

## ICON Animation Union FAQ

At any stage of a union campaign, it's important that all workers understand what a union is, how a union can help at your studio, and what's involved in a union campaign as it moves forward.

If you don't see your question answered here, you can contact IATSE Rep Jiaming Li at [jlj@iatse.net](mailto:jlj@iatse.net) or Will Gladman at [wgladman@iatse.net](mailto:wgladman@iatse.net). All communications are strictly confidential.

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### General Questions

#### Q: How does the unionization process in BC work?

In BC, generally speaking, the road to unionization involves a 4-step process:

1. Workers approach the union and start gauging the level of support at the workplace.
2. Sign union support cards.
3. Once 55% or more of the eligible workers sign a membership application card, the union files an application for certification with the BC Labour Relations Board and becomes automatically certified as the union entitled to represent the workers.
4. The workers, with the support of the union, negotiate the terms of the contract with the employer.

The union contract that is signed is called a "Collective Agreement". It is negotiated and agreed to by both the workers forming the union and the employers, so that it is fair to both parties. There are more questions about bargaining and the collective agreement below.

#### Q: What are 'union cards'?

A union card, or 'Authorization Card', is the worker's way of indicating that they would like to be represented by a union. In BC, these union cards expire after 6 months.

Organizers are currently using digital union cards which can be sent confidentially via email and signed using a computer. Workers can also request a paper card if they prefer.

Whether or not a worker has signed a card is kept **completely confidential** between the worker, the union, and the Labour Board. It is illegal for union cards to be disclosed to an employer at any point in the unionization process. Employers are also not allowed to ask workers whether or not they've signed a card.

To sign a card, you can email [jlj@iatse.net](mailto:jlj@iatse.net) to request one for your workplace. All correspondence is completely confidential.

## **Q: Who is eligible to join the union at ICON?**

All artists and production workers are eligible to join the union. This includes supervisors, leads, directors, production managers and most other positions even if they have supervisory duties.

Only management is totally ineligible. This generally means people who have direct hiring and firing capacity at the studio.

Some people are not management but also are not artists or production staff. Positions like facilities, IT, and pipeline may be eligible and ideally will be included if they also show interest in being represented by the union. This may depend on how much support there is from within those departments, and whether or not the organizing team is able to reach them.

Ultimately the decision of who is eligible is made by the BC Labour Board

## **Q: What are the union dues?**

Union dues are the regular payments made by members to maintain their union membership. By paying union dues, workers are pooling their resources and investing them to ensure that members are protected and are getting all of the benefits of their collective agreements.

**Union dues are tax deductible, meaning that you get a sizeable portion of your dues payments back during tax season.**

Each local is free to decide dues structure. Local 938, Canadian Animation Guild, members pay two kinds of dues: regular dues and working dues.

Regular Dues are a flat fee payment, payable to the union by all members. The regular dues for CAG Local 938 are \$80 per quarter, however, members who choose to pay the entirety of their regular dues at the beginning of the year will save 10%.

Working Dues are a percentage that is deducted directly from the gross wages of members who are working under a union contract. For Local 938, working dues are 2% of gross wages. You do not start paying dues until the collective agreement is ratified and you are actually getting the benefits of membership.

## **Q: Why do we have to pay dues?**

Funds collected via dues payments contribute to all aspects of running the union. Dues fund the staff and resources provided by the Union to help workers negotiate and enforce their contracts. They also fund all kinds of other items like training and legal support for members, and through economies of scale allow the Union to provide a host of other benefits not normally available to non-union workers.

Ultimately, the democratically elected board of the local Union makes the decisions about how its funds are spent, as directed by the members.

Unionized workers enjoy higher wages and better benefits than non-union ones, and are well protected by the union in case anything goes wrong.

**Q: Do I have to join the union if the studio unionizes, even if I didn't sign a card?**

A: Yes - once a union is certified at ICON and the collective agreement is ratified, everyone who works at the studio will need to be a member of the union. Anyone who joins the studio at a later date will have to join the union as a condition of their employment. This is called the "open shop" model, and this is the law in Canada in regards to an open shop union workplace.

Workers who did not sign a card will have all the same rights, benefits, and obligations as those who did sign. They will still have the opportunity to contribute their ideas about what our bargaining proposals should be, and can even participate in committees and other activities at the union should they have a change of heart.

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## **Issues at Work and Collective Bargaining**

**Q: How does bargaining/negotiating a first contract work, and how do workers provide input for the contract negotiations?**

Collective bargaining is a worker-led and run process from start to finish.

Once the union is formed, employees establish a Bargaining Committee that is made up of workers from the studio. The Bargaining Committee will send out surveys and have meetings with workers to discover what things people want to include in bargaining. These might be things that workers would like to keep the same, things that need to change, or even problems without an immediately obvious solution.

IATSE representatives and lawyers will then assist the Bargaining Committee to create bargaining proposals from those priorities.

The Bargaining Committee will then go to bargaining with their employer. They will have a series of meetings together to negotiate the first contract. It is us as workers who sit across the table from the employers to bargain the new contract, with IATSE reps and lawyers playing a supporting role.

Once a tentative agreement is reached, all the workers at the studio will vote on whether to ratify it or not. If a majority of workers agree, then the agreement is ratified. If they do not ratify the contract, then the Bargaining Committee and the employer go back to negotiations to fix the things that need fixing.

## **Q: What kind of things are guaranteed in a collective agreement?**

There are no guarantees at this stage as to what ends up in our collective agreement. This is because, as described above, the contract depends on 2 things:

1. What workers at ICON want; and
2. What the employer is prepared to negotiate for at bargaining.

However, workers can take inspiration from agreements that have been negotiated at union studios like Titmouse, WildBrain, and Kickstart are helped by IATSE's decades of experience negotiating collective agreements both in animation and in other similar industries. Some examples of what was achieved at Titmouse:

- Some workers saw \$400 per week increases
- 20% increase in sick/personal days
- 15% wage increase for supervisor duties
- Move to more efficient union-run RRSP
- Clear OT procedure and ability to say no to overtime
- Worker-written anti-bullying and harassment policy
- Wage minimums increase each year
- Protections against outsourcing

What can be promised is that nobody will have to be on their own anymore and will always have support available to them to help deal with things at work. Workers are also guaranteed a seat at the table to have a voice on the things that impact their daily lives.

## **Q: How does having a collective agreement improve wages?**

The collective agreement will include a wage grid which sets the minimum pay scale for each position. The grid is based on an increase from the current wages at the studio.

Importantly, **nobody's wage will go down as a result of workers forming a union**. Likely, not everyone will see the same increase to their wages; those who currently make more may not get as much of an increase as those who are currently paid the least.

A collective agreement can also secure predictable annual wage increases. You might negotiate a flat % annual raise or work out a complicated formula that is tied to inflation. Exactly how annual raises work will depend on what is agreed upon with the employer at bargaining, but some annual increases are very likely to be included.

## **Q: How do union-provided health benefits work?**

Countless workers throughout the industry agree that health benefits that cover artists when they are out of work is a necessity. This is an important part of building some stability into this kind of contract-based work.

IATSE Local 938 does not yet offer health benefits to its members but they have set up a Health Plan advisory committee and, especially after the certification of WildBrain workers as well as Kickstart workers, the committee is working on introducing a multi-employer healthcare plan.

Having access to this plan via IATSE would mean that workers could access benefits whether they are working at a union studio or not. They could even retain their benefits while not working at all.

**Q: Will forming a union mean that studios just outsource more work? How could we protect against outsourcing taking jobs away from the studio?**

Studios are already outsourcing work when they deem it necessary to do so. It is a common fear of artists in the industry that unionizing could mean an increase in the outsourcing of work. In fact, **the opposite is true**. A collective agreement can contain language which limits a studio's ability to outsource work, keeping jobs at the studio.

For example, the Titmouse collective agreement contains language which means that the studio cannot outsource work when it has staff at the studio who can perform that work. This means that nobody loses their job because the studio wants to cut costs through outsourcing.

However, without a collective agreement, there is nothing workers can do to stop studios from continuing this practice.

**Q: How could we protect against AI taking jobs from workers?**

Similar to the above, a collective agreement can contain language that addresses technological change, including the use of AI in the workplace. With these protections in place, an employer may be restricted by how and when they can use certain technology at work, or whether they can use it at all. They may be required to consult with the workers when new technology is developed to ensure that it does not impact union jobs.

Again, bear in mind that there are no guarantees before bargaining is complete. However, a collective agreement is the only way for workers to get a seat at the table to decide how these things are done. The more of us stand together, the stronger our bargaining power is, and the more we can achieve.

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## **Common Fears and Concerns**

**Q: What if ICON finds out I signed to support a union?**

Firstly, at NO POINT will ICON ever find out who signed support cards. Workers wanting to form a union in Canada are constitutionally the most protected workers. When workers sign a support card, it will be between the worker, the union (IATSE), and the British Columbia Labour Board (BCLRB). If you are still worried about confidentiality, you can request to have

a card sent to your personal email directly from your union rep, Ming Li by emailing her at her work email [jli@iatse.net](mailto:jli@iatse.net).

Not once have we ever seen someone indirectly or directly retaliated against for their union efforts when we unionized Titmouse, WildBrain, Kickstart, or DNEG across Canada. Some things that employers could try to do once they find out their workers are unionizing are more indirect and likely would involve the following statements:

- They could organize anti-union town halls and put up anti-union posters to spread misinformation – misinformation is key to persuading people not to support!
- They could send emails out to the workplace with “we love you guys” sentiments – this is to remind their workers that they have always been listening to their workers’ concerns and that their workers don’t need a union.
- They could try to say the union is made of outsiders who will come to tell everyone what to do – the union is made up of you and your coworkers!
- They could try to say the union will not be able to provide the same benefits that currently exist at ICON – because a union is made of a relationship between the workers and their employer, we protect the benefits you love about ICON in legally binding writing so they can’t be taken away easily and work with your employer on how to further them!

Employers can’t do much besides those more indirect ways listed above in order to get people to feel bad about supporting a union due to the strong protections against direct worker retaliation we have in Canada. It’s important to remember the law is on our side.

### **Q: Can I sign a card if I’m on a closed work permit?**

Yes, absolutely! Signing a card will never affect your immigration status. It does not matter if you are on a closed work permit, permanent residency, or if you are a Canadian citizen. In fact, signing a support card to help form a union at ICON will be beneficial towards your permanent residency and citizenship applications. Unions provide job security and that is why your PR and citizenship application forms ask workers if they are part of a union. Imagine the day we will get to all check that box, help make that a reality by signing a card!

### **Q: How can forming a union help international workers?**

It’s important to remember that your union is made up of workers just like yourself. We know that ICON has a high international worker population and forming a union is the safest, most effective way to receive immigration support. When workers join Local 938, The Canadian Animation Guild, they can create committees and ask for support from their union on direct matters.

For example, creating an international workers committee for workers to meet each other when they first move here, free information sessions on housing or tax help, potentially

redirecting a part of the budget to be able to hire an immigration advisor to give free advice. Those are all things a union member is able to bring up to the rest of the union.

Local 938 is so young and you all have the chance of shaping it how you want. There are older unions in Canada that even offer PR recommendation letters, so you do not have to receive one from your employer. The potential benefits a union can provide are up to the diversity of the union so that is why the more international workers who join Local 938, the better it will be for the future workers starting their animation career in Canada.

**Q: What if some workers like the benefits at ICON – do we risk losing them by forming a union?**

No – nobody will lose pay or benefits from forming a union.

Often there is a lot to like about working at any studio, as each studio has its strengths, but there are also things that can be improved. That's why the first priority is to lock in the things that are working, and then the work begins to change the things that aren't. It's the workers at each studio who are in charge of the bargaining process and, simply put, the workers would not agree to having benefits removed or stripped back.

Without a union, however, employers can easily remove benefits with no notice or consultation with employees. That isn't possible when workers are protected by the terms of a collective agreement.

**Q: Will the agreement at ICON be the same as the Titmouse agreement?**

No - in BC, the workers at each studio negotiate their own collective agreement with their employer. Because each employer is different and there are different benefits and drawbacks to working at each studio, each collective agreement will contain different things.

The goal in negotiation will be to improve upon what a studio already offers - so it doesn't necessarily matter what other workers at other studios get.

However, workers at one studio can still draw inspiration from other unionized workplaces, including Titmouse. See above for some of the gains workers achieved at Titmouse when they formed a union.

**Q: Does forming a union mean we will have to go on strike?**

No. Strikes only happen under certain circumstances where an employer has continuously failed to come to the bargaining table in good faith. It is the last tool in the toolkit of unionized workers whose employer is not treating them with respect. Most issues in bargaining are resolved without even coming close to a strike.

Crucially, a strike is only ever authorized by a vote of the workers who would actually be going on strike. **If the workers don't want it, it doesn't happen.** The vast majority of union members have never been on strike. Note that in BC, even if you want to, you can't legally go on strike for problems negotiating a first collective agreement.

**Q: Will having a union change the way hiring and promotions work? Will it be based on seniority instead of merit?**

No, not all unions have seniority, and not all unions need to have seniority. Workers at each studio will get to decide whether seniority is wanted at their workplace.

Unless otherwise negotiated, hiring and promotions will stay broadly the same once the union is formed. The studio will still hire on the merit of a person's work and experience and the union will not be involved in who they pick for certain roles. The studio will not be forced to hire or promote particular people because of the union.

What will change is that workers will now have all the support they need when they are negotiating with the employer or figuring out issues with their contract. You'll no longer have to go it alone.

**Q: Will I be able to negotiate my own wage and other terms under a collective agreement?**

Yes. The collective agreement sets a floor so that nobody is paid less or treated worse than those minimum standards that have all been agreed upon. But that does not mean that workers lose the ability to negotiate for themselves as individuals.

Every worker is free to negotiate a higher rate or other improved terms based on their individual skills, level of experience etc.

**Q: If we unionize animation in Vancouver, won't all the jobs be sent overseas?**

Many industries have moved jobs overseas and animation is no exception. Animators in Korea, the Philippines, and India already work for much lower rates than animators in Canada or the USA with or without a union, and yet, animation is still being done in North America.

Hollywood animators have enjoyed the benefits of unionization since 1941, and the animation studios in LA continue to generate incredible work that is widely loved around the world. Live action film in BC has been unionized since the 1990s, and the live action film sector has continued its incredible growth ever since. The actors who record voices for the cartoons that are made here are also represented by a union. One common thread among all these local sectors is that unionization has not negatively impacted their ability to do and retain work, because the main factors that go into why work stays where it is is not changed by a union.

Therefore, it is likely animation work is likely to stay in BC for the same reasons that animation work is currently in BC, and those are:

- Generous Tax Credit program (up to 40% of workers salaries can be subsidized)
- Same language and time zone as LA (allowing clients to easily and efficiently communicate with the service studios)
- Close proximity and similar culture to the LA industry



- US Dollar vs. Canadian dollar
- Infrastructure setup and a large pool of talented artists
- A well-established Canadian entertainment industry that needs Canadian talent for CanCon (Canadian Content) requirements.

Since Titmouse workers unionized to form CAG in 2020, Titmouse Vancouver has still been getting work. Animation in Vancouver did not flinch or slump at news of unionization; in fact, new studios continue to open here, because of the reasons listed above. Additionally, unions can take over some of the fringe benefits usually provided by an employer, allowing an employer to offer generous benefits that they do not pay for, so unionizing can be a benefit to an employer who is looking to attract top tier talent at their studio.

As described further up in this FAQ, workers can also aim to include language in their collective agreements that prevent the studio from outsourcing work when there are workers available to do the jobs in-house.

### **Q: Will unionization hurt the studios?**

Actually, unionization can be very beneficial for the studios. It can guarantee labour stability, which can ensure that the studio can meet their deadlines. It can draw talent to the studio, as workers will often want to be at a studio where their needs are met and their interests are represented. As mentioned above, it can even lessen the financial burden on employers to provide benefit and retirement plans to their employees. In short, unionization can, and does, benefit employers just as much as it will benefit employees!

In the end, both workers and employers want a strong industry where everyone can thrive. As we see in BC's film and TV industry, a strong union can actually join employers to fight for an environment that helps the industry grow and build resilience.

For example, BC's film and TV unions have long fought alongside industry to maintain and improve BC's tax credit system. This kind of strong partnership brings in more work and therefore more reliable, high quality jobs, benefiting everyone involved. Unions can make for powerful lobbying groups, allowing workers not only a stronger voice at their workplace but also in their government.

Studios may say that their biggest challenge with a unionized workforce is a lack of complete flexibility. However, unregulated flexibility is often a detriment to employees, and needs to be weighed appropriately in a workplace. With a union, animation workers would be an integral part of that conversation.

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## **Next Steps**

**Q: I want to help out, what can I do?**

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If you would like to help see a union form at ICON, the first step is to reach out to an IATSE Rep to help get connected with organizers. Becoming an organizer sounds fancy, but all it really means is you would like to volunteer a bit of time to help contact workers at your studio.

If you are interested in getting involved to unionize ICON, please reach out to IATSE Rep Ming Li at [ili@iatse.net](mailto:ili@iatse.net)

**Q: Life is already busy enough. Will I be forced to participate in union meetings, committees etc?**

No - if you support workers forming a union at your studio, then all you need to do is sign a confidential support card.

While the union is worker-run at every level, you can be as involved or as uninvolved as you like. There are a whole host of opportunities to participate in bargaining, join or launch committees, or run for elected office and more. However, if you prefer to let others handle all of that, that's totally fine. Even if you do not wish to participate actively in any bargaining, you will still have a chance to vote on the final collective agreement, so your voice will still be heard.