

New Lawsuit Against The New York Times
For Immediate Release

July 5, 2001

Contact: Jonathan Tasini
(212)-254-0279

New York, NY-The National Writers Union (UAW Local 1981) announced that it would file a new lawsuit tomorrow against The New York Times, the first in a series of actions unfolding in the coming weeks aimed at protecting the rights of freelance writers.

The suit, to be filed in a New York court, challenges the Times' recent effort to force freelance writers to sign away their rights to articles covered by the June 25th historic Supreme Court ruling in *Tasini v. The New York Times*. The suit will allege that the contract the Times is demanding that freelancers sign as a condition to keeping their articles in the Times' archives is illegal and unenforceable.

"We offered to negotiate with the Times after the Supreme Court decision but the Times' answer, to all freelancers, was 'drop dead'," said Jonathan Tasini, president of the National Writers Union and lead plaintiff in the landmark case decided by the Supreme Court. "The Times' publisher Arthur Sulzberger chose to intimidate, frighten and assault the rights of freelancers and attempt to take away their right to compensation from the illegal use of their articles by The Times unless they sign away all their rights, past and future. He regretfully leaves us no choice but to file suit, unless he announces by close of business today that he will rescind the Times' policy."

Tasini added: "The Times' action creates the blacklist of the Internet age. The Supreme Court has said the Times has violated federal law, and the Times is now demanding that people waive exactly the rights that the Supreme Court vindicated. If not, the Times will cut off the freelancers' livelihoods. No one who tries to enforce the Supreme Court's decision will be able to write for the Times ever again. That's a blacklist."

Tasini also renewed a call for negotiations with the media industry. "We would much prefer to negotiate reasonable solutions to the post-Supreme Court decision situation that publishers must grapple with," he said. "However, we

also strongly caution publishers that we will be monitoring their posture towards freelancers and will not hesitate to take appropriate action."

In addition, Tasini announced that a mass demonstration would be held in front of The New York Times on July 19th. The demonstration has already been endorsed by the New York Central Labor Council.

The National Writers Union is the only trade union for freelance writers. It has more than 7,000 members nationwide, including journalists, book authors, technical writers and poets. The NWU is affiliated with the United Auto Workers.

This reference is not really to a blacklist, per se. The issue of whether NYT can do what they are doing is an issue to be decided, and on which probably would be decided in favor of NYT. Within reason, NYT can choose the type of contracts under which it hires people to write for the Newspaper. Artists can sign away their rights to further compensation. The new Tasini case is weak. Our case is strong. This is a much different situation, if NGS had a blacklist of people who couldn't work their anymore because they exercised their right to sue NGS, that's tantamount to wrongful discharge in violation of public policy. While you've never pled such a claim, it would be fantastic to have such evidence at trial. Assuming, of course, its obtained through ethical means. Best,

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