National Endowment for the Arts: News Articles (1980): News Article 05

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Meeting Today in Equity-Off Off Broadway Dispute

By MEL GUSOW

The yearlong conflict between Actors Equity and the younger American playwrights, a battle that has seriously injured Off Off Broadway and is threatening its very existence as a nurturing ground for new theater, is being cabled toward a resolution.

The rift began in 1979, when the actors' union added stringent provisions to its nonprofit theater code governing Off Off Broadway. The new rules, according to Equity, were intended to attract more money to Off Off Broadway ventures. According to the new Equity ruling, actors in such productions, which in turn as leading parts as well as leading titles, must be offered their roles again should the play move to Broadway or Off Broadway. If not, they must be paid four or five week's salary. Should the new producer be unwilling to assume that financial burden, the resolution would fail on the playwright. The playwright must sign the Equity code to that effect before his play can be put on Off Off Broadway.

The remuneration applies not only to Broadway and Off Off Broadway productions. It would also be applicable to television or to the movies. In addition, the financial obligation still holds even if the playwright is paid a "show-cause" fee, which is an option for subsequent production. This could mean that a play by a young, unknown playwright might be compelled to pay far more than he earned from a performance of Equity's counsel.

**Weller Files Suit**

Detonating the controversy was an episodic production of a new Off Off Broadway company presenting Michael Weller's "Spill." The company was run by an electronic device, and the author, with his suit by five other playwrights, David Mamet, Romulus Linney, Barbara S. Graham, John Olive and James Childs.

Sources of New Plays Diminished

Two weeks ago, the Council of Equity made its first formal recognition of the suit. It decided to contest the suit "in the strongest manner to the bitter end," while at the same time taking advantage of the "opportunity to make a reasonable settlement." Although this seems like a hard-line response, it actually be more in the nature of campaign verbiage. Sources within Equity indicate that the union will probably be making an attempt at a peaceful settlement out of court. One hopeful sign is that Weller Wildr, executive secretary of Equity, is considered to be far more conciliatory than his predecessor. Donald Grody. As a first step, lawyers for Equity and the new Off Off Broadway companies, a switch settlement is urgent. Because of the code, playwrights have been increasingly reluctant to have their plays produced Off Off Broadway. A showcase production could lead to so many financial obligations to actors as to make future presentations financially impractical. The Weller suit adds that this would also make it "virtually impossible to exploit the work for television or movie pictures." Many playwrights have already stood up against Equity, preferring to keep work unproduced than to be forced to do it in Equity's name. On the other side are the Equity forces, who are not willing to cede their exclusive rights to Equity over the work of younger playwrights. Some have switched artistic policies, preferring to use Equity's services to exploit the work of younger playwrights.