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Labour in Canada Series

This volume is part of the Labour in Canada Series, which focuses on assessing how global and national political economic changes have affected Canada's labour movement and labour force as well as how working people have responded. The series offers a unique Canadian perspective to parallel international debates on work and labour in the United States, Great Britain and Western Europe.

Authors seek to understand the impact of governments and markets on working people. They examine the role of governments in shaping economic restructuring and the loss of unionized jobs, as well as how governments promote the growth of low-wage work. They also analyze the impacts of economic globalization on women, minorities and immigrants.

Contributors provide insight on how unions have responded to global labour market deregulation and globalization. They present accessible new research on how Canadian unions function in both the private and public sectors, how they organize and how their political strategies work. The books document recent success stories (and failures) of union renewal and explore the new opportunities emerging as the labour movement attempts to rebuild the economy on sound environmental principles.

Over the past thirty years, the union movement has increasingly been put on the defensive as its traditional tactics of economic and political engagement have failed to protect wages, maintain membership and advance progressive agendas. Yet there has been far too little discussion of how the terrain of Canadian politics has shifted and how this has, in turn, affected the Canadian labour movement. There has also been far too little acknowledgment of working people's attempts to develop new strategies to regain political and economic influence. This series aims to fill these major gaps in public debate.

The volumes are resources that can help unions successfully confront new dilemmas. They also serve to promote discussion and support labour education programs within unions and postsecondary education programs. It is our hope that the series informs debate on the policies and institutions that Canadians need to improve jobs, create better workplaces and build a more egalitarian society.

Series editors
Stephanie Ross and Larry Savage
8. “I WORK AT VICE CANADA AND I NEED A UNION”

Organizing Digital Media

Nicole S. Cohen and Greig de Peuter

Unions are trending in digital newsrooms. In April 2015, editorial staff at Gawker Media, the now-defunct gossip website, announced they were unionizing with the Writers Guild of America-East, a union primarily comprised of television and film writers. “Generally speaking, Gawker Media is a very good place to work,” organizer and journalist Hamilton Nolan (2015) wrote in a post on Gawker, but “a union is the only real mechanism that exists to represent the interests of employees in a company.” Reasons for unionizing included fair pay, transparency around raises and the desire to have “some basic mechanism for giving employees a voice in the decisions that affect all of us.” After a very public drive—including a Gawker post outlining how people were voting and why (Gawker Media Staff 2015)—staff voted 80–27 to unionize. Gawker owner Nick Denton expressed support for the union and claimed to be “intensely relaxed” about the drive; for Denton, decent working conditions are key to a successful capitalist enterprise (Sterne 2015). Gawker’s unionization received extensive media coverage and inaugurated what commentators have dubbed a “wave” of unionization in digital news organizations (Marans 2016), which produce media content explicitly for the Internet and mobile devices. Between July 2015 and June 2017, Salon Media, Guardian US, Al Jazeera America, ThinkProgress, Huffington Post, VICE (US and Canada offices), Law360, Jacobin, The Root, Fusion Media, MTV News, Slate, Thrillist, The Intercept, DNAinfo and The Raw Story all witnessed successful union drives, bringing hundreds of predominantly young media workers into the labour movement.

This chapter examines the campaign to unionize one workplace within this organizing wave: VICE Canada, a subset of VICE Media, a privately held business whose youth-oriented properties span a range of news and culture websites, a magazine, an advertising agency, two TV channels and a record label. Its GEO boasts a valuation of $4.4 billion (McKeon 2016). VICE has grown from a scrappy youth magazine founded in the 1990s into a global media giant, with outposts in more than thirty countries and 2,600 staff (Goldman 2016). Disney and Fox own minority stakes, and VICE’s partners include corporate behemoths from Intel to Live Nation, to whom VICE represents the gateway to a prized 18–30-year-old demographic. While VICE delivers to millennials investigative journalism on topics from climate change to Indigenous activism, it makes most of its money from its in-house ad agency, Virtue, which produces sponsored content, or advertising designed to appear as editorial content. If VICE’s profits depend on its audiences uncritically accepting monetization and embracing brands, VICE’s employees have proven to be less acquiescent to other realities of digital capitalism.

VICE Canada was the first and, for now, the single Canadian digital news outlet to unionize. The union bid began in fall 2015 at the company’s Toronto headquarters, when VICE employees chose to organize with the Canadian Media Guild (CMG). After a prolonged card-signing effort, staff voted to unionize in June 2016. Our account is based on nine in-depth interviews with inside organizing committee members, CMG staff organizers and VICE staff; a review of documents produced during the drive; and media coverage of the campaign. The drive’s protagonists were young workers. The majority of editorial staff we interviewed were in their twenties, and many spoke of managers in their thirties as representing the “old” portion of the company. Young media workers frequently face intense working conditions, including immense pressure to generate 24/7 online and social media content—VICE workers globally, for example, produce “more than 6,000 pieces of content a day” (McKeon 2016). VICE Canada staff hoped that the union would raise and standardize pay, protect and expand racial and gender diversity and equity, and support editorial freedom. On May 1, 2017, almost a year after union certification, VICE’s CMG members ratified their first contract—94.7 percent voted in favour—with “major gains in salaries and benefits, stronger equity provisions and measures to protect editorial independence” (CMG 2017).

In terms of this book’s theme, media industries are a contradictory site for the analysis of anti-unionism. On the one hand, mainstream news media have been scrutinized as an ideological channel of anti-unionism, from the routine neglect of labour perspectives to the narrow framing of labour disputes such that inconvenience to consumers is accentuated while class inequality, workers’ grievances and corporate malfeasance are downplayed (Beharrelli and Philo 1977; Carreiro 2005; Martín 2004; Chapter 2, this volume). On the other hand, unions have had a historical presence in the media and cultural industries (Denning 1997; Wasko 2003), including in print
and broadcast journalism (McKercher 2002), though, today, this presence is increasingly embattled. Unions have had particular difficulties making inroads into newer, “high tech” sectors, hindered by employers’ “sophisticated mixture of paternalism and repression” (Early and Wilson 1986). That labour unions and digital industries tend to be regarded as incompatible is a residual effect of the merger of techno-libertarianism and free market credo in what was theorized in the 1990s as the “Californian ideology” (Barbrook and Cameron 1995). Moreover, the majority of the labour force producing digital media content grew up in the shadow of neoliberalism’s cultural attacks on organized labour’s legitimacy.

Despite apparently inhospitable circumstances, we find that the VICE Canada union drive did not confront strong anti-union sentiments among workers. Indeed, our interviewees report a general receptiveness to unionization, not only to gain material benefits but also as a mechanism to address professional concerns such as journalistic integrity. Still, the VICE case had several features that would seem to make unionization unlikely, including a professional culture that views unions as ill-fit to the industry and individualizes work; a predominantly young workforce with no previous organizing experience; attempts by management to defuse the unionization effort; and employees whose past exposure to unions induced skepticism that unions protect young workers. In what follows, we walk through these dimensions, showing that although they presented challenges, they did not undermine the drive. On the contrary, these obstacles manifested or were negotiated in such a way as to ultimately support the union drive: reinforcing the need to unionize, enabling an empowering process of self-organization, informing sector-tailored bargaining objectives and shaping union messaging.

**FROM UNION AVOIDANCE TO OPENNESS TO UNIONS**

Emphasizing the mixture of “suppressive” and “substitutive” methods used to block unionization, Dundon (2002: 236, 240) highlights employer efforts “to construct a workplace culture that would engender loyalty to a non-union corporate identity.” As one VICE inside organizing committee member admits, “I never thought of VICE—as a digital production company—as a place that would need a union.” Reflecting deep-seated union avoidance tendencies in the sector, the assumption that unions are irrelevant in digital media workplaces is entrenched through elements of professional culture, including a “‘cool’ jobs in ‘hot’ industries” ethos (Neff, Wissinger and Zukin 2005) and the individualization of work. The campaign to organize VICE Canada unsettled these elements, however, troubling how they are used to justify poor working conditions and mask and perpetuate workplace inequities that, organizers argued, a union could mitigate. The VICE drive also addressed tensions historically prevalent among journalists (and other professional workers) who generally do not view unions as a fit with their occupational identity; yet who also have turned to unions to protect journalistic autonomy and integrity and stave off de-professionalization, a particular concern for digital journalists working in an industry in transition (see Savage and Webber 2013).

VICE’s perceived desirability as an employer is integral to the company’s labour control strategy. “When someone asks what you do, and you say, ‘I’m a journalist at VICE,’ you don’t have to say anything else,” explains one VICE journalist. “It’s just like, ‘oh, clearly you’re at the top of your game, because a thousand people applied to that job and you don’t want to give that up.’” To work at VICE, our interviewees stressed, is to be conscious of having lucked out, a mindset reinforced by managers’ subtle reminders of throngs of eager applicants. VICE’s cultural cachet in the youth media landscape, coupled with the brand’s status among aspiring journalists, are parlayed by management into discount wages. Says one employee:

> The whole underlying, unspoken thing is that you’re lucky to work here, so shut up and work. Like, VICE is cool. And that’s why I think people take the shitty pay or the pay cuts, because they think that this is a real opportunity for them to do exciting work that they don’t have a chance to do anywhere else in Canada.

So, when word got out about the union effort, management’s reaction, says one inside organizer, was not necessarily “menacing.” Messaging was along the lines of: “This is a very cool company. Everybody wants to work here. We get to work here.” The stick that holds this carrot is the implicit threat of phantom replacements: most digital news companies, but especially VICE, capitalize on the hyper-competitiveness of an industry plagued by regular staff layoffs, newspaper closures and a surfeit of skilled people seeking work.

Management’s feigned bewilderment at employees’ dissatisfaction reflects the degree to which carefully cultivated workplace qualities are counted upon to keep digital media union-free. VICE’s attractiveness as an employer is augmented by the office’s work-as-play atmosphere and horizontal workplace layout, aspects of the “no-collar” (Ross 2003) aesthetic that obscures hierarchical divisions and implies union representation is unneeded. More specific is the “start-up” vibe that digital outlets foster and that VICE, despite being a twenty-some-year-old company, trades on. However, while the start-up culture invites employees to identify as entrepreneurs and diminishes workers’ economic demands, as companies and profits grow, employees’ expectations change: “They all start out really small and sort of boot-strappy, and then you wake up one day and you’re like, ‘Wow ... look at this fuckin’ office! What happened?’” says Gawker organizer Nolan. “When people realize they work for a real company, they start to have certain expectations” (Farbman, McRobert and Nolan 2016). VICE Canada employees’ low sala-
Labour Under Attack

In the minds of the white-collar workers,” wrote C. Wright Mills (2002 [1951]: 301) in his classic study White Collar, “a struggle has been going on between economic reality and anti-union feeling.” At VICE Canada, employees’ “economic reality” made one of the cornerstones of professional ideology—distance from a worker- or class-based identity—difficult to sustain. Digital journalism-specific issues arose in early organizing conversations (protect journalistic integrity from sponsored content pressures, for example). On balance, however, the desire to unionize sprang from traditional, material concerns about the terms and conditions of employment. Compensation was a key issue. Digital news outlets are notorious for hiring predominantly young journalists at low pay, and VICE is known to pay journalists the lowest salaries. One report puts many VICE Canada salaries in the low $30,000s (Craig and Humphries 2017). As an organizing committee member says: “It is very galling to be working and making effectively $15 an hour, so below a livable wage in Toronto, and then to see news of the CEO of your company buying a $23-million mansion.” If union propensity is enabled or constrained by workers’ assessment of their bargaining power and capacity to win gains, it is notable that talk of organizing VICE Canada surfaced in a period of supercharged corporate expansion. Between 2014 and 2016, VICE’s Toronto workforce jumped from a small staff to 200 full-time staff, a hiring spree that followed a $100 million partnership with media giant Rogers to produce content for a twenty-four-hour TV channel. Our interviews reveal frenzied working conditions during this investor-fuelled growth spurt: punishing hours, unsustainable stress, low morale, aggressive feedback, mysterious firings, boundary-less job descriptions and management disarray. One organizer summarizes the context of the early unionizing conversations: “a whole bunch of underpaid people in a company that [suddenly] has like [millions]—I think we all kind of looked around and were like, ‘What can we do about this?’"

Acting on this question required VICE employees to resist the individu-
alization of work, a familiar union pre-emption strategy in digital media industries. Two dimensions of individualization can be highlighted: first, an elevated preoccupation with reputation. While organizers reported a general openness to unions among colleagues, they did encounter staff hesitant to sign cards because they were worried about becoming known to management, risking their jobs and good relationships. People were reluctant to be “pinpointed as a union activist,” explains an inside organizer. Fear of reprisal is a well-known source of union aversion, though wariness is heightened for media workers, who inhabit a volatile sector where job mobility is high and strong editorial relationships are required for career progression.

Second is the individualization of the employment relationship. What ultimately spurred unionization, one inside organizer tells us, was frustration that employees were treated quite differently with respect to terms and conditions of employment, depending on their manager. Collective organizing made inequities more visible and, in turn, taught workers not to fault themselves for their employment conditions:

If someone was getting paid really low, they often would think it was just them, and that they hadn’t negotiated hard enough, and they hadn’t tried hard enough ... But then you realize other people were getting paid just as low ... For the vast majority of us, it took joining forces to feel like we had any sort of power.

This shift in thinking beyond individual conditions to structural power relations in the workplace went hand-in-hand with the recognition that any improvements would require collective action, as well as disclosure. Pay, employees increasingly learned, was arbitrary. We heard reports of significant pay discrepancies between people doing similar work, and gender- and race-based pay discrepancies. While staff were subtly reminded that they "should not ask for too much," the organizing process boosted confidence in the need for a collective voice to counter management:

I feel like, in my job I report to people. And that’s fine. They are the boss. That’s fair. That’s how it works. But once I’ve got my union hat on, I feel like I’m speaking to them as an equal. And that we collectively have the same amount of power as them. And that they don’t get to make every decision anymore, when it comes to work environment, pay, fairness, equality, that kind of thing. They can decide what goes on TV. They can decide what the digital news article is going to be this week. That’s within their right. But they don’t get to dictate everything else about how the office works.

Elements of professional culture that tend to suppress unions in digital media workplaces were unable to contain the impetus to organize at VICE Canada, and their limits and contradictions were recognized. What organizers ultimately challenged, however, was the exceptionality often attributed to "creative labour" and that young workers should “shut up and work.”
LABOUR UNDER ATTACK

YOUNG WORKERS ORGANIZE

Explanations of the low rate of union workers in unions—in 2014 youth 17–24 accounted for 14.9 percent of union members in Canada (Statistics Canada 2017)—often appeal to the view that youth are individualistic and ideologically conditioned to avoid identification with the collective values and social solidarities that motivate unionization. Labour researchers challenge this view, arguing that young people have a “slight positive orientation” toward unions (Freeman and Diamond 2003: 30), but lack experience with and knowledge about labour unions, which is why they don’t usually consider joining, let alone organizing, a union as a viable solution to workplace problems (Hodder and Krestos 2015a: 6). Additionally, young workers are not unionized because the types of jobs youth most often occupy—precarious, short-term, private-sector positions—remain outside the ambit of union strongholds and because unions are not actively organizing youth (Hodder 2013). “If more young people are to become union members,” write Lowe and Rastin (2000: 205), “they will have to do so by choice.”

VICE Canada workers indeed chose to become union members by self-organizing. They watched several digital newsrooms in the United States unionize, which “made [unionization] seem like it was feasible.” Says an inside organizer: “It was kind of a signal: if Gawker’s doing it, then why not us?” One VICE Canada worker in particular observed management’s voluntary recognition of the VICE US union, identified similar issues in Canada and floated the idea of a union to a VICE friend who “shared some fairly left ideas.” After talking with others in the office, a core group of five to seven people keen to organize emerged. “None of us had done this (before),” admits one of the organizers—indeed, none of the VICE staff we spoke to had any experience with unions other than studying them in university.

The group began meeting at local bars near VICE’s office for informal conversations about work. It soon became clear that problems each staffer had considered the fault of their individual situation “were the same at root.” Their conversations revealed a shared “uneasiness: everyone felt like management didn’t really have our backs.” Discussions turned to “how a union would be beneficial to us.” When inside organizers invited co-workers to join the unionizing conversation, “a lot of people ... were very open to it, and more aware than you might expect.” In general, organizers encountered few people who were outright hostile to the prospect of unionizing, affirming researchers’ observations that young workers would join a union if there is opportunity to do so.

Most VICE workers’ hesitation in signing a union card stemmed from limited union experience. According to one inside organizer, people “on the fence” had no concrete reasons for why they did not immediately sign cards: “I think [a union] is just so unusual and new that it could be very intimidat-

ing.” Even some of the most active organizers had to come around to the idea of a union. “I sort of had the idea that unions are for people who work in factories, where, you know, a machine could fall on you, you need union protection,” says one inside organizer. “But I was intrigued. So I went to the meeting.” To assuage uncertainty, CMG organizers worked to communicate with card signers throughout the campaign, sending email updates during long stretches when it seemed there was no activity.

Still, the drive’s success can be linked to VICE workers’ general openness to unions. Virtually all interviewees identified as having progressive or left political views, and a social justice orientation is reflected in VICE’s news content. “Immediately I was on board with the idea that workers deserve representation,” says an inside organizer. Says another: “I didn’t really know a lot about bargaining committees or working with management or any of that stuff, all that came later. But just ... the basic idea that this can help make workplaces better ... was enough.” An early organizer points out that even if young people don’t “vocally or consciously support the labour movement,” there is openness to it, “because it’s just very obvious to most of us that the way the economy works right now doesn’t work for us.”

The upsurge of organizing at digital media outlets in the US enabled inside organizers to present unionization to colleagues as “inexplicable.” As Legault and Weststar (2015: 217) note in a study of union propensity amongst another group of digital media workers, video game developers, these workers “do identify as an ‘in-group’ through the shared norms, experiences and values of their occupational community.” A VICE organizer explains how this peer encouragement worked:

The UK is doing it. New York is doing it. We need to follow in their footsteps ... This is a progression. We can make this workplace work for everyone. We can make it better: VICE equal pay, VICE better vacation, VICE ... benefits. And that was a more convincing argument than any other, really.

Researchers note that unionism is an “experience good,” which means that the desire to join a union increases after people have experience with unions “at work or ... by proxy through social interaction” (Bryson and Gomez 2003: 81). Various forms of peer influence are evident in the VICE Canada case, including the organizing wave, but also the importance organizers placed on face-to-face organizing. While digital media was mobilized throughout the campaign, including websites, social media and a morale-boosting tweet from United States Senator Bernie Sanders, face-to-face communication was the drive’s backbone. Having a coffee with co-workers enabled sufficient time to explain the process, discuss concerns and get a card signed. And, in a display of international solidarity, VICE organizers from the US and the
UK video-conferenced into a meeting to share experiences and invigorate the Canadian drive. Card-signing was boosted when VICE US ratified its first agreement, which included pay raises, minimum annual pay of USD $45,000, pay for weekend and holiday work, and other protections (WGAÉ 2016), giving VICE Canada workers a sense of what was possible.

The act of organizing a union translated inexperience into empowerment, which has given VICE workers (organizers in particular) a sense that they have a voice in their workplace. Research shows that young workers usually opt to exit their jobs in search of improvements (Haynes, Vowles and Boxall 2005). The VICE case challenges this observation, pointing toward a desire by young workers to carve out a future in an industry in flux, and engaging in collective action to do so. Hodder and Krestos (2015b: 195) state: “Young workers have no stake in a system that offers low wages, limited democratic rights and few job opportunities for the future.” But youth do have a stake in making this system otherwise. Through unionizing, VICE workers demonstrate as much, not only in building sustainable careers amid the spread of precarious employment and uncertain futures, but also in protecting journalism as a craft as it is being reinvented in a digital setting. “Our generation is kind of screwed,” says an inside organizer. “[There’s] so much precarious work these days. It’s short-term contracts … we don’t have pensions; we don’t have any sort of security … And so it’s going to take unionizing to really save us from this precarious situation that we’re in.”

MANAGEMENT’S ANTI-UNIONISM

Many accounts of unionizing digital media outlets depict the process as friction free. Union media releases stress that employees like working for their companies and that the union bid aimed to enable companies’ long-term success. In most US cases, management voluntarily recognized unionization, particularly after organizers made their campaigns public (US labour law requires that after a majority of workers in a workplace sign union cards, management either recognizes the union or requests a vote). Several campaigns, however, were met with anti-union hostilities. When workers at Buzzfeed UK requested union recognition, for example, its CEO’s discouragement echoed the Californian ideology:

Unions represent employees around a rigid skillset that doesn’t reflect the fluid and flexible way we work, they introduce an extra layer of bureaucracy … and they unnecessarily divide our teams, limiting the many benefits of everyone being part of a venture backed tech company. (Le Conte and Lewis 2016)

In some cases, management positioned unions as outside, meddling parties that would silence individual voices—a fear some workers shared—and the tone of management’s response suggested that staff did not know what was good for them. As one Thrillist editor notes, “we’re being treated in a condescending way, like we’re teenagers who didn’t think through our decision” (Nolan 2017).

VICE Canada management deployed several “anti-union frames” that tapped into workers’ pre-existing assumptions about unions (Isler 2007: 448) and anxieties about contemporary media work. Management repeated the concern, heard in other campaigns, that unions “limit flexibility” (Nolan 2017). Young media workers appreciate the ability to work on multiple projects and the need to work long hours on certain projects. A common fear is that concretized job descriptions would diminish workers’ abilities to experiment with different formats, technologies and skills. Management also leaned on the sense that VICE is a cool place to work, underscored by its edgy content, youthful office amenities and rebellious reputation. Management relied on media workers’ commitment to their work, the tendency for media workers to over-identify with the work as an expression of their passion and creativity and media workers’ meritocratic proclivities toward individual career building. Such dynamics have led to an oversupply of labour in media milieus, with many more people looking for work than there are jobs available, not to mention the prevalence of precarious work. Management capitalized on these anxieties. A VICE worker explains:

There is just this feeling of, “if I can get a job to pay my rent, then I should be happy and shut up.” … And when you’re really young, you’re just starting out and there’s a million people who can take your place at any time and it’s really scary to negotiate with [management]. And they remind you in subtle ways every day that you shouldn’t ask for too much.

In addition to mobilizing frames specific to digital media industries, management used tested tactics to defuse unionization. After learning about the drive, management contacted staff through email, newsletters and town hall meetings, where they promised improvements, including implementing a raise (which was paltry, according to a CMG organizer) and launching a diversity committee (which was “led by two white people,” according to a VICE employee). Management extolled the virtues of VICE as it was. Managing director Ryan Archibald sent an email that was leaked to media: “It is our view that we have a great workplace now, and that we offer very competitive benefits, such that you don’t really need a union to represent you … and these benefits are yours without having to pay any Union dues,” he wrote, his argument reducing unions to expensive benefits providers. Archibald’s sentiments reflect those of other digital news executives, who stressed to
unionizing workers that new media companies are not “real” workplaces—code often for factories—but rather places where employers and employees have shared goals. Similar rhetoric was used to resist early North American newworker unions in the 1930s and 1940s, when unions helped transform journalism from low-paid, precarious work into a relatively stable profession. Anticipating losing a cheap workforce, publishers claimed it would be “degrading” for journalists to unionize (Christian 1980: 275). They spoke of journalism as a profession “too fine to be devalued by the fetishes of maximum and minimum pay” (Brennen 2004: 237) and emphasized publishers’ and journalists’ common identity.

VICE staffers were dissatisfied with management’s efforts; some felt that management’s tone was patronizing. To one editorial worker, Archibald’s email amounted to telling his young staff: “We do not think this is in your best interest.” … It was almost like the language of the BuzzFeed memo, where it was like, ‘You should not do anything that you might regret.’ Almost threatening.” After town hall meetings proved too intimidating for individuals to voice grievances, management divided up staff by department to ostensibly work out concerns. But this approach, too, had a distinctly paternalistic power dynamic and felt as if the kids/staff were being disciplined by the adults/management. “It felt like, okay, the adults have to go talk to the kids now,” explains an inside organizer.

It was like, all of the people in the company who were over 40 would get into a boardroom with us … and of course, it was silent. No one wanted to say anything, because why would you in that sort of dynamic? Why would you want to single yourself out?

Such experiences reinforced to workers that they needed a collective, protected space where they could safely voice concerns without risk to their individual reputations or relationships with managers.

As Isler (2007: 447) notes, “employers’ anti-union activity gains importance only insomuch as they can confine the conflict to the workplace.” VICE Canada organizers, following other digital newsrooms that unionized, took their campaign public by writing about their drives and the issues that spurred unionization, changing their social media avatars to union logos and covering other workplaces’ drives in their own outlets—building vital public support that encouraged employees to sign union cards and vote to unionize. And finally, management’s inexperience with unions also helped: “Every step of the way, we knew what was going on more than management did,” says a CMG organizer, “and management kept saying things that weren’t accurate, which I think helped us gain credibility because we actually knew what the process was.”

Management’s efforts to introduce non-union forms of voice to contain the campaign were ultimately unsuccessful. However, VICE Canada organizers also had to navigate potentially unfavourable union sentiments among employees. Among the factors affecting support for a union is workers’ past exposure to them (Godard 2008; Cardador et al. 2017). Some VICE Canada employees with previous experience in unionized media workplaces expressed skepticism toward unions. Indeed, after the small group decided to organize, they floated the idea of starting their own union, concerned that VICE workers with experience in other media unions might “have ill will toward” those unions, making a drive difficult. Lacking organizing experience however, and compelled by the CMG organizers’ command of the digital news industry, the group chose the 6,000-member media union, whose parent union is the Communication Workers of America-Canada and who represent workers at the Canadian Broadcasting Corporation (CBC).

Some VICE staff had experience with the union at the CBC, and one issue that made them hesitant to sign union cards was seniority. Interviewees described situations where they felt the union protected longer-serving workers at the expense of young workers and made it difficult for journalists at the start of their careers to secure full-time work. A VICE organizer explains the roots of some young journalists’ aversion to unions:

It’s at the CBC where young workers are getting bumped whenever there’s layoffs. It’s the young people who just got out of university, the 25-year-olds, who get bumped by senior staff… The union’s whole job is to protect senior employees, but it gives the 25-year-old who just got booted a pretty bad impression of the union. And it doesn’t feel like the union is protecting you when you’re the one who gets laid off.

Research reinforces young workers’ sense that unions do not prioritize youth. Freeman and Diamond (2003: 43), for example, argue that “union representatives give (young workers) less time and attention than the older workers.” Employees’ misgivings about the age-based differential treatment of union members, however, did not significantly undermine VICE workers’ desire to organize. They envisioned a collective agreement that would not favour any segment of VICE’s workforce: “Nobody wanted to set up rules in which, if you stayed at VICE for, like, 10 years, that meant that you got things that other people didn’t get.” This sentiment points to the egalitarian and solidaristic values that infused the drive. Even if VICE Canada workers tend to be generationally predisposed to job-hopping, this did not stop them from trying to make their workplace better for the time being and to fight
for more sustainable careers in media for those who succeed them. One employee notes: “I think that because we are the ones putting (the union) in place ... we'll be the ones that'll have to make sure that we're not fucking over the next generation.” In particular, organizers hoped the union would improve the conditions of their VICE colleagues working outside an employment relationship, such as contractors, freelancers and interns, who lack collective bargaining rights.

Another worker concern, reflecting some management discourse, was that a union is an outside institution that imposes rigid rules on workplaces, stifling the culture that many workers feel grants them autonomy. One organizer explains the specific concerns of some video production staff:

We had the people who were in video and in editing who had come from the CBC and had shitty experiences, or new people who had shitty experiences at the CBC in particular who were like, “Fuck, no, I don’t want to do this again. I like the fact that there is no union here.” Especially early on ... a lot of the video staff were contract. They were freelance and contract and they were fine with that, because that is apparently how they do their thing. And so I think there was some concern amongst them that, “Oh, this is really going to change our dynamic and the amount of work we get. And they’re going to force us to do all this indeterminate stuff.”

However, the self-organized nature of the VICE Canada drive helped dispel the perception of unions as a third party. Card-signing was led by the inside committee and supported from behind the scenes by CMG staff organizers. CMG organizers respected VICE workers’ vision for the work process, including retaining the ability to work long hours on projects if desired and to be able to perform multiple roles in a newsroom—sentiments summed up by a concern for “flexibility.” Comments a CMG organizer:

It was apparent that the workers at VICE really valued flexibility in being able to work on different projects and so thought signing a union card would mean that they would get a [strict agreement that undermines flexibility]. And so that ended up being a main talking point of the campaign that was useful in also helping to build the union, saying, “No, we’re not going to impose a collective agreement from somewhere else. It’s going to be whatever you make it.”

In its messaging, the CMG directly confronted the perspective that unions are external structures that regulate work from above, a fear doubtless intensified by the ethos of independence associated with the journalism profession in general and VICE in particular. A campaign slogan was “The union you make, for the VICE you want.” This sentiment is reflected in most of the digital media organizing drives, despite each workplace being organized into a large parent union, often with complex histories: the WGAZ delineates its digital newsroom organizing with a separate website titled Digital Writers Union, and VICE organizing efforts have produced a separate VICE UNION logo. Overall, while journalists we interviewed held some concern that a union was a body that imposed a structure on preferred work practices, during the drive organizers presented the union as a way to protect journalistic standards and professional skills (see Raelin 1989).

Ultimately, the VICE Canada union bid was successful: after reaching the membership card threshold at the end of April 2016, a federal certification vote took place in May 2016, with 69 percent of eligible staff in favour of unionizing. The 170-member bargaining unit was certified on June 3, 2016, and first contract negotiations began. Although management was “intent on stalling the process” and “dragging out bargaining,” according to a CMG (2016) press release, an agreement was reached on March 31, 2017, and ratified by VICE union members on May 1, 2017.

The collective agreement reflects and addresses many of the concerns VICE workers voiced during the drive. For one, the agreement tends to avoid the language of “seniority.” The agreement includes minimum pay rates (with provisions for negotiating above minimum scale) that increase many employees’ salaries, an additional 7 percent raise for all staff over the agreement’s three years, increased paid vacation, improved benefits and mechanisms for addressing excessive workloads. The new pay scale standardizes job categories, which not only lays groundwork for negotiating future increases but addresses workers’ complaints of inconsistencies between employees doing the same work. The first contract secures provisions to better protect those in non-standard work, including requirements to convert contract employees to full-time after twelve consecutive months in the same position and to pay interns a minimum $15 hourly wage. Significantly, the agreement contains language that directly addresses employees’ complaints around transparency, lack of communication and the fact that decisions at VICE seemed to be made on the basis of managers’ whim. The agreement outlines practices for hiring, promotions and dismissals; redresses inconsistencies; specifies processes for dispute resolution and arbitration; and outlines an equal employment opportunity policy, a pay equity committee and protection from workplace-based violence and sexual harassment. And, vitally for VICE journalists, the agreement encodes editorial independence, containing articles that hold management to account for upholding editorial independence and a policy that “non-editorial” parts of the company or third parties cannot exert editorial control.

In the VICE Canada case, employee criticism of unions served to reaffirm
organizing fundamentals, namely, that drives must be worker-driven. Inside organizers we spoke to echoed the campaign slogan, telling us that the union would be a VICE union, that “we can make it whatever we want.” A worker who, based on past union experience, describes themselves as “cautiously optimistic” about the union says, “sometimes it feels like you have to be the person to put the union in place in order to have it represent your interests.” So, this tension fed a resolve to pursue sector-tailored bargaining objectives (protect contractor workers, for example) and to take seriously workers’ preferences, like the desire for flexibility. In this context, a CMG organizer reflects on the lessons the VICE Canada drive holds for future organizing in digital media sector:

A union in any workplace makes sense as a way for workers to come together and collectively bargain and level the playing field. But, in digital media … [the union] has to look different, the collective agreement can’t be imposed. These are largely new workplaces, young workplaces, where people are really invested in the company doing well, too … workers want a union so that they can continue to do good work, quality work … That will be a key organizing issue going forward.

Our research suggests that criticisms and preconceived ideas among VICE workers that could have suppressed the union were responded to in such a way in the drive so as to effectively shape campaign messaging, to adapt bargaining priorities to workers’ desires and sector specificities and, most importantly, to reaffirm that labour organization must be built from below.

Notes
1. VICE Canada also has an office in Montreal.
2. This research was supported by the Social Sciences and Humanities Research Council of Canada. We would like to thank William Webb for research assistance.
3. This quote and all other unattributed quotations are from our anonymized interviews.

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