

# Turning Points and Negotiation: The Case of the 2007–2008 Writers' Strike

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## Keywords

turning points, negotiation, conflict framing, corporate campaigns, strikes.

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## Abstract

Extant communication research on negotiation typically focuses on the microprocesses of interaction without much attention to the larger context in which these conflicts occur. However, public campaigns related to labor-management conflicts impinge on the way negotiations are enacted. This study focuses on the turning points and conflict framing in the 2007–2008 conflict between the Writers Guild of America and the Alliance of Motion Picture and Television Producers. Using media coverage and press releases, it examines turning points across critical events, communicative framing, and the role of a simultaneous corporate campaign in shaping the outcome of this negotiation. Overall, it demonstrates that procedural precipitants in combination with the corporate campaign triggered departures that escalated the conflict, while procedural and external precipitants shaped departures that led to an agreement. Writers Guild of America's particular brand of a *soft* corporate campaign played an important role in solidifying the labor union and garnering public support for the strike.

Communication research gives considerable attention to the interaction patterns in negotiations. This work centers on the micro-analyses of strategies and tactics and the sequences of communicative behaviors in both laboratory and field-based settings (Adair & Loewenstein, 2013; Donohue, Diez, & Hamilton, 1984; Giebels & Taylor, 2009; Olekalns & Smith, 2000; Taylor, 2002a, 2002b; Weingart, Prietula, Hyder, & Genovese, 1999). This research also examines conflict cycles and escalation (Brett, Shapiro, & Lytle, 1998; Putnam & Jones, 1982), phases and stages of negotiation (Adair & Brett, 2005; Holmes, 1992; Olekalns, Brett, & Weingart, 2003; Putnam, Wilson, & Turner, 1990), discourse patterns (Maynard, 2010; Putnam, 2004, 2010), and conflict framing (Dewulf et al., 2009; Donohue, Rogan, & Kaufman, 2011; Drake & Donohue, 1996; Putnam & Holmer, 1992). In this venue, studies typically focus on the negotiation itself without much attention to the larger context in which these disputes occur.

Research that situates negotiation within a broad context captures the dramaturgical and ritualistic aspects of front- and back-stage negotiations (Friedman, 1994), the way that managerial control transforms employees from warriors to victims and martyrs (Cloud, 2005), and the roles that communities play in orchestrating conflict performances (Fuoss, 1995). These studies show how communication shapes public images, alters the roles of disputants, and recasts negotiations as events that are responsive to public pressure and the activities of observers and bystanders. Clearly, labor-management public campaigns impinge on negotiations and the settlements of disputes. However, with the exception of

Friedman's (1994) research on mutual gains bargaining, few studies link the issues and processes of negotiations to public campaigns.

This study aims to bridge this gap through examining the turning points and conflict framing in the 2007–2008 negotiations between the Writers Guild of America (WGA) and the Alliance of Motion Picture and Television Producers (AMPTP). These routine contract negotiations began in July 2007, developed into a strike in November, and were settled in February 2008. Bargaining resumed several times during the 3-month strike, and the public campaigns surrounding the dispute became pivotal to the deliberations.

This conflict merits attention because of its role in 21st century labor relations. Union membership in the United States has steadily declined since the 1960s with the outsourcing of manufacturing plants to other countries. Currently, only 11.3% of the workforce is unionized (U.S. Bureau of Labor Statistics, 2014, January 24), yet Hollywood remains a union arena. The motion picture and television industry is one of the best areas for organized labor in the nation (Dawson, 2009). Even though strikes have declined since 1980, talent workers have a history of strikes that impact the local and national economies. The 2007–2008 writers' strike lasted 100 days, involved 13,000 members of the Writers Guild (both East and West coasts), and cost the industry over 2.5 billion dollars (Los Angeles Economic Development Corporation, 2008). Unlike the strike in 1988, union leaders viewed the 2007–2008 negotiation as highly successful, particularly in obtaining major advances in new media residual payments (Atkins, 2008). The strike was also noted for the intensely public nature in which both sides carried out the dispute (Banks, 2010; Handel, 2011; Littleton, 2013). Moreover, the WGA broke new ground in this strike through its use of a corporate campaign to mobilize members and garner public support. Thus, it seems critical to examine this dispute to determine what tactical features were employed and how they related to the overall settlement.

This study focuses on the turning points and conflict framing in the WGA-AMPTP negotiation as it relates to the corporate campaign. Thus, it draws together messages about the negotiation, ones given to constituents and the public, and examines critical events in the conflict. To this end, we review the literature on turning points and conflict framing, discuss the WGA-AMPTP case, describe the research methods and data analysis, and present the results of this study.

## Turning Points in Negotiations

Turning points are key observable moments when the actions and interactions in a conflict shift direction. Researchers have observed these moments in mediation (Höglund & Svensson, 2011; Jameson, Sohan, & Hodge, 2014), international negotiations (Druckman, 1986, 2001), and multilateral environmental negotiations (Chasek, 1997). Turning points parallel a critical moment in that they mark a break point or designate a shift in movement as opposed to routine progress from one stage to the next (Druckman, Husbands, & Johnston, 1991). Although turning points vary in the amount, frequency, and duration of change, observers typically agree that a change from earlier events has occurred (Druckman & Olekalns, 2013a). They often occur after periods of crisis, prolonged cooperation, or periods of intense escalation (Druckman, 2001; Druckman & Olekalns, 2013a; Olekalns & Weingart, 2008). Critical for conflict studies, turning points arise through and within the nature of interactions as they interface with events both inside and outside the negotiations.

Turning point analysis consists of a three-part model of a precipitant, a departure, and a consequence (Druckman & Olekalns, 2013a). The focus for a turning point analysis is a *departure* or an impactful decision that forms a clear and self-evident break from earlier negotiation events or patterns. Departures are deviations from a course of action or from the established patterns, and they are bounded by prior processes and subsequent interactions (Crump & Druckman, 2012). Abrupt departures occur suddenly or unexpectedly, for example, a major concession or a decision to break off negotiations, while non-abrupt ones are gradual, transitional, or incremental movements, such as making offers and counteroffers, forming picket lines, and engaging in routine strike activities.

Departures depict the break or deviation from the prior flow of activities, but they do not account for the impact or consequence of these actions in terms of moving the negotiation away from or toward agreement (Druckman & Olekalns, 2013a). A *consequence* focuses on the positive or negative impacts of the departure, in particular, escalation or de-escalation. Escalation increases the intensity and costs of a conflict and promotes movement away from an agreement. Examples of escalation include an impasse, a deadlock, or a strike. De-escalation, in turn, refers to moving toward agreement through reductions in intensity, unifying the sides, and developing procedures that foster settlements. Examples of de-escalation include resuming negotiations, revealing common enemies, and making progress toward agreements. Past research reveals that negotiations often cycle through repeated and sequential periods of escalation before reaching settlements (Druckman, 2001; Druckman & Olekalns, 2013a).

*Precipitants* focus on events that occur inside or outside of the negotiation that signal that a departure has occurred (Druckman & Olekalns, 2013a). Research focuses on three types of precipitants: procedural, substantive, and external. *Procedural* precipitants encompass changes that occur in the structure and format of the negotiation, such as replacing negotiators, bringing in mediators, altering the location of bargaining, or altering schedules for meetings. *Substantive* precipitants focus on changes in agenda items and the content of the negotiation, for example, reframing issues, offering unexpected proposals, or presenting bottom-line packages (McGinn, Lingo, & Ciano, 2004). Past research revealed that substantive turning points, such as decoupling issues and crafting new proposals, and procedural precipitants such as preparing for a summit meeting, surfaced as frame-breaking changes in which negotiators made trade-offs that led to agreements (Druckman et al., 1991). Moreover, substantive precipitants in an intellectual property negotiation led to nonabrupt departures through a gradual de-escalation and through gaining legitimacy for the new framing of issues.

*External* precipitants can occur in conjunction with procedural and substantive shifts. This type of precipitant refers to events that reside outside of the control of the bargaining parties or the negotiation per se, for example, governmental or legislative interventions, public opinion polls, or changes in the industry. In Druckman's (2001) study, external triggers were pivotal for reaching settlements in international security negotiations, while internal precipitants shifted the playing field in trade and political negotiations. Moreover, news of an external political crisis slowed down negotiation progress, especially in a climate of low trust between the sides (Druckman, Olekalns, & Smith, 2009). In a study of intellectual property negotiations in two multilateral trade cases, external precipitants often led to nonabrupt departures that de-escalated the conflict. In the same case, two abrupt departures contributed to de-escalation through breaking a deadlock and producing new understandings of events (Crump & Druckman, 2012). In effect, events that occurred outside the negotiation impinged on internal deliberations and turned the bargaining in a particular direction.

Overall, turning point analysis focuses on shifts in the direction of a negotiation, ones that stem from breakthroughs or crises (Druckman & Olekalns, 2011). Departures are changes that deviate from earlier events, ongoing processes, relationships between parties, or standard norms. These actions or decisions by one or both parties lead to consequences that move parties toward an agreement (de-escalation) or away from reaching a settlement (escalation). To understand triggers related to the departures and consequences, analysts also focus on three types of precipitants: procedural, substantive, and external. The ways that disputants respond to these precipitants influence departures, types of changes in the negotiation, and the escalating or de-escalating of the conflict.

Most investigations of turning points in negotiations employ case chronologies to track events, departures in the process, resultant consequences, and precipitants to these changes (Druckman & Olekalns, 2011). Bargaining studies have examined security, political, and trade negotiations (Druckman, 2001); policy issues regarding military bases (Druckman, 1986); nuclear treaties (Druckman et al., 1991); intellectual property rights (Crump & Druckman, 2012); and laboratory simulations of international security agreements (Druckman & Olekalns, 2013b; Druckman et al., 2009). Even though a recent study applies turning point analysis to labor-management bargaining (Llorente, Luchi, & Sioli, 2013), no research ana-

lyzes the events that lead up to, surround, and terminate a strike. Given the importance of understanding the evolution of a labor dispute, this study employs turning point analysis to decipher the critical events in the interface among negotiation, strike activity, and a corporate campaign. Hence, the guiding questions for this study are:

**RQ 1:** What types of departures, precipitants, and consequences characterized the turning points for the critical events in the 2007–2008 writers’ strike?

**RQ 2:** How did these departures, precipitants, and consequences relate to patterns of escalation and de-escalation of the dispute?

## Corporate Campaigns and Turning Points

Formal labor-management negotiations often occur in isolated quarters (McCafferty, 2001). In fact, many negotiations have partial, if not complete, press blackouts for coverage of the deliberations; however, strikes clearly garner media attention and serve as one of labor’s most effective tools in pressuring employers to reach agreements (Bergin, 2005). Extant research notes that the media cover strike activity more than any other union event (Schmidt, 1993), and they tend to favor management over labor (Bruno, 2009). Moreover, coverage of strikes typically has a negative effect on the public opinion of unions (Schmidt, 1993).

In an effort to change this image, unions have engaged in corporate campaigns (Jarley & Maranto, 1990). A *corporate campaign* is a coordinated, wide-ranging set of activities aimed at pressuring the stakeholders (for example, customers, investors, suppliers, board members) who could potentially influence a company’s objectives (Ashby & Hawking, 2009; Jawahar & McLaughlin, 2001). In this type of campaign, unions make direct appeals to a large group of stakeholders rather than trying to persuade management (Franklin, 2001). Corporate campaigns aim to garner public support, but they differ from public relations and lobbying efforts through engaging in extensive strategy formulation and through targeting the stakeholders who can exert pressure on the well-being of a company (Manheim, 2001). Thus, the public face of a corporate campaign often resembles a dramatic play in which the union strives to capture the moral high ground.

Since the early 1980s, unions have used corporate campaigns for an array of activities (Perry, 1996), including to influence the outcome of a strike. Unions typically employ a combination of strategies, namely: (a) building coalitions with other unions and nonlabor groups; (b) organizing demonstrations and consumer actions, like boycotts; (c) filing legal actions and registering complaints with regulatory agencies; (d) engaging in legislative and political activities; (e) developing public relations materials, such as white papers and videos; (f) pressuring lenders and stockholders; (g) threatening to withdraw pension funds; and (h) staging in-house actions, like work-to-rule (Ashby & Hawking, 2009; Manheim, 2001).

To enact these activities, labor casts the dispute in ways that relevant stakeholders can understand. Specifically, unions might engage in intense personal attacks on top management, make allegations about poor corporate citizenship, report on financial operations, or initiate regulatory actions. These strategies appeal to American distrust of corporations and accent the social and moral issues underlying a conflict. Thus, a corporate campaign casts unions “as the defenders of public interests against the evils of big business” (Manheim, 2001, p. 37). In general, corporations, as the targets of these campaigns, minimize the effects of these strategies by treating them as public relations stunts rather than as targeted, ongoing campaigns. Recently, however, scholars have investigated ways that corporations should respond to these maneuvers (Jarley & Maranto, 1990; Jenero & Spognardi, 1996).

No studies have tied corporate campaigns to critical events and turning points in the evolution of a dispute. As corporate campaigns operate in tandem with negotiations and strikes and are typically orchestrated by one or both parties, they serve as another type of precipitant, one that integrates both internal and external occurrences. Hence, for this study, we treat strategies and tactics employed in corporate campaigns as *strategic precipitants* that add to the typology of turning point research. Related to this literature, we pose the following questions:

**RQ 3:** What types of strategic precipitants did the WGA employ in their corporate campaign during the 2007–2008 writers’ strike?

**RQ 4:** How did these strategies and tactics relate to types of departures, consequences, and other precipitants in this dispute, particularly to escalation or de-escalation of the conflict?

### Conflict Framing, Corporate Campaigns, and Turning Point Analysis

The touchstone of a corporate campaign is the way that union activists frame conflict events (Manheim, 2001). Thus, labor leaders isolate, highlight, and spin negotiation events to shape their definitions of the “factual occurrences.” To claim the moral high ground, they cast facts and events in ways that appeal to the public and to “the natural inclinations of journalists and news organizations” (Manheim, 2001, p. xiv). Thus, conflict framing is central to a corporate campaign and organizers attend to how they name issues and assign blame for events.

In this study, *conflict framing* refers to language patterns that aim to name the conflict or to depict what the dispute is about (Gray, 1997; Putnam & Holmer, 1992). Although research on conflict framing encompasses a wide array of approaches (Dewulf et al., 2009), a communicative lens to this construct focuses on discourse (Tannen, 1993), agenda setting and news production (Entman, 1993), or sensemaking (Brummans et al., 2008; Putnam, 2013). Conflict scholars aim to identify categories and repertoires of framing (Gray, 2003; Rogan, 2006), to examine the co-constructed or interactional development of frames (Dewulf, Craps, & Dercon, 2004; Drake & Donohue, 1996), and to uncover collective meaning constructed through foregrounding and labeling conflict experiences (Brummans et al., 2008; Putnam & Shoemaker, 2007).

This study draws from the sensemaking approach to framing and centers on how disputants provide verbal descriptions or representations of issues and events, specifically, how they use language to name and assign blame to events (Felstiner, Abel, & Sarat, 1980–1981). In this way, the use of naming serves to delimit the issues that disputants find important, to foreground and background certain aspects of the conflict experience, and to develop coherent stories about what is happening (Brummans et al., 2008). Thus, conflict framing surfaces in the messages that disputants share with constituents, the media, and publics at large (Putnam & Shoemaker, 2007). This approach also examines how the negotiation context enters into the ways that each side highlights recurring problems and recalls organizational history (Friedman, 1994; Mather & Yngvesson, 1980–1981).

Even though research on corporate campaigns recognizes the importance of framing, no study focuses specifically on how the naming and blaming of events relates to a corporate campaign or to substantive, procedural, and external precipitants in the evolution of a conflict. The research on turning points treats framing as a type of departure; specifically, reframing issues functions as an impactful decision that represents a change from earlier events (Druckman & Olekalns, 2013a, 2013b). In particular, participants who treated a break in the negotiation as a power frame were more likely to reframe the issue, if trust between the parties was high. The same event interpreted through a transaction-cost frame had the opposite response, especially if trust was low (Druckman & Olekalns, 2013b). Gaining acceptability for a new frame is important in resolving an impasse and acting as a departure (Crump & Druckman, 2012). In this sense,

the framing of an issue serves as a substantive precipitant while reframing or shifting a frame functions as a departure. Gaining legitimacy for the new frame serves as a consequence that de-escalates the conflict.

In contrast, this study treats framing as a precipitant that parallels Putnam and Shoemaker's (2007) research on turning points and media framing in the Edwards Aquifer conflict. Their study showed how media messages served as external precipitants to de-escalate the conflict through shifting naming and blaming, introducing multiple explanations for events, and casting the federal government as a common enemy (Druckman & Olekalns, 2013a). Thus, framing functioned as a strategic influence on the negotiation, one that shaped decisions and led to departures.

In general, parties in a dispute construct messages in particular ways to define what a conflict is about. These patterns of framing typically include the features deemed salient to a conflict, the main players and their respective roles, and the events that are pivotal to escalation and de-escalation (Brummans et al., 2008; Gray, 1997). In a strategic way, disputants design press releases that situate some events in the foreground and others in the background and describe the negotiation in ways that help the public make sense of events. Examining the naming and blaming of conflict events may aid in deciphering how particular departures and consequences surface as turning points that alter the course of a dispute. Research on conflict framing then raises the following questions:

**RQ 5:** How did press releases and media coverage in the writers' strike cast the naming and blaming of issues and events?

**RQ 6:** How did these patterns relate to departures and to the escalation or de-escalation of the conflict?

## Case Description and the Negotiation Context

The Writers Guild of America, West (WGAW) and the Writers Guild of America, East (WGAE) are labor unions that represent more than 13,000 film and television writers. The guilds determine writing credits for film, television, and new media and monitor, collect, and distribute millions of dollars in repeat-performance fees for their members (Writers Guild of America, East [WGAE] 2007; Writers Guild of America, West [WGAW] 2009). Although they are separate entities, the two jointly conduct their contract negotiations with the AMPTP. The AMPTP negotiates 80 industry-wide collective bargaining agreements for more than 350 film and television producers.

In June 2006, the two unions settled a longstanding disputes between them and the newly elected presidents agreed to present a united front in the upcoming negotiations with the AMPTP (McNary, 2006, June 22). Negotiations began on July 16, 2007, three-and-a-half months before the expiration of the contract. The timeframe gave both sides a short window in which to resolve major differences in compensation and union jurisdiction. Although both sides made concessions, disagreements over major issues led the first use of WGA without East and West to call for a strike authorization vote (WGA, 2007, October 19). Throughout most of the 100-day work stoppage, the negotiations started and stopped amid picket lines, public rallies, and demonstrations on both coasts; interventions from political figures; and a large number of internal and external events. Finally, the WGA's membership voted to lift the strike and to ratify the contract on February 26, 2008.

## Data Sources and Analysis

The data for this case study come from publically available archival materials, including the WGA and the AMPTP press releases, news reports, web documents, and blogs. Using the search terms "Writers

Guild of America” or “writers strike,” we collected 135 newspaper articles published between April 1, 2007 and March 1, 2008 from *The Los Angeles Times* (using ProQuest,  $n = 62$ ) and *The New York Times* (using the LexisNexis Academic,  $n = 73$ ). We also retrieved 76 press releases (50, WGA and 26, AMPTP) from each party’s Web sites. We distilled these articles into three different databases for coding in order: (a) to develop a chronology of the sequences of events in the conflict, (b) to isolate and track activities related to the corporate campaign, and (c) to analyze conflict framing.

To develop the sequence of events, we read through each item in our dataset, abstracted all internal and external events related to the negotiation or the strike, and arrayed these events chronologically beginning with the announcement of the negotiations and ending with the ratification of the contract. Duplicate listings of events (i.e., those covered by multiple sources) were combined into a single description. To ensure the completeness of our database, we supplemented our list with additional events that appeared in articles from *Variety* ( $n = 11$ ), an entertainment trade publication, and the blog, *Deadline Hollywood Daily* ( $n = 36$ ), an alternative journalist’s Web site that focused on the entertainment industry. This process produced a chronology of events that extended 25 single-spaced, typed pages and consisted of 149 separate descriptions of internal and external conflict-related activities.

After developing operational definitions (see Appendix), we identified the departures based on a clear change or clear break from earlier events or patterns. We then coded these departures as abrupt or sudden in the move or nonabrupt with gradual development to a predictable transition. We then examined the immediate consequence of each departure based on subsequent events and coded the impact of the departures as either escalation or de-escalation. Then we coded the descriptions of each event that preceded and were in proximity to the departure into one of four types of precipitants: substantive, procedural, external, and strategic. The coders treated the event descriptions as the unit of analysis and the four types of precipitants as mutually exclusive. Hence, each event description preceding the departure had one of four codes for types of precipitants and one of two codes for the types of consequences.

After several hours of training, we coded the 149 events separately, compared our classifications, and then reached a consensus for each coded event. To gain further confidence in our coding scheme, the authors trained an undergraduate research assistant in the coding scheme and tested for intercoder reliability using the index for reliability  $I_R$  (Fuller & Rice, 2014; Perreault & Leigh, 1989), which like other measures of reliability produces a coefficient from 0 (totally unreliable) to 1 (perfectly reliable). Overall, the computed reliabilities were .97 for consequences, .83 for departures, and .84 for precipitants. The authors consensually classified any disagreements among coders and incorporated these changes into the final sample.<sup>1</sup>

From the coded data, we developed raw frequencies and percentages for the number of departures, precipitants, and consequences. Given our interest in the chronology of events, we developed graphs to depict the evolution of data rather than employ times series or other statistical analyses. We plotted the coded frequencies onto graphs that depicted the sequential dates; mapped the peaks in types of departures and precipitants; and tracked the patterns of escalation and de-escalation. To determine the major *critical events* that punctuated and shifted the direction of the dispute, we examined the break points in the negotiation and the strike and identified six major critical event periods, ones that reflected the dramatic shifts in the dispute. To address RQ 1, we took the six critical events and charted the frequencies and proportions from the beginning to the next critical event period. We then calculated the frequencies of types of departures, precipitants, and consequences per critical event period and represented these patterns in bar charts. We then developed a modal trace of the most frequent types of departures, precipitants, and consequences for each of the critical event shifts. A modal trace tracks the percentage of the

<sup>1</sup>Computing  $I_R$  (Perreault & Leigh, 1989):  $I_R = \{[(F_o/N) - (1/k)][k/(k - 1)]\}^{1/2}$  for  $F_o/N > 1/k$ ; where:  $F_o$  is the observed frequency,  $N$  is the total number of observations,  $k$  is the number of coding categories.

types of precipitants, departures, and consequences in a specific time period and concludes by presenting causal links among the most frequently used types.

To analyze the corporate campaign, we isolated the strategic precipitants as defined in the Appendix and assembled them in a separate document that contained a chronology of occurrences, full descriptors of events, and references to each event. This procedure produced a list of 31 strategic events that fit the operational definitions of corporate campaigns (WGA = 27; AMPTP = 4). To address RQ 2, we classified each description in one of eight types of strategic activities and one of five types of tactical moves and computed frequencies for each category. *Strategies* referred to the actions or events aimed at exerting direct or indirect pressure on the AMPTP, while *tactics* revealed the rationale or goal for these actions (see the Appendix for operational definitions). To answer RQ 3, we examined the frequencies and compared the use of strategies with departures and other precipitants to identify their roles in the turning points and in the escalation or de-escalation of the conflict.

A related but different database was used to analyze conflict framing. Specifically, we assembled and arrayed chronologically the WGA's and the AMPTP's public statements from press releases posted on their own Web sites, direct quotations in newspaper articles, and public statements in blogs. This database was 19 pages single-spaced, consisted of 25 statements from the WGA and 22 statements from the AMPTP. Statements included discussions of key agenda items in the negotiation, reports on the progress of the bargaining, appeals to the public, and assessments of the impact of the strike. We excluded from this list information announcements, such as the location of picket lines. We then took the chronological statements from both sides and aligned them in a point-counterpoint to compare the message framing of each side and placed them sequentially by dates into the six critical event shifts.

To analyze conflict framing and answer RQ 4, we examined the language used to name or label the events, define what the conflict was about, and describe how participants were characterized. This stage of the analysis drew on discourse analysis and framing, particularly characterization and whole-story frames (Gray, 2003). Characterization frames cast the other party in a positive or negative light through the use of adjectives, adverbs, and descriptors. Whole-story frames provided an encapsulated summary of what the conflict was about, as revealed in the use of nouns that abbreviated and labeled conflict experiences. We then compared framing patterns with the strategies and tactics that surfaced in the corporate campaign and with the departures and subsequent conflict escalation/de-escalation. The overall goal of this part of the study was to identify how framing related to departures, precipitants, and conflict escalation or de-escalation.

## Research Findings

### Critical Events

We identified six major event shifts that stemmed from the press releases and news reports about this conflict; each one was punctuated with particular departures, precipitants, and consequences. To get a picture of the dispute and its development, we describe each critical event period, the departures that occurred, types of precipitants, corporate campaign strategies, and conflict framing. Then, in the discussion section, we address each research question and synthesize the findings within and across the critical events for the turning points and conflict framing.

#### *Critical Event Period 1: The Negotiation and Strike Authorization*

The negotiations began on July 7, 2007, and culminated with the breakdown of talks and the beginning of a strike on November 4. Departures that led to this crisis were mostly abrupt ( $n = 21$ ; nonabrupt  $n = 8$ , see Figure 1), including rejecting proposals, asking for studies to postpone decisions on proposals, delaying and resuming the negotiation, reaching stalemates, presenting modified packages, breaking off talks, and declaring a strike. At first, substantive issues shaped these departures, but procedural precipit-

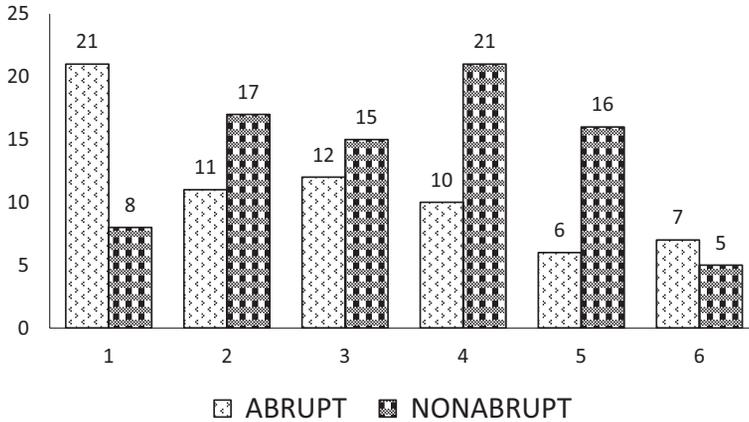


Figure 1. Types of departures by critical event periods.

ants ( $n = 20$ ) began to dominate in shaping the actions and decisions as the negotiations moved toward a strike, even though substantive issues ( $n = 6$ ) surfaced in reports during the early stage of the negotiation (see Table 1). Although both sides made concessions during the negotiation, the parties reached a deadlock on jurisdictional issues and residual payments. Procedural precipitants focused on reports of bringing in a federal mediator, using backstage negotiations, engaging in a strike authorization vote, and employing a script validation program. After 5 days of mediation, talks broke off and both sides accused the other of “walking out” on the process.

Even though some departures led to de-escalation ( $n = 10$ ), most decisions by both sides escalated the conflict ( $n = 19$ , see Figure 3), as was evident in AMPTP calling for a profit-based formula that would effectively end all residual payments, making demands that video residuals be doubled, calling off

Table 1  
Frequencies and Proportions of Departures, Precipitants and Consequences by Critical Event Periods

	Critical event shift												Total	Overall proportion
	1		2		3		4		5		6			
	Fr <sup>1</sup>	Pr <sup>2</sup>	Fr	Pr										
<b>Departures</b>														
Abrupt	21	0.72	11	0.39	12	0.44	10	0.32	6	0.27	7	0.58	67	0.45
Nonabrupt	8	0.28	17	0.61	15	0.56	21	0.68	16	0.73	5	0.42	82	0.55
Total	29	1.00	28	1.00	27	1.00	31	1.00	22	1.00	12	1.00	149	1.00
<b>Precipitants</b>														
Substantive	6	0.21	3	0.11	5	0.19	3	0.10	1	0.05	2	0.17	20	0.13
Procedural	20	0.69	10	0.36	13	0.48	10	0.32	15	0.68	9	0.75	77	0.52
External	1	0.03	5	0.18	2	0.07	6	0.19	6	0.27	1	0.08	21	0.14
Strategic	2	0.07	10	0.36	7	0.26	12	0.39	0	0.00	0	0.00	31	0.21
Total	29	1.00	28	1.00	27	1.00	31	1.00	22	1.00	12	1.00	149	1.00
<b>Consequences</b>														
De-escalation	10	0.34	3	0.11	8	0.30	7	0.23	18	0.82	10	0.83	56	0.38
Escalation	19	0.66	25	0.89	19	0.70	24	0.77	4	0.18	2	0.17	93	0.62
Total	29	1.00	28	1.00	27	1.00	31	1.00	22	1.00	12	1.00	149	1.00

Note. <sup>1</sup> Fr refers to the frequency count, and <sup>2</sup> Pr is the proportion of incidents for the critical event shift. The proportion is calculated by dividing by the total for each shift.

negotiations, and issuing a cease-and-desist letter. Evidence that a corporate campaign was developing behind the scenes also contributed to departures and conflict escalation. In particular, WGAW President, Patric Verrone, appeared before the Federal Communications Commission to request that producers disclose brand advertising and product integration (Triplett, 2007, September 20), and the Teamsters urged their members to honor the WGA picket lines (Finke, 2007, October 29). WGA departures were linked to procedural and, to some extent, substantive precipitants (see Table 1). Thus, the overall modal trace as reflected in percentages for the turning points in critical event period 1 was:

Precipitants: Procedural (0.69), Substantive (0.21), Strategic (0.07), External (0.03)→

Departures: Abrupt (0.72), Nonabrupt (0.28)→

Consequence: Escalation (0.66), De-escalation (0.34)

Procedural precipitants→Abrupt departures→Escalation

Conflict framing set the stage for the shifts from substantive to procedural precipitants and contributed to the development of a corporate campaign. Specifically, AMPTP named their compromise package a *recoupment proposal*, a comprehensive package that *overhauled* the entire residual system, pooled the revenues, and made payments from recovered costs only after a residual payment point was reached (AMPTP, 2007, July 18; Cieply, 2007, July 18). WGA, in response, reframed AMPTP's proposal as a *rollback* and stated, "We have no intention of discussing the producers' rollback proposals. Not now, not ever" (WGA, 2007, October 22). Management's framing centered on "recouping lost residual money," while WGA cast their proposal as "a fair and reasonable share" to "keep up with the industry's growth" (WGA, 2007, July 16).

In addition, both sides blamed each other for the deadlock in the negotiations with AMPTP claiming, "The WGA leadership apparently had no intention to bargain in good faith" (AMPTP, 2007, October 5) and "[spent too] much time and energy on tactics, threats and attempts to intimidate anyone who didn't agree with them" (AMPTP, 2007, October 15). The WGA retorted that the "industry pie continues to grow while our share shrinks." Prior to the strike vote, they announced, "AMPTP would rather shut down town than reach a fair and reasonable deal" (WGA, 2007, November 2). Thus, both sides escalated the conflict through blaming each other for problems in the negotiation and using negative characterizations of the other to make claims about "an unfair deal" and "not being serious" about the negotiation process.

### ***Critical Event Period 2: Strike Activities and the Corporate Campaign***

The next critical event period focused on the strike activities and the full development of a corporate campaign. Departures that deviated from prior patterns of events were both nonabrupt ( $n = 17$ ) and abrupt ( $n = 11$ , see Table 1, Figure 1), but the impact of either type was a high degree of escalation ( $n = 25$ ) in comparison with de-escalation ( $n = 3$ , see Figure 3). Consistent with the definition of escalation, the number of parties, issues, and costs grew during this period, and procedural ( $n = 10$ ) and strategic ( $n = 10$ , see Figure 2) precipitants dominated union activities. For the AMPTP, departures included such actions as AMPTP invoking a *force majeure clause*,<sup>2</sup> sending breach of contract letters to TV show runners, publishing advertisements in the newspaper with factsheets on the negotiation, and terminating contracts for writers who were not linked to current television series (Wyatt, 2007, November 7). For the WGA, departures included expanding picket lines to include non-WGA members, sending demands that Disney needs to reward writers for increased Internet sales, meeting with federal and state legislators about the union's position on new media, and appearing with U.S. Presidential candidates to lend support for their positions (Horn & Fernandez, 2007, November 8).

Although external precipitants ( $n = 5$ ) increased during this period, procedural and strategic precipitants orchestrated by the union with external audiences tripled ( $n = 10$ , Table 1). In particular, multiple

<sup>2</sup>A *force majeure clause* refers to a circumstance beyond the control of one or more parties that allows either party to no longer abide by the contract or to terminate employment.

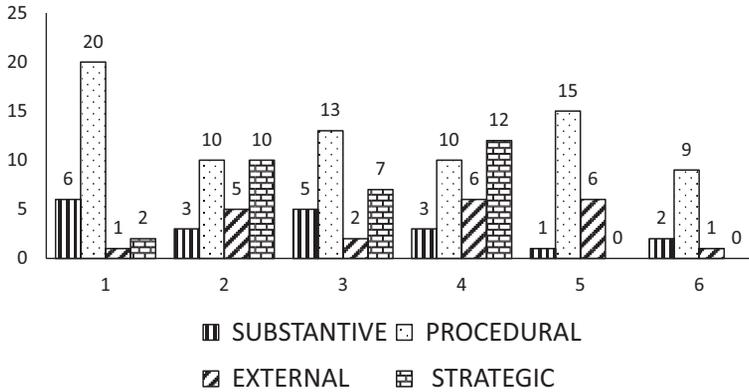


Figure 2. Types of precipitants by critical event periods.

professional unions joined picket lines or affirmed their solidarity with the WGA (e.g., actors, entertainment craft and technical unions, and service industry personnel) and the International Affiliation of Writers Guilds (over 21,000 members) endorsed the strike. WGA members also picketed in Battery Park’s Financial District and passed leaflets around the New York Stock Exchange, ones that highlighted contradictory messages between new media profits for shareholders and poverty to writers (Finke, 2007, November 13).

In effect, WGA’s strategic actions ranged from coalition building to political activity, ones that aimed to illustrate wide support for WGA and the loss of consumer confidence in AMPTP (see Table 2). These procedural and strategic precipitants contributed to departures that marked the highly escalatory nature of the strike and led to the following percentages that formed the modal trace for this turning point:

Precipitants: Procedural (0.36), Strategic (0.36), External (0.18), Substantive (0.11)→

Departures: Nonabrupt (0.61), Abrupt (0.39)→

Consequence: Escalation (0.89), De-escalation (0.11)

Procedural and strategic precipitants→Nonabrupt departures→Escalation

Table 2  
Frequencies of Strategic Precipitants by Critical Event Periods

	Critical event shift						Total
	1	2	3	4	5	6	
<b>WGA strategy</b>							
Build coalitions	1	3	3	2	0	0	9
Organize consumer actions	0	1	0	3	0	0	4
File legal claims	0	0	0	1	0	0	1
Engage in political activity	1	3	1	0	0	0	5
Develop public relations materials	0	1	2	4	0	0	7
Pressure lenders and stockholders	0	1	0	0	0	0	1
Threaten to withdraw pension funds	0	0	0	0	0	0	0
Disruptive in-house actions	0	0	0	0	0	0	0
<b>AMPTP strategy</b>							
Develop public relations materials	0	1	1	2	0	0	4
<b>Total</b>	<b>2</b>	<b>10</b>	<b>7</b>	<b>12</b>	<b>0</b>	<b>0</b>	<b>31</b>

Note. AMPTP, Alliance of Motion Picture and Television Producers; WGA, Writers Guild of America.

This critical event was characterized by both sides engaging in intense negative characterization of the other party. The WGA named the dispute by stating, “It’s only fair that the AMPTP share ‘a tiny taste of the pie’” (WGA, 2007a,b, November 15). AMPTP claimed that “WGA was unreasonable,” to which the WGA retorted that “management was greedy.” Two abrupt departures shifted the events from escalation to de-escalation through a procedural precipitant of a 2-week shuttle diplomacy between negotiators and senior partners of media companies (i.e., New Corp, Disney, CBS, and Warner Brothers) combined with an external precipitant, specifically pressures from the mayor of Los Angeles and the governor of California. These critical events de-escalated the conflict and brought the parties back to the table on November 25, 2007, when the negotiations resumed.

### ***Critical Event Period 3: Resuming the Negotiation While Striking***

This event period began when negotiations resumed and continued until December 7, 2007, when the talks broke off again. AMPTP agreed to resume the bargaining while the writers were still on strike, and WGA declared that they would not call off the strike until the sides reached a satisfactory agreement. Both abrupt ( $n = 12$ ) and nonabrupt ( $n = 15$ , see Figure 1) departures surfaced and included decisions related to the negotiation per se and the continued strike. At the negotiation table, departures included major concessions from both sides (i.e., AMPTP’s new proposal on residual compensation, WGA’s compromise on fair market value and sharing economic figures for proposals). WGA announced that it accepted the basic framework of AMPTP’s concession, a \$130 million compensation package for the writers, including fixed residual amounts for web-streamed programs; thus, substantive precipitants ( $n = 5$ ) appeared to de-escalate the conflict while departures on the strike side continued to escalate it. On the strike side, the WGA continued solidarity marches and called on moderate CEOs to break ranks with AMPTP and make a deal.

Concomitant with resuming the talks, strategic precipitants ( $n = 7$ ) were prevalent during this critical event period. As evidence of coalition building, the WGA press releases reported that the Service Employees International Union’s (SEIU) set up a billboard campaign for the striking writers and screen writers in ten international cities rallied in support of the WGA (WGA, 2007, November 20, November 27, November 28). Also, members of the Screen Actors Guild created several videos that supported the WGA and posted them on the Internet for several months on a site known as “Speechless without Writers” (Finke, 2007, November 21). To claim the moral high ground, the WGA also released their “Harsh Reality” report, a white paper that indicted management for violating California wage and hour laws in the employment of reality show writers (WGA, 2007, November 26). These strategic precipitants built coalitions, captured publicity, and organized demonstrations that aimed to undermine corporate credibility (see Tables 2 and 3). Overall, as Table 1 and Figure 2 show, procedural ( $n = 13$ ) and strategic precipitants ( $n = 7$ ) overshadowed the substantive issues. When the sides began to craft residual formulas for Internet streaming and digital downloads, the talks fell apart again and led to an impasse as a departure that broke off negotiations and escalated the talks. These events reveal the following percentage patterns in the modal trace of the turning points in critical event 3:

Precipitants: Procedural (0.48), Strategic (0.26), Substantive (0.19), External (0.07) →

Departures: Nonabrupt (0.56), Abrupt (0.44) →

Consequence: Escalation (0.70), De-escalation (0.30)

Procedural precipitants → Nonabrupt departures → Escalation

In conflict framing, management labeled their concession as “A New Economic Partnership” (AMPTP, 2007, December 4), while the WGA cast it as “a massive rollback” (WGA, 2007, November 29). AMPTP claimed that WGA’s proposal “could actually cost the producers more than they receive in revenues, thereby dooming the Internet media business before it ever [got] started” (AMPTP, 2007, December 7). The WGA, in turn, saw their proposal as “reasonable, serious, and easily affordable.”

Table 3  
Use of Tactics by Critical Event Periods

	Critical event shift						Total
	1	2	3	4	5	6	
<b>WGA tactics</b>							
Intense personal attacks	0	0	0	2	0	0	2
Allegations about poor citizenship	1	1	0	2	0	0	4
Questioning financial operations	0	1	0	0	0	0	1
Claiming moral high ground	0	1	2	2	0	0	5
Loss of corporate support and breakdowns in consumer confidence	1	6	4	4	0	0	15
<b>AMPTP tactics</b>							
Intense personal attacks	0	0	0	1	0	0	1
Allegations about poor citizenship	0	0	0	1	0	0	1
Questioning financial operations	0	1	0	0	0	0	1
Loss of corporate support and breakdowns in consumer confidence	0	0	1	0	0	0	1
Total	2	10	7	12	0	0	31

Note. AMPTP, Alliance of Motion Picture and Television Producers; WGA, Writers Guild of America.

Both sides continued to blame each other for problems with the negotiation, with AMPTP noting that the WGA “seems designed to delay or derail talks. . .[and] made unreasonable demands that are roadblocks to real progress” (AMPTP, 2007, December 7). WGA, in response, claimed that AMPTP “always gave ultimatums.” “The AMPTP insists we let them do to the Internet what they did to home video. We reject the idea of an ultimatum. . . . Although a number of the items we have on the table are negotiable, we cannot be forced to bargain with ourselves” (WGA, 2007, December 7). Thus, the naming of concessions and accusations about negotiation behaviors in conjunction with a parallel corporate campaign contributed to yet another impasse.

**Critical Event Period 4: Intense Public Campaigns**

After the negotiations fell apart in early December, both sides engaged in intense public campaigns. Departures in this period were typically nonabrupt ( $n = 21$ ) as opposed to abrupt ( $n = 10$ , see Figure 1) with predictable transitions to a stalemate in the negotiation and routine strike activities, including nationally staged rallies in support of the WGA (WGA, 2007, December 13) and refusal to attend negotiation sessions that resulted in both sides continuing to issue ultimatums. The departures for both sides led to escalation ( $n = 24$ ) as opposed to de-escalation ( $n = 7$ , see Table 1 and Figure 3).

This intense public campaign was characterized by a vacillation between procedural ( $n = 10$ ) and strategic precipitants ( $n = 12$ , see Figure 2). Procedures included the WGA filing an unfair labor grievance with the National Labor Relations Board against AMPTP for failure to bargain in good faith (WGA, 2007, December 13), denying the request for writers to develop scripts for the 65th Golden Globe Awards, and granting permission to use guild writers for the Independent Spirit Awards. AMPTP responded with their own procedural step of sending an open letter to the industry on the economic impacts of the strike on employment (Finke, 2007, December 17, December 21).

Interspersed with procedural actions, the WGA continued to engage in strategic precipitants through building coalitions with other unions, organizing consumer actions, and engaging in highly visible corporate campaigns (see Table 2). Specifically, they not only highlighted public support for their cause, but they also engaged in tactics that leveled intense personal attacks on top management (e.g., through developing a Web site that mocked AMPTP; enacting a crime scenario that charged AMPTP with stealing the Internet [WGA, 2007, December 18]; and staging a campaign in which fans bought over 500,000 the

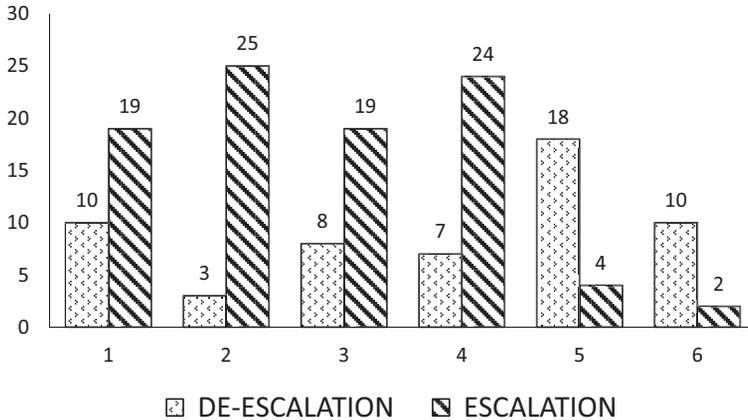


Figure 3. Types of consequences by critical event periods.

pencils to deliver to Disney and Universal Studios [WGA, 2007 December 10; Finke, 2007a, December 13]). AMPTP responded with their own strategic precipitants, namely, sending the police to block delivery of pencils, threatening to arrest writers and fans who were picketing, and developing a Web site to support the Academy Award’s program (Finke, 2007b, December 13). These actions moved beyond claiming the moral high ground and engaging in intense personal attacks (see Table 3). Overall, these turning points revealed the following percentage patterns for the modal trace:

- Precipitants: Strategic (0.39), Procedural (0.32), External (0.19), Substantive (0.10)→
- Departures: Nonabrupt (0.68), Abrupt (0.32)→
- Consequence: Escalation (0.77), De-escalation (0.23)
- Strategic precipitants→Nonabrupt departures→Escalation

In conflict framing, both sides blamed each other for failed negotiations. For instance, AMPTP published a list of WGA claims and then countered each one with its description of “The Facts” (AMPTP, 2007, December 10). A major departure, however, marked the end of the corporate campaign and turned the corner for the negotiations; that is, the WGA made a separate interim deal with David Letterman’s Worldwide Pants, an independent production company. Also, one substantive precipitant contributed to this shift. The WGA hinted to the *Financial Times* that it was prepared to budge on major jurisdictional issues (Finke, 2007b, December 13). These events set in motion the termination of the corporate campaign and a major de-escalation of the conflict.

**Critical Event Period 5: Interim Agreements and External Events**

Several major departures after December 29 altered the course of this dispute. First, the WGA forged interim agreements with 31 independent producers, including Spyglass Entertainment, Weinstein Company, United Artists Films, and others (Cieply & Barnes, 2008, January 11; WGA, 2008, January 16). These deals closely paralleled the latest WGA proposal that the AMPTP had rejected. Hence, through these agreements, WGA aimed to alter AMPTP’s framing by showing that their counterproposals were “fair and reasonable” (WGA, 2007, December 28). Press releases about each of the interim agreements portrayed the WGA as “wanting to reach a deal” and indicated that these independent producers were “business people” who cared about the industry’s health and wanted to work with a “reasonable partner.” These deals also exerted pressure on AMPTP to resume talks, even though management publicly stated that these deals were meaningless (Barnes & Cieply, 2008, January 7).

The majority of departures, including these interim agreements, were nonabrupt ( $n = 16$ ) with the exception of several abrupt departures ( $n = 6$ , see Figure 1), namely, WGA and AMPTP began informal

discussions to determine if they should return to formal negotiations and WGA announced a major concession—dropping their proposals to gain jurisdiction over animation and reality TV writers (WGA, 2008, January 22). These departures dramatically shifted the dispute to de-escalation ( $n = 18$ ) as opposed to escalation ( $n = 4$ , see Figure 3).

The type of precipitants for these departures also changed and included a high number of procedural precipitants ( $n = 15$ ), important external precipitants ( $n = 6$ ), and the absence of any reported strategic activities ( $n = 0$ , see Table 1, Figure 2). On the procedural side, *The Tonight Show* and *Late Night on ABC* returned with new episodes, but with no writers (Finke, 2008, January 2); NBC canceled a telecast of the Golden Globe Awards, and the WGA granted a waiver to the National Academy of Recording Arts and Sciences that permitted guild members to write for the Grammy Awards (WGA, 2008, January 28). These procedural precipitants reinforced the need for informal talks and the desire to return to the negotiation table. Consequently, these events led to the following percentage patterns for the modal trace:

Precipitants: Procedural (0.68), External (0.27), Substantive (0.05), Strategic (0.0)→

Departures: Nonabrupt (0.73), Abrupt (0.27)→

Consequence: De-escalation (0.82), Escalation (0.18)

Procedural precipitants→Nonabrupt departures→De-escalation

A vitally important external precipitant that led to the departure of resuming official negotiations was the agreement between the AMPTP and the Director's Guild of America (DGA) on January 17, 2008. Representing 13,500 directors, the DGA focused on the issues of jurisdiction over original content for the Internet and new media rather than on recovering residuals (Cieply & Barnes, 2008, January 18). Their negotiations reached an agreement for digital downloads and payments for advertisement-supported content that streamed over the web (DGA, 2008, January 17). Even though the WGA and the DGA were distinct unions, this external occurrence provided impetus for AMPTP and WGA to resume negotiations, the critical event that led to framing the dispute as “the WGA and AMPTP have made progress.”

### ***Critical Event Period 6: The Agreement***

The major departures in the final period of this dispute included reaching a tentative agreement between WGA and AMPTP on February 9, the WGA vote to end the strike on February 10, and the union member vote to ratify a 3-year contract. These departures were slightly more abrupt ( $n = 7$ ) than nonabrupt ( $n = 5$ , see Figure 1). Under the compromise package, writers would be paid a flat fee in residuals for part of the contract and 2% of the revenue for the rest. Overall, these departures led to a radical de-escalation ( $n = 10$ ) as opposed to escalation ( $n = 2$ , see Figure 3) of the conflict.

News coverage of the period that led to an agreement highlighted mostly procedural precipitants ( $n = 9$ ), a few substantive ones ( $n = 2$ ), and a decrease in external ones ( $n = 1$ , see Figure 2). On the procedural side, AMPTP recruited Peter Chernin of News Corporation and Robert Iger of Disney onto their negotiation team, and a writer-director, Laeta Kalogridis, acted as a broker to help craft a deal between the WGA and Peter Chernin on the management team (Cieply, 2008, February 8). In addition, many independent film companies had already returned to business as a result of interim agreements with the WGA. This succession of events results in the following modal trace:

Precipitants: Procedural (0.75), Substantive (0.17), External (0.08), Strategic (0.0)→

Departures: Abrupt (0.58), Nonabrupt (0.42)→

Consequence: De-escalation (0.83), Escalation (0.17)

Procedural precipitants→Abrupt departures→De-escalation

Conflict framing also played a key role in shaping the agreement for constituents and the general public. AMPTP cast the settlement as “two groundbreaking labor agreements—with our directors and our writers—that established a partnership through which our business can grow and prosper in the new dig-

ital age” (AMPTP, 2008, February 12). The WGA described the settlement as giving us “a foothold in the digital age. . .writers will lead the way as TV migrates to the Internet and platforms for new media are developed” (AMPTP, 2008, February 12). The settlement granted WGA jurisdiction over writing for new media, residual payments for new media reuse and Internet downloads, advertisement-supported streaming of featured films and TV—all similar to the DGA settlement. The WGA contract, however, set the distributors’ gross as the basis for calculating residual payments and created auditing tools to monitor new media markets.

## Discussion

This study focused on how press releases and the news media cast the 2007–2008 writers’ strike, particularly its turning points and conflict framing of events. In doing so, it uncovered a corporate campaign that occurred in tandem with the formal negotiation and influenced the development of this dispute. RQ 1 asked what types of departures, precipitants, and consequences characterized the turning points in this conflict. Overall, departures led to both conflict escalation and de-escalation with media reports focusing on delays at the table, deadlocks, failed mediations, and calling a strike early in the dispute and on interim deals with independent producers and returning to the table in the later stages of it. Interestingly, similar to Llorente et al.’s (2013) study of a labor dispute, abrupt departures were more frequent at the beginning and ending of the conflict than during the negotiation and strike (see Figure 1). In response to RQ 2 abrupt departures, for the most part, were aligned with de-escalation, while non-abrupt ones triggered escalation. This pattern paralleled Crump and Druckman’s (2012) findings in which abrupt departures frequently influenced de-escalation, but it differed from Druckman’s (2001) study of international disputes in which abrupt departures led to both types of consequences.

Overall, two types of precipitants typically influenced these departures; that is, press releases and media coverage indicated that a majority of the departures were handled through procedural precipitants ( $n = 77$ , 52%, see Table 1). As Figure 2 demonstrates, these precipitants were particularly high ( $n = 20$ ) at the beginning of the negotiation in anticipation of a strike and when the talks resumed in the fifth critical period ( $n = 15$ ). In studies of international disputes and intellectual property negotiations (Crump & Druckman, 2012; Druckman, 2001), procedural precipitants also played a critical role in triggering actions that helped parties move toward agreements. Of particular note, media coverage of substantive issues in the WGA-AMPTP negotiation, for example, proposals regarding residual pay, health and benefit packages, or union jurisdiction, rarely triggered a departure and received the least attention of the four precipitants, even though substantive differences between the sides were touted as the basis for the dispute (Cieply, 2007, July 18). Although external precipitants rarely appeared in the media, they seemed pivotal in impacting decisions to resume negotiations. In particular, the successful settlement between the Directors Guild and AMPTP acted as an external impetus to reach a settlement. Thus, forces outside of the negotiation proper often impact departures that influence movement toward an agreement (Crump & Druckman, 2012; Llorente et al., 2013).

Interestingly, for three of the critical event periods (2, 3, and 4), procedural precipitants worked in tandem with strategic ones; that is, reports on the negotiation and the strike activity paralleled coverage of demonstrations, consumer protests rallies, and political activity. A combination of the two precipitants indicated that the negotiation was as much a public event as it was a bargaining endeavor, a concern that the AMPTP frequently raised.

RQ 3 and RQ 4 centered on what type of strategic precipitants the WGA employed in their corporate campaign and how these strategies and tactics related to departures and conflict escalation. For the most part, WGA enacted 27 different strategic precipitants that drew from the breadth of corporate campaign tactics. They built coalitions with labor and nonlabor groups, organized consumer rallies, engaged in political activities, and developed public relations materials. These actions, in turn, aimed to promote labor solidarity, increase public support for their cause, reduce confidence in AMPTP, and highlight cor-

porate citizenship issues. The broad repertoire of strategies made it difficult for AMPTP to respond effectively. Feeling that they were “losing the public relations war” (Finke, 2007, December 5), AMPTP hired a new PR firm in December 2007, but this firm only orchestrated four events and was not able to match WGA’s extensive and broad repertoire of strategies and tactics.

These strategic precipitants reinforced procedural ones because they occurred in tandem with the bargaining but they were linked to the strike and affected movement of the negotiation toward agreement. AMPTP typically framed them as distractions from effective bargaining (e.g., “While the WGA organizers can clearly stage rallies, concerts, and mock exorcisms, we have serious concerns about whether they’re capable of reaching reasonable compromises,” AMPTP, 2007, December 7). Strategic precipitants, however, directly shaped escalation and movement away from a settlement as they intensified strike activities through a corporate campaign. Moreover, the reported absence of any strategic precipitants during critical event periods 4 and 5 pointed to a close relationship between strategic precipitants, departures, and escalation. Thus, similar to Druckman et al. (2009), in a negative negotiation climate, strategic actions and competitive procedural precipitants reduced progress toward agreement. A modal tracing of the overall percentages of precipitants, departures, and consequences across all critical events depicts the following pattern:

Precipitants: Procedural (0.52), Strategic (0.21), External (0.14), Substantive (0.13)→  
 Departures: Nonabrupt (0.55), Abrupt (0.45)→  
 Consequence: Escalation (0.62), De-escalation (0.38)  
 Procedural precipitants→Nonabrupt departures→Escalation

For RQ 5 and RQ 6, press releases and media messages revealed that both parties fought the conflict through a contest over the naming and blaming of it, particularly through efforts to persuade constituents that the other side was the major stumbling block to a deal. This struggle was evident in such labels as “recoupment” versus “rollbacks” and “a taste of the pie” versus “the destruction of our business” and through negative characterization based on bargaining behaviors, for example “not serious,” “not bargaining in good faith,” “unreasonable,” “derailing the process,” and “issuing ultimatums.” These framings of conflict messages, while attempting to solidify constituents and sway the public, also reaffirmed the central role that procedural and strategic precipitants played in the dispute.

Thus, for conflict framing, messages focused much more on the bargaining process itself than on the substantive issues in the negotiation. This tug-of-war in labeling what the dispute was about (naming) and making accusations about who blocked the process (negative characterization) also contributed to escalation. Interestingly, the battle over naming the conflict radically diminished in the fifth and sixth critical events when the press releases and the media centered more on reaching interim agreements with independent producers, the presence of new AMPTP negotiators, and external precipitants, than on naming substantive issues. Based on these reports, then, the parties never reframed the issues; rather, they made settlements based on procedural precipitants that set the stage for a new bargaining relationship.

Overall, this study revealed that media coverage and disputants’ press releases cast procedural precipitants as the impetus for key departures in the 2007–2008 writers’ strike. Thus, issues with the format and structure of the negotiation, its public face, and the orchestration of a strike enacted the conflict. Of importance, at times procedural precipitants worked in tandem with strategic ones to trigger departures that escalated the conflict and to sustain the strike. Yet, when separate from corporate campaign strategies, they also assisted in getting negotiators back to the table, pressuring sides to make concessions, and bringing an end to the strike. Hence, procedural precipitants acted in ways that both escalated and de-escalated the dispute.

In contrast, the use of corporate campaign strategies, such as building coalitions with other labor and non-labor groups, filing legal actions, and developing public relations materials, fostered departures that led to conflict escalation, operated in a parallel process with the negotiation, and indirectly influenced such departures as stalemates and issuing ultimatums.

## Conclusion and Implications

The 2007–2008 writers' strike had a very different flavor than its 1988 predecessor, even though the two were very similar in a number of ways. For both disputes, the topic of residual payments was a sticking point, mediators intervened in the conflicts, the WGA made interim deals with independent producers, and the two sides continued to negotiate during the strike (Littleton, 2013). Several factors though distinguished the two, namely, the unified stance of the WGA East and WGA West, the strong union leadership that held a fractious membership together (Goldstein, 2008, February 12), the use of a corporate campaign, and the reliance on digital technologies (e.g., blogs, email, YouTube videos) during the dispute (Atkins, 2008).

This study tracks the turning points in this negotiation in conjunction with a corporate campaign. It argues that the campaign provided strategic precipitants that not only assisted in solidifying union members, raising awareness of the writers' plight, and garnering public support, but also indirectly shaped departures that pressured the AMPTP. Of note, the WGA avoided using hard strategies that blue collar unions often employed (Manheim, 2001). In other conflicts, these *hard* corporate campaign strategies pressured lenders and financial stakeholders, disparaged the company's products or services, staged in-house disruptive actions, and dissuaded customers through explosive attacks on the companies. The WGA's use of *soft* strategies might prove pivotal to changing public perceptions of labor and indirectly exerting pressure to return to the bargaining table.

As Table 2 reveals, WGA relied on building coalitions, organizing consumer rallies, and developing public relations materials. Moreover, they employed only a modicum of intense personal attacks on the AMPTP, primarily ones that centered on their bargaining behaviors. The WGA campaign, however, was clearly a dramatic morality play characterized by national and international demonstrations and the production of humorous and satirical materials, such as the SAG "Speechless without Writers" Web site, the faux exorcism in front of Warner Brothers, the pencils for media moguls campaign, and the Criminal Writing Division indictments of AMPTP. In effect, the WGA orchestrated a meta-campaign rooted in efforts to capture the high moral ground and to transcend the specific labor contract issues. This type of campaign left AMPTP with limited options; hence, to address it, AMPTP had to muster an equally robust counter campaign, which never occurred.

Moreover, events in the WGA corporate campaign received high media coverage linked to shifts in public opinion. Two polls, one by Pepperdine University in November and another by *USA Today*/Gallup in December, revealed that over 60% of the American public supported the writers in their fight against the media corporations (Barnes, 2007, November 18; WGA, 2007, December 20). Thus, these strategies likely influenced opinion polls as external precipitants that led to departures and moved AMPTP back to the table.

Procedural precipitants, however, exerted the most direct pressure on departures and shifts in the negotiation. Specifically, shifts in membership on the AMPTP negotiation team and concerns for how the strike impacted the below-the-line workers appeared to foster a settlement (Semeuls, 2007, December 10). WGA's major concession regarding having jurisdiction over reality and animation writers (a substantive precipitant) and DGA's contractual agreement with AMPTP (an external one) also played major roles in impacting departures that ended the strike.

Several limitations in this study qualify these conclusions. First, this research relies on press releases and media coverage of events; thus, it is subject to media framing practices and the public relations efforts of both sides. One such framing device might be the media's preoccupation with procedural issues and corporate campaign events. Yet, other studies of negotiations and strikes indicate that substantive and external precipitants occupy a central place in media coverage of labor-management disputes (Brimeyer, Eaker, & Clair, 2004; Fuller & Rice, 2014; Llorente et al. 2013; Martin, 2003). In addition, subsequent interviews with participants in the strike affirm that procedural struggles and corporate campaigns began to overshadow substantive issues in the formal

negotiation. Thus, despite these limitations, procedural precipitants likely dominated the enactment of this dispute.

In addition, this study has implications for research on media coverage of labor-management disputes, turning points, and conflict framing. Specifically, *soft* corporate campaign strategies may alter patterns of media bias in ways that favor labor over management (Bruno, 2009; Martin, 2008). Moreover, when labor conflicts are about the media and lived out through it, the bias toward management in media coverage may reverse.

For negotiation researchers, this study adds strategic precipitants to the typology of turning points. Strategic precipitants focus on a unique combination of external and procedural factors that characterize a conflict. They capture processes that parallel formal labor-management negotiations but are not fully internal or external to it; that is, one or both of the parties typically orchestrate the strategies, but the precipitants occur outside the formal negotiation process. In this way, this project highlights a unique contributor to turning points. Finally, this study extends the research on conflict framing through showing how struggles over the naming and blaming of the dispute interface with procedural and strategic precipitants to impact departures. In the end, no major labor dispute has clear-cut winners or losers. Understanding the turning points and conflict framing in this dramatic case may contribute to finding ways for both parties to reach equitable and less costly settlements.

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## Appendix

Concept	Definitions
Turning points	Events or processes that mark passage from one stage to the next, break points, shifts in the movement, meaning, or developments in the conflict over time
Departures	Departures are deviations from a course of action, a norm, the established pattern of negotiations and are bounded by prior process and subsequent interactions
Abrupt	Sudden departures or abrupt shifts from the process as it is developing, unexpected moves
Nonabrupt	A departure that is primarily continuing the process from one state to another (could be positive or negative), making a predictable or incremental transition from one stage to the next, but not a radical jump
Precipitants	Factors inside or outside the conflict that occur in proximity to a decision which signals a departure has occurred
Substantive	Ways issues surface and are packaged, frameworks for discussing the issues, new ways to define the issues, emphasis on the issues and proposals
Procedural	Changes in the structure or format of the negotiation, including formality, working venues, agencies involved, parties included, venues for working through the conflict
External	Events that occur outside of the negotiation or out of the control of the parties, for example, policy and leadership changes in government, in labor-relation regulations, or in the industry
Strategic	Actions that parties take outside of the negotiation to discredit the corporation or the union, raising broad economic, political, and legal concerns Subcategories of strategy: (a) building coalitions with other union and nonlabor groups, (b) organizing demonstrations and consumer actions, (c) filing legal actions and registering complaints with regulatory agencies, (d) engaging in policy and political activity, (e) crafting public relations materials, (f) pressuring lenders and stockholders, (g) threatening to withdraw pension funds, (h) staging in-house disruptive actions

*(continued)*

Concept	Definitions
Tactics	Ways that unions engage in their strategic activities; the rationale for their strategies Subcategories of tactics: (a) intense personal attacks on top management (blaming and negative characterization), (b) allegations about poor company citizenship (naming issues for stakeholders), (c) questioning and attacking financial operations (naming issues for stakeholders and negative characterization), (d) claiming the moral high ground (naming and blaming related to right and wrong, injustice, fair and unfair practices), (e) indicators of corporate loss of support and breakdowns in customer confidence
Consequences	A clear and self-evident impact of a departure in terms of its influence either short- or long-term on the negotiation process
Escalation	Movement away from agreement toward impasse or struggle. Increase in the negative intensity, divisiveness, contentious tactics, threats and attacks
De-escalation	Movement or progression toward agreement and positive outcomes. Positive moves that highlight cooperation among parties and reduce struggle

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