent contractors or self-employed workers from their ambit, thus omitting the bulk of performers. Only employees have rights in a whole range of areas such as the freedom to bargain collectively, social protection, health and safety and employer liability. The distinction in legal status between classification as an employee, independent contractor or self-employed person also has practical implications for performers' working conditions. Without strong collective agreements, most performers' contracts in film and television production regulate only the essential terms and conditions of the working relationship (working period, hours, pay, etc.). Many other areas of importance in the performer's working life such as health and safety standards, minimum wage determinations and social security provisions are omitted or not dealt with extensively. A performer's right to enjoy full protection within the labour codes and statutes will therefore largely depend on his or her legal status as an employee. Some contracts may seek to exclude performers from claiming these benefits as employees, and require that they work under conditions contrary to the prescribed labour codes and statutes, allowing employers to avoid paying holiday and other leave entitlements, for example.

Some countries have found ways to deal with the exclusion of performers from labour legislation. For example, a section of the French Labour Code specifies that any contract for the services of a performer is presumed to be a contract of employment, unless the performer practices his or her profession as a "business enterprise" or undertaking. In Luxembourg, Mexico, Panama and Spain, the labour codes provide specific chapters that deal with the employment conditions of performers. Some statutes benefit performers who are recognized as independent contractors for certain purposes. For example, income tax

<sup>8</sup> American Federation of Television and Radio Artists: "Recording artists union and record companies reach historic health care agreement", 30 Sep. 2003, at [http://www.aftra.com/press/pr\\_20030930\\_agreement.html](http://www.aftra.com/press/pr_20030930_agreement.html).

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laws sometimes allow self-employed or independent contractors tax-deductible expenses, which are not applicable to “employees” for income tax purposes (e.g. the United Kingdom, which classes the performer as an employee for the purposes of National Insurance, but as self-employed for the purposes of income tax). Rather than leaving the status of musicians to the employer’s discretion, the law can guarantee this principle by setting up, as in Argentina, a presumption scheme, whereby an engagement contract is presumed to exist from the moment when there is recourse to a performer’s services. Alternatively, it can establish a compulsory rule, as in Peru, where the Law concerning the Artist and the Social Funds Regulations provide that “corporate bodies or natural persons, irrespective of their nationality, who hire, produce, organize, represent or administer artistic productions, are deemed to have the capacity of an employer and assume the responsibility for paying the artist corresponding rewards, remuneration and fees”.

### **8.3. Social dialogue to promote training**

There have been many areas of cooperation in this field around the world, among which are the Skillset example in the United Kingdom and MAPPP SETA in South Africa, referred to in Chapter 3. BECTU, a British trade union for creative, technical and administrative workers in the audiovisual and live entertainment industries, has been involved in social dialogue around vocational training, retraining and guidance, through active representation at all levels and activities in Skillset; participation in joint industry training initiatives, like the FT2 programme for new-entrant training; joint sponsorship with Skillset of the “skillsformedia” career guidance project; and direct provision of courses, or cooperation in training delivery by partners and subcontractors. A social dialogue initiative in training at the European level was the following Joint Declaration on lifelong learning:

Lifelong learning must be recognized as a right for all people working in the theatre sector.

Due to technological developments and innovations, the development of lifelong, professional training has become an essential requirement for the preservation, development and certification of the abilities and qualifications that companies and employees need in today’s society, which is characterized by knowledge and innovation.

The social partners, who are dedicated to fulfilling their role in the employment strategy established chiefly through the pillar on employment by the European Union, call for the implementation of the following actions, in accordance with the principle of subsidiarity:

- To create, with specific assistance from CEDEFOP, an inventory of jobs and training available in Member States;
- To guarantee the availability of reports and analyses created through the LEONARDO programme, that are of interest to the sector;
- To capitalize on all programmes on a European level, and particularly on Article 6 of the European Social Fund to implement joint projects that analyse the impact that economic and technological developments have on the employment market and on the new needs regarding training and qualifications. These actions should make provision for the sharing of ideas and for employee exchanges between the structures of the countries involved in the targeted projects. Such exchanges must, from the outset, involve the social partners of EU candidate countries, in order for them to prepare for accession;
- To support a specifically united, regions-oriented economy for optimizing resources and for preserving and transmitting particular know-how;

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- A joint working group must be set up to make these recommendations a reality.<sup>9</sup>

#### 8.4. Promoting social dialogue in the sector

Social dialogue can cover enterprise development and competitiveness; meeting skills requirements; ensuring cultural diversity; combating copyright piracy; social protection; upholding legal obligations on safety and health, social security, equality of opportunity, and remuneration of copyright holders; and facilitating the exchange of information between the social partners. The Internet and email offer increased scope for communication and organization across sectors and internationally, and many workers' organizations have organized effectively via the Internet, among workers at home or in small enterprises, using email. Multimedia convergence and the increasingly international nature of this sector suggest that new forms of social dialogue need to be developed, and the ILO could play a useful role in promoting discussion and work towards acceptable solutions at the regional and global levels.

Perhaps other regions might learn from the EU's experience, where social dialogue is developing in the sector on three levels.

*First*, European Works Councils, established on the basis of European Council Directive 94/45/EC, bring together representatives of employees and management of any firm or group of firms which employs 1,000 or more workers in the EU, and more than 150 in each of at least two Member States. These give workers a right to information and consultation and provide an opportunity to organize internationally. Enlargement of the EU in 2004 greatly increased the number of enterprises covered by the Directive. In the media, culture, graphical sector there are around 50 such councils so far, mostly in printing and publishing – Radio Television Luxembourg, Gruner + Jahr, Polestar, Canal Plus, Verlagsgruppe Passau and Quebecor are examples. Quebecor, one of the largest commercial printing companies with around 40,000 employees working in about 160 plants in 17 countries,<sup>10</sup> held a first meeting of its European Works Council in March 2003.

*Second*, there is sectoral-level pan-European social dialogue through meetings financed by the European Commission. Such talks generally cover questions of training and employment security (and, more recently, EU enlargement) rather than pay. Social dialogue committee meetings have taken place on public broadcasting, between the European Broadcasting Union (for the employers) and EURO-MEI (for the workers), and on the theatre sector, between the Performing Arts Employers Associations League Europe PEARLE (for the employers) and the European Entertainment Alliance (EURO-MEI, FIA and FIM) for the workers (see Chapter 8.3 above). In the live performance branch of the media, entertainment and arts sector, the social dialogue committee has launched two joint projects. One is on job creation and promotion, and is aimed at identifying and publicizing good practices, measures and initiatives. The other is aimed at integrating unions and employers from enlargement and candidate countries into the sectoral dialogue committee, given that national borders are losing importance, particularly in this subsector; and cross-border consultation and labour relations are increasingly relevant for effective industrial

<sup>9</sup> PEARLE-EURO-MEI Joint Declaration on lifelong learning, adopted by the Conference organized in the context of European social dialogue, Turku, Finland, 27 May 2000. See: <http://www.union-network.org/unimei.nsf/0/1f5583e78bed66fec1256976002e5cd0?OpenDocument> .

<sup>10</sup> Quebecor World: *The global printer*, 2003, at [www.quebecorworldinc.com/data/investor/79/sections/global2003\\_EN.pdf](http://www.quebecorworldinc.com/data/investor/79/sections/global2003_EN.pdf) and [www.quebecorworldinc.com/en/about/](http://www.quebecorworldinc.com/en/about/) .

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democracy and social dialogue. Similar committees are being planned for film and television production and for publicity/advertising. In the graphical sector, social dialogue at the European level has been at a standstill, according to the European Graphical Federation – the employers have apparently abstained from jointly requesting the creation of a European Committee for Social Dialogue, but there have been increasing calls for a European dimension to be incorporated into national collective agreements in the sector. On a more positive note, the European Graphical Federation is involved in three projects with the employers' organization International Confederation for Printing and Allied Industries (INTERGRAF). These are: a study on the competitiveness of the European printing industry; a proposal to create a common online Internet platform to provide a wide range of data on the graphical and media sectors; and research on qualifications and job profiles in the printing and information technology industries.

*Third*, there is social dialogue at the highest level, between the European Trade Union Confederation and the employers, but this is rarely likely to impinge on a sector with relatively few employees (around 3 per cent of total employment in the EU 15) and very specific problems.

Social dialogue in developing countries, in the context of massive technological changes at the international level, economic adversity and rapid cultural and work organization changes, make it imperative for governments and organizations of employers and workers to enhance dialogue in order to promote sound systems of labour relations that create an equitable way of sharing the benefits and costs of change. In many countries, however, the democratic institutions and structures necessary for this have been fragile or non-existent.

As the employment patterns of some performers and journalists move away from relatively secure and permanent employment to freelance, self-employed or informal economy work, such workers can no longer depend on legislative provisions on social security, even in countries where social security has good coverage. Trade unions must endeavour to promote social dialogue with employers and governments to ensure adequate industry-wide coverage. The impact of globalization, ICTs, multimedia convergence and increased international labour mobility on this could encourage greater efforts to bring together workers and employers from a wider variety of countries and industries in social dialogue in various forms.

In the past, trade unions generally concentrated their efforts on defending workers' interests in terms of pay and conditions, but have increasingly included occupational interests – quality of work, safety and health, training and career policies – on their agenda. In times of economic difficulty, the traditional approach concentrated on pay and conditions, with unions bargaining over severance pay and preventing compulsory redundancies, for example. More innovative approaches, concentrating on employability, now also include dialogue over retraining for new jobs and modifying the curriculum of vocational courses to prepare students more broadly for jobs in the media, culture, graphical sector. It may be useful to discuss industry-wide arrangements to cover any harmful effects of ICTs and convergence because issues such as skills, qualifications and competences for the Information Society are shared interests. Governments that recognize that the positive effects of ICTs require institutional change may encourage workers' and employers' organizations to develop and implement joint action plans to make this work. Strengthened, innovative forms of social dialogue are necessary. A joint approach by workers' and employers' organizations is essential if the Information Society is to combine technological and social innovation with freedom of expression and cultural diversity, and achieve sustainable employment and economic performance, decent work and improvements in quality and productivity. This sector is, after all, crucial to the development of democracy, education, culture and entertainment.

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## **9. Suggested points for discussion**

### **Cluster 1: Employment issues in the Information Society**

- How has the Information Society affected employment (number of jobs, new occupations, employment status, differential impact on specific occupations, skill levels, gender equity) in the sector and what emerging trends are there in this area?

### **Cluster 2: Quality issues in the Information Society**

- In which ways has the Information Society affected quality and the quality of working life in the sector, and what emerging trends are there in this area?
- What has been the impact of ICTs on the sector in terms of working conditions and the concept of “quality”?
- Has the Information Society affected safety and health in the sector?
- Has the Information Society had an impact on contractual status?

### **Cluster 3: WSIS issues in the media, culture, graphical sector**

- In what ways has the World Summit on the Information Society (WSIS) addressed the media, culture, graphical sector?
- Has the WSIS process included consideration of issues relating to work and quality in the Information Society?
- What topics relating to the future of work and of quality in the Information Society in this sector might be relevant for the second phase of the WSIS process (Tunis, October 2005)?
- Has the WSIS process covered intellectual property issues of relevance for this sector sufficiently?

### **Cluster 4: Social dialogue issues in the Information Society; employability and training issues; suggestions for ILO action**

- How should labour-management relations and social dialogue in the sector adapt to the Information Society?
- Which workers in the sector will have access to training to equip them for the new challenges?
- What will be the most suitable skills?
- How can firms find such skills in the workforce?

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- How can training programmes meet the future requirements of employers and workers?
  - Will training programmes adapt rapidly enough to changing technologies and needs?
  - How can governments, workers' and employers' organizations and the ILO advance the ideas contained in the conclusions to the ILO's 2000 Symposium? (see Appendix I)
  - What suggestions are there for ILO action in this sector in the future?

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## Appendix I

### Conclusions on information technologies in the media and entertainment industries (3 March 2000)

The Symposium on Information Technologies in the Media and Entertainment Industries: Their Impact on Employment, Working Conditions and Labour-management Relations,

Having met in Geneva from 28 February to 3 March 2000,

Recognizing that the new information and communication technologies are revolutionizing the media and entertainment sector, are accelerating the globalization process, and are opening new avenues for employment, and

Recognizing that, important as these changes are in a rapidly changing world of work, the human being still remains the centre of these changes;

Adopts this third day of March 2000 the following conclusions:

The ILO should:

- (a) undertake research on best practices and funding options for training in different regions and countries, and promote training and retraining in the use of information technologies by the social partners and learning institutions;
- (b) undertake initiatives, using the Internet among other means, to promote better safety and health practices, with special regard to workers<sup>1</sup> involved in hazardous occupations, through research, information, publication, advice and training;
- (c) encourage and support employers' and workers' representatives<sup>2</sup> in this sector to:
  - engage in social dialogue at the sectoral level, and when called for, use the ILO at the national, regional and international levels, especially with regard to the introduction of technological change;
  - increase participation of workers' and employers' organizations in social dialogue;
  - identify impediments to the development of workers' and employers' organizations and collective bargaining; and
  - enhance cooperation with organizations in related media and entertainment industries;
- (d) organize a series of meetings at national or (sub)regional level on social dialogue, as a means to resolve issues arising from the application of information technology, and on other topics relevant to the sector; and establish – subject to the approval of the ILO Governing Body – a small tripartite expert group to hold meetings at the international level to discuss

<sup>1</sup> Wherever the word “workers” is utilized in this text, it refers to female and male workers, keeping in mind the provisions of the Equal Remuneration Convention, 1951 (No. 100), the Discrimination (Employment and Occupation) Convention, 1958 (No. 111), and the Workers with Family Responsibilities Convention, 1981 (No. 156).

<sup>2</sup> Throughout this text, the term “workers’ representatives” is used as defined in Article 3 of the Workers’ Representatives Convention, 1971 (No. 135), which reads as follows: “For the purpose of this Convention the term ‘workers’ representatives’ means persons who are recognised as such under national law or practice, whether they are: (a) trade union representatives, namely, representatives designated or elected by trade unions or by members of such unions; or (b) elected representatives, namely, representatives who are freely elected by the workers of the undertaking in accordance with provisions of national laws or regulations or of collective agreements and whose functions do not include activities which are recognised as the exclusive prerogative of trade unions in the country concerned.”

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developments in the media and entertainment sector, including issues relating to corporate actions affecting levels of employment;

- (e) cooperate at the international level, within the scope of its mandate, in efforts to promote action to protect copyright and related rights;
- (f) undertake research on:
  - contractual arrangements and social security coverage for workers other than those in continuing employment;
  - the employment of women in the media and entertainment industries; and
  - child performers;
- (g) identify statistical sources and indicators of relevance to the sector, disaggregated by gender and age, including general patterns, impact, obstacles and work opportunities that the new technologies have demonstrated at the national level;
- (h) facilitate the access of developing countries to the new information technology, particularly through the provision of technical assistance in training and advanced training.

In addition the ILO should examine the possibility of convening:

- a tripartite meeting of the graphical industry on the challenges of the new economy for that industry; and
- a tripartite meeting on the evolution of the information and communication industries and its impact.

## Appendix II

### Tables

**Table 1. Evolution of permanent employment in selected public radio/television corporations 1992-2002**

Country		1992	1997	2002
<b>Austria</b>	ORF	3 296	2 621	2 630
<b>Belgium</b>	RTBF	2 955	1 690	1 755
<b>Czech Republic</b>	CTV		2 955	2 900
	CR		1 060	1 474
<b>Denmark</b>	DR	3 184	2 824	2 724
	TV2	350	470	534
<b>Finland</b>	YLE	4 361	4 052	3 770
	MTV3	616	613	450
<b>France</b>	FTV	4 650	5 082	6 204
	Radio France	3 045	3 023	4 016
<b>Germany</b>	ARD	22 818	21 936	22 218
	ZDF	4 111	3 659	3 630
<b>Greece</b>	ERT		3 350	2 700
<b>Hungary</b>	MR	1 979	1 521	2 065
	MTV	3 648	2 750	1 514
<b>Ireland</b>	RTE	1 925	1 947	1 454
<b>Italy</b>	RAI	13 158	10 755	9 790
<b>Norway</b>	NRK	2 837	3 000	3 074
	NO/TV2		320	394
<b>Portugal</b>	RDP	1 448	1 054	1 033
	RTP	2 349	1 975	2 298
<b>Poland</b>	PR		1 604	1 624
	TVP		6 552	5 975
<b>Spain</b>	RTVE	10 109	9 200	8 655
<b>Sweden</b>	SR		1 771	1 781
	STV	2 993	2 974	2 661
<b>Switzerland</b>	SRG-SSR	3 658	4 502	5 086
<b>Turkey</b>	TRT		5 857	3 332
<b>United Kingdom</b>	BBC	21 981	20 900	22 195

Source: European Audiovisual Observatory: *Statistical Yearbook*, Strasbourg, EAO, 1999 and 2003.

**Table 2. Permanent and contractual employment in selected public radio/television corporations, 2002**

Country	Television		Radio		Other/NSA		Total	
	Permanent	Contractual	Permanent	Contractual	Permanent	Contractual	Permanent	Contractual
<b>Austria</b>								
ORF	369	745	211	408	2 050	730	2 630	1 883
<b>Belgium</b>								
VRT1	1 288	48	793	27	591	257	2 672	332
RTBF1	1 148	173	607	143	414	124	2 169	440
<b>Bulgaria</b>								
BNT	2 300	3 663					2 300	3 663
<b>Croatia</b>								
HRT	1 656	764					1 656	764
<b>Czech Republic</b>								
CTV	2 900	849					2 900	849
CR	1 474	86					1 474	86
<b>Denmark</b>								
DR							2 724	580
TV2							534	91
<b>Estonia</b>								
ETV	378	85					378	85
<b>Finland</b>								
YLE	1 877	528	1 242	266	651	37	3 770	588
MTV3	450		32				482	
<b>France</b>								
FTV	6 204	2 133					6 204	2 133
Radio France			4 016	357			4 016	357
<b>Germany</b>								
ARD	6 590	2 727	5 820	2 369	9 808	7 285	22 218	12 381
ZDF	3 630	5 774					3 630	5 774
DW							1 500	
<b>Greece</b>								
ERT							2 700	1 500
<b>Hungary</b>								
MR			2 065				2 065	
MTV	1 514	1 623					1 514	1 623
<b>Ireland</b>								
RTE	175	73	217	79	1 062	308	1 454	460
<b>Italy</b>								
RAI	859	1 525	830	127	2 101	125	9 790	1 777
<b>Latvia</b>								
LR			311	570			311	570
LTV	537	35					537	35
<b>Lithuania</b>								
LRT	272	80	246	20	279		797	100

Country	Television		Radio		Other/NSA		Total	
	Permanent	Contractual	Permanent	Contractual	Permanent	Contractual	Permanent	Contractual
<b>Luxembourg</b>								
ERSL			24	35			24	35
<b>Norway</b>								
NRK	737	39	191	38	2 146	237	3 074	314
NO/TV2	394	110					394	110
<b>Portugal</b>								
RDP			1 033				1 033	
RTP	2 298						2 298	
<b>Poland</b>								
PR			1 624	300			1 624	300
TVP	5 975						5 975	
<b>Romania</b>								
RR			2 684	677			2 684	677
RO/TVR	2 683	21					2 683	21
<b>Serbia and Montenegro</b>								
RTS-RTNS	5 546	750			1 646	63	7 192	813
<b>Slovakia</b>								
SR			1 172	285			1 172	285
SK/STV	2 109						2 109	
<b>Slovenia</b>								
RTVSLO	1 120	195	639	80	489		2 248	275
<b>Spain</b>								
RTVE	5 651	494	2 048	108	966	63	8 665	665
COPE			613	137			613	137
<b>Sweden</b>								
SR			1 781	306			1 781	306
STV	2 661						2 661	
<b>Switzerland</b>								
SRG-SSR	3 092	412	1 994	310			5 086	722
<b>Turkey</b>								
TRT	2 186		3 332		2 662		8 180	
<b>Ukraine</b>								
NRU			1 149	21	448	6	1 597	27
<b>United Kingdom</b>								
BBC	2 727		1 852		17 616		22 195	6 370
Channel 4							1 034	47
ITV							4 574	2 938
S4C							215	

Source: EBU, 2002 data.