

**BACKGROUND INFORMATION ON SPANISH LANGUAGE
PROGRAMMING
AND
“LA (LEY) FUERZA DEL SILENCIO”**

- AFTRA represents over 80,000 television and radio performers and newsmen, and sound recording artists in the United States.
- Over the past 5-years, especially following the purchase of Telemundo Network by GE/NBC, there has been a marked increase in U.S production of Spanish language entertainment programs (although Univision’s novelas still come primarily from outside the U.S.). Now, in addition to Telemundo and Univision, TV Azteca has established a network in the U.S. and Televisa is beginning production here.
- This is a positive development as it shows a recognition that, as these networks attract advertising dollars targeting the U.S. Latino community, they must also produce programming relevant to the experience of the U.S. based Latino community.
- The problem that is presented is that while the Spanish language networks and producers have recognized the importance of producing programming for our community, Latino performers in the U.S. are not benefiting from this increase in production because the main roles and many of the secondary roles are being cast with talent brought in from Latin America. In addition, the networks and their affiliated producers, refuse to negotiate union standard benefits, wages and protections for these actors with AFTRA.
- Under a union contract, the actors (whether principal performers or day players):
 1. have contributions made into the union Health and Retirement Fund on their behalf,
 2. receive residuals for re-use of their programs or the licensing of their programs for use in other countries,
 3. have standard working conditions such as work hours, overtime, meal breaks, mileage, etc.,

4. have the right to union-representation if problems arise.

- Spanish-language actors, working without the benefit of a union contract, have no pensions, often have no health insurance, receive no residual payments, do not have standard working conditions, and have no representation if problems arise.
- The disparity between the treatment of English and Spanish language performers is clear in the NBC/Telemundo situation. All programming for NBC is done under a union contract. Telemundo, and the producers it uses, have refused to meet with the union to negotiate a contract.
- In the latest example of this, Fremantle Latin America approached AFTRA to discuss a union contract for a telenovela it planned to produce in Los Angeles for Telemundo. After 3 meetings, during which AFTRA provided copies of its National television contract, and contracts negotiated specifically for lower-budget Spanish-language productions, Fremantle was supposed to return (following meetings with Telemundo) for a 4th meeting at which it would present its opening economic proposal.
- Instead of making a good faith offer, Fremantle cancelled negotiations stating that they and Telemundo had decided to produce the novela using non-union actors and actors brought in from Latin America. They then decided to move the production from Los Angeles to Dallas, apparently to avoid the union, and the benefits and protections that come to performers with union representation.
- Following this decision by Telemundo and Fremantle, actors in Los Angeles met to discuss the situation, and decided that this issue of the networks' refusal to meet with the union to establish standard terms and conditions for Spanish-language actors needs to be addressed. Actors in Miami also met to discuss this situation, and agreed that the time is now to address this situation.

- If Spanish-language networks and producers truly recognize the importance of our community, then they will understand that this must translate into a commitment to improving standards of employment for those who work in Spanish language television.
- LULAC National Convention and the Florida Chapter of LULAC have unanimously approved resolutions supporting AFTRA's efforts to negotiate fair agreements with Spanish language networks and their producers to cover the employment of performers.
- This issue is about equality and justice for those trying to make a living as Spanish-language performers. There is no reason for the creation of a double standard in the entertainment industry. Spanish-language performers deserve to be treated with the same dignity and respect as English-language performers. This means recognizing our right to negotiate terms and conditions of employment that are fair and just.
- Thank you for your support.

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