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Can Hollywood Freelancers Survive the Coronavirus Shutdowns?

by BRIAN WELK and TIM BAYSINGER | March 20, 2020 @ 6:00 AM

"I'm OK for the next three to four months, but if it gets to the point after that, then I will start really getting worried if nothing comes up," cinematographer Ed Wu says

Cinematographer Ed Wu was working on an independent film when he canceled plans for a shoot in Japan because of the growing threat of coronavirus. Now, Wu is contemplating weeks or months with no work, just one of Hollywood's many below-the-line professionals working in a gig economy that is quickly disappearing.

Wu, who has shot indie films like "Sleight" and this year's Sundance drama "Blast Beat," already has had \$10,000 worth of work canceled, and he's still waiting to hear word on a pair of projects meant to kick off in May and June. Even the short-term commercial or branded content work he takes on in between features is uncertain, as many businesses have ground to a halt in response to the pandemic.

"I'm taking it day-by-day. It's more of a psychological battle right now of not worrying too much and getting too stressed. Just because I'm not making money, that shouldn't worry me to the point where I'm overwhelmed. So I'm just trying to keep a positive attitude and keep myself in a sane spot," Wu said. "It's relying on my savings, which I have an emergency fund specifically for this reason. So I'm OK for the next three to four months, but if it gets to the point after that, then I will start really getting worried if nothing comes up."

Across the entertainment industry, workers are facing unique limitations to working at home or how they'll get by and pass the time.

Marci Liroff is a longtime casting director of 40 years who worked on films like "E.T." and "Blade Runner," but she's also an acting coach and now an intimacy coordinator. Up until last week, she was trying to get her start as an intimacy coordinator on four productions that have all shut down, and she's now wondering where she can find work.

"I'm just starting off. I'm trying to build this base of clients. And everything came to a screeching halt, and when it comes back, I have to start all over again," Liroff said. "I've got no f—ing idea. I have no idea. I'm just going to be going into my savings. I don't know where to get a job with my skills."

Even if she were to fall back on work as an acting coach and meet with actors over Skype, there are no projects being cast and no auditions for them to go on. And like most other casting directors in the industry, she's wholly freelance and without a source of income at the present.

"I could go online and do seminars, but it feels weird to me to be asking actors to pay for things when they're all out of work," Liroff said. "I don't have a weekly paycheck. I'm totally gigging in the gig economy, scratching a living as an independent contractor going job to job."

TV crews have been hit hard by the shutdown since many of the crewmembers on these sets are contracted by the studio and not fulltime employees. Multiple entertainment lawyers told TheWrap that it is likely that many of those on contracts or freelance work will not be paid, though some said it would vary from project to project.

"Depends on if it's an indie or larger studio," said Christopher Spicer of Akin Gump Strauss Hauer.

Some contracts have what's known as a "force majeure" clause, or better known as an "Act of God clause," which provides protection for studios during an unforeseen event like a natural disaster or global health crisis.

"Very few contracts with the unions that represent the guilds would provide protection for the crew members that are involved with production," said Michael Vater of Ticktin Law Group.

"There haven't been any Court decisions as of yet interpreting whether the coronavirus is considered an 'act of God.'"

He added that talent are much more suited to still be getting paid: "Most talent has certain guarantees built into the contracts that guarantee payment whether or not production is actually occurring. Therefore, it is likely that the talent would continue to be paid regardless of shooting schedule."

"Every production and employer is going to be different. Some have insurance that covers this, some don't," a representative for the IATSE told TheWrap.

Since the shutdown began, showrunners like Rob Elhenney and Kirstin Vernoff ("Grey's Anatomy" and "Station 19") have called for financial assistance for crewmembers to keep them working in some capacity or at least paid through the shutdowns. For example, Universal TV and Comcast are giving two-weeks pay to "Chicago Fire" crewmembers.

States like California and New York, which cater to the majority of Hollywood workers, have implemented emergency policies — quicker access to unemployment benefits and a moratorium on evictions — while the coronavirus relief bill was getting through Congress. It's expected to be signed by President Donald Trump.

"Unfortunately, most crew members will be left unemployed or seeking to obtain alternate work during the hiatus in TV/film production," Vater said.

The coronavirus also hit at a particularly hard time for Hollywood. Amanda Blumenthal, an intimacy coordinator who recently launched an agency for other intimacy coordinators within her organization Intimacy Professionals Association, said all of her clients were just beginning jobs this month after a particularly slow start to the year.

"It's killer. The vast majority of my clients were on a project, and a lot of them, they were starting in March," Blumenthal said. "It's a hard hit to a lot of people because this is the month when things were really starting to ramp up again for us."

Blumenthal has suspended all in-person meetings, but she's sitting on a waiting list of 400 prospective intimacy coordinators, and she's evaluating how she might reconnect with others and take her training online.

"We now all have time to connect with each other. I've been getting phone calls from people I haven't talked to in a while. 'Hey, what are you working on? What were you working on," she said. "A lot of people are feeling really freaked out."

Eric Schiffer is the CEO of the private equity firm The Patriarch Organization, and he places the losses to the gig economy in Hollywood in the range of hundreds of millions of dollars long term. We're entering into the first Depression in a century, Schiffer says, and it will forever change how the current generation approaches freelancing work in the future.

"Freelancers are feeling like they're being stepped on their throats. There isn't the security. Many of them are missing benefits. They are the first to get pushed off the plank when there are financial pressures; there's a lack of loyalty, and many of them have tremendous fear about their financial futures," Schiffer said. "This will forever frame how Gen-Z and millennial generation approach their future. It will show them they need to be prepared for all eventualities."

One LA-based music director who had to speak under the condition of anonymity is also looking to creative solutions to find work. His main income with a theater production and at Disneyland both "vanished" within the manner of three hours last week (he is still getting paid by Disneyland), so he's now trying to accelerate setting up an online course and working on pet projects that had previously fallen by the wayside. And while some of his colleagues and friends are still working from home in post-production, many are in a wait-and-see pattern.

"It's all gone. Thousands and thousands of dollars of income just vanished. Technically postponed, but, I probably would've done work during those times later. So for all intents and purposes, it's gone," he said. "I have reached out to places that I have worked for before, and the message I got was, 'stay tuned, it's all crazy right now, we're waiting for the dust to settle, and then we'll let you know.'"

Elissa Shay is a producer, writer and actress who produced Scott Haze's documentary "Mully," said she's in the process of navigating the "learning curve" of trying to continue conversations even with the shutdown. The one bright spot she says is that producers and writers are still reading projects, taking calls and doing their best to keep busy.

"It's hard to be motivated and move anything forward if you can't follow through. So it put us in a position where even if we got people excited or we could move a project forward, you can't shoot it, so everything just stopped," Shay said. "People are reading things, so that is a plus. But as far as raising money and going to production, especially with the uncertainty of the finances is definitely reflecting in people not making decisions."

Wu's guild, IATSE Local 600, urged members this week to reach out to Congress for a relief package and issued guidelines on staying safe. On Tuesday, the IATSE general executive board approved a \$2.5 million donation that will spread across three different entertainment charities: The Actors Fund, the Motion Picture and Television Fund, and the Actors Fund of Canada.

Philip Grenz, a manager at Authentic Talent Literary Management, told TheWrap that freelancers will increasingly be leaning on their guilds for support during these times of need.

"As the fallout from the virus continues to spread causing productions to shut down in the middle of shooting and the casting process for future projects to be put on hold, up-and-coming actors have not only seen their income plummet but they are increasingly concerned about health care since SAG mandates a certain number of work hours to qualify for insurance," Grenz said. "They are relying on their union to push for legislation granting emergency relief while simultaneously seeking alternate sources of employment."

But the options are limited for everyone, especially someone like Wu who can't work from home and can't fall back on secondary work even as an operator or a gaffer.

"That's why I signed up for this job. I didn't want an office job or a job at a desk behind a computer for eight, nine, ten hours a day. So I'm definitely in a position where I can't work from home," Wu said. "I don't feel like there's options out there right now for cinematographers to work from home. It's just not part of the job."

Liroff may have decades of experience, but she says she's in the same tough position as everyone else.

"One of the ironic things is that, people have always thought that even in a recession, even when times are really bad in the U.S. and globally, the entertainment business always seems to survive," Liroff said. "Now that's not possible now."