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December 13, 2007

**By Facsimile & U.S. Mail**

James J. McDermott, Regional Director  
National Labor Relations Board, Region 31  
11150 West Olympic Boulevard, 7th Floor  
Los Angeles, California 90064

Re: Alliance of Motion Picture and Television Producers (AMPTP)

Dear Regional Director McDermott:

Enclosed please find the original and four copies of an unfair labor practice charge filed by Writers Guild of America, West, Inc. and Writers Guild of America, East, Inc. (jointly "WGA") against the Alliance of Motion Picture and Television Producers ("AMPTP") for the AMPTP's unlawful refusal to bargain for a successor to the now-expired Writers Guild Theatrical and Television Basic Agreement.

On December 7, 2007, the AMPTP broke off negotiations for a successor collective bargaining agreement with the WGA, issuing an ultimatum: that the AMPTP will not schedule further bargaining sessions unless and until the WGA withdraws from the negotiations specific proposals it has made. The AMPTP imposed this condition on further bargaining as, and knowing that, the WGA was preparing counter-proposals.

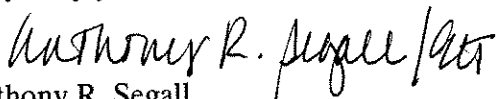
The NLRB has long held that an employer may not require a union to resolve specific proposals as a precondition to discussing other subjects. Such conduct frustrates the bargaining obligation and, as here, effectively stalls negotiations preventing substantive discussion from taking place. See *South Shore Hospital v. NLRB*, 630 F.2d 40, 43 (1<sup>st</sup> Cir. 1980), enforcing 245 NLRB 848, cert. denied, 450 U.S. 965. By "insisting that the Union accede to its position . . . before there could be any negotiation on other issues," the employer "obstructs the process of meaningful contract negotiations because progress in negotiations on certain economic or non-economic issues often induces parties to yield ground on other disputed issues." *Patrick & Company*, 248 NLRB 390, 392 (1980). See also *Pillowtex Corp.*, 241 NLRB 40, 47-48 (1979) (employer's unlawful conduct caused unfair labor practice strike).



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Please contact Ellen Greenstone of our office in the investigation of this charge. Thank you.

Very truly yours,

  
Anthony R. Segall

ARS/ch

Enclosures

cc: David Young, Exec. Director, WGAW  
Mona Mangan, Exec. Director, WGAE