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## Game Workers and the Empire: Unionisation in the UK Video Game Industry

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# Game Workers and the Empire: Unionisation in the UK Video Game Industry

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## Abstract

This article investigates some of the key debates that have emerged within the nascent union organising project Game Workers Unite, with a specific focus on its UK branch (GWU UK). The analysis is based on a period of participatory observation and a series of interviews with board members of GWU UK. This article evaluates Game Workers Unite (GWU) in relation to other recent attempts at unionising the game industry. It concludes that the strategies adopted to counter the hyper-visibility and individualisation of the game worker are key contributions of GWU in contemporary video game labour. This article draws on the work of Dyer-Witheford and de Peuter (2009) *Games of empire: Global capitalism and video games* to evaluate the historical specificity of GWU and the importance of the organisation for the contemporary video game industry.

## Introduction

This article investigates some of the key debates that have emerged within the nascent union organising project Game Workers Unite, with a specific focus on its UK branch

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(GWU UK). The GWU UK branch became a part of the Independent Workers' Union of Great Britain (IWGB) in December 2018, building 'a worker-led, democratic organisation that represents and advocates for UK game workers' rights' (GWU UK, 2019) and represents one of the first and most significant examples of unionisation within the video game industry. The analysis is supported by a period of participatory observation at the local meetings of the union in London and by a series of interviews with members of the association, which took place throughout 2018 and 2019. One of the authors, Jamie Woodcock, has participated in the establishment of the union in the United Kingdom since 2018, drawing on previous examples of co-research with workers (Woodcock, 2014, 2017). This article responds to the call for this special issue of *Games and Culture* by identifying a series of issues that make GWU UK a relevant contribution to the arguments that Nick Dyer-Witheford and Greig de Peuter brought about in their seminal volume *Games of Empire: Global Capitalism and Video Games* (2009).

Firstly, we identify how GWU UK, often presented by the press and even by its participants as a breakthrough moment in the history of labour in the video game industry, should be more accurately represented as the upshot of a long series of struggles and less notorious attempts at unionising and organising collective action among game workers. The analysis of comparable examples (such as the French union *Le Syndicat des Travailleurs et Travailleuses du Jeu Vidéo (STJV)* is not presented with the purpose of denying Game Workers Unite (GWU) of its historical relevance. On the contrary, it serves to strengthen its significance and stress the likelihood of it continuing in its operations in the future. The national unions that work as a part of the global GWU network should not be seen as exceptional events, made up by a small number of organised volunteers. On the contrary, they provide a name and identity to a much longer and complex series of demands for better conditions of work. For this purpose, we take the case of EA Spouse as a significant example to look at in relation to the findings we have gathered while observing and participating at GWU UK. EA Spouse was one of the primary cases that Dyer-Witheford and de Peuter brought about in their volume (2009, pp. 35–68). It constitutes one of the most famous examples of demand for workers' rights in the industry. The first section of this article draws a brief update to the history of resistance in the game industry from EA Spouse up until GWU.

Secondly, the article identifies a series of keywords to articulate the differences that GWU introduces in relation to the conditions of labour analysed in *Games of Empire*. More than 10 years after its publication, *Games of Empire* should be understood in its historical specificity. In chapter 7, 'Games of Multitude', the authors imagined the possibility of emancipation via independent labour, as well as other 'politics of withdrawal' (p. 218) via practices of 'counterplay' (Galloway, 2006). While participating in the meetings of GWU UK and engaging with their members, it emerged that the main issues currently faced by the organisers concern the excess of visibility and individualisation of the game worker implied in practices of independent labour and the organisation of bottom-up networks for the exchange of practices and legal

advices for those working *within* the industry. This article concludes that the visibility and individualisation of the game worker, exacerbated through the last decade in many sectors of the creative industries, are currently challenged by GWU via strategies of opacity and collectivism. For these reasons, GWU represents a significant case study through which we can reread *Games of Empire*, 10 years later.

## Histories of Resistance

Many of the issues relating to working conditions that were discussed in *Games of Empire* are still present in the video games industry – or have become even more acute. In Chapter 2 of *Games of Empire* ('Cognitive Capitalism: Electronic Arts'), Dyer-Witheford and De Peuter (2009) introduced their analysis through the case of EA Spouse. Published in 2004, an anonymous letter written by the wife of an employee at Electronic Arts described how the exploitative regime of labour inflicted on their husband was damaging their lives and relationship. EA Spouse revealed a condition of labour that was shared among many in the sector, highlighting the culture of very long working hours often termed 'crunch'. As the authors of *Games of Empire* notice, similar conditions of production had to be balanced by the invisible work of women, who would compensate for the absence of their husbands in managing family duties.

The conditions revealed by EA Spouse are intrinsically embedded in the modalities of work of cognitive capitalism. In these conditions, the means of production are the worker's mind and creative faculty (Berardi, 2009; Lazzarato, 1996). The boundary of life and work becomes inevitably blurred, opening towards new forms of exploitation. The worker is subjected to further pressure and is expected to appear in first person as a singular, competitive individual. In these conditions, collective representation typically guaranteed by a labour union is eroded. EA Spouse was a significant event in the recent history of the video game industry, as it exposed issues that were not appearing in the public discourse. However, the conditions that allowed it to become relevant for a broader community are not easily replicable today. EA Spouse was writing from a position of anonymity, and it identified a specific subject (Electronic Arts) as the source of the struggle. EA Spouse's husband was one among many who worked at Electronic Arts, thus not immediately identifiable. The letter led to a series of class actions against Electronic Arts; and in the process, the name of EA Spouse, Erin Hoffman, was revealed. Hoffman was a game designer herself. The events that followed further complicate the understanding of this event: Erin Hoffman could only temporarily hide her identity, and she did not have a larger institution or association to refer to, or where to find legal, economic and moral support. Despite the broader resonance that EA Spouse had across the video game industry, Hoffman and her husband fought for their rights as individuals.

Since 2009, at the time when *Games of Empire* was originally published, much has changed. However, the exploitative conditions revealed by EA Spouse have not been

resolved. Dyer-Witheford and de Peuter identified in the independent production of video games a potential alternative to the controls imposed by major publishers such as Electronic Arts. In the last 10 years, we have seen the cooptation of independent modalities of production, subsumed by new gatekeepers such as *Steam* that retain a margin of profit in return of the necessary visibility to the consumer market (Lipkin, 2013). Moreover, the individualisation of the worker has only been made more prominent (Crogan, 2018). Independent developers are now expected to appear in first person not only in front of the publisher/distributor but also in front of the crowd of potential consumers that might provide the necessary support to finance their project (Tiny, 2017). Crowdfunding platforms and social media are vital contexts of promotion and self-branding for aspiring developers. The increased visibility and individualisation have exacerbated the vulnerability of the developer, who is now subject to constant scrutiny. The harassment inflicted to the designers Phil Fish and Zoe Quinn is emblematic of the implications of the new dynamics of game development. Those who are left at the margins of the contexts of game production because of their gender and race are further discriminated by the over-individualised and overexposed modalities of promotion (Harvey and Fisher, 2014; McRobbie, 2002). At the same time, antagonistic forms of protest become increasingly complex, as the previous employers are replaced by disembodied crowds and distribution platforms (Srnicek, 2017).

As Woodcock (2016, p. 140) noted before the rise of GWU, there are 'two points of contestation … the first is the prevalence of "crunch time" ... The second is the institutional sexism of the industry. These two could be converted into organisable demands in a workplace'. However, at the time – like with *Games of Empire* – it remained to be seen how this could develop into workplace organising. Indeed, in a foreshadowing of today, Dyer-Witheford and De Peuter (2009, p. 233) explain:

> EA Spouse has come out in favor of unionization, observing that while the spate of publicity about work hours has temporarily curbed the imposition of permanent crunch time, 'I don't think that will be very long-lived. In my opinion, the only thing that will get publishers to budge is unionization, which I believe to be the best solution' (cited in Hyman, 2005).

However, much of the contemporary parts of the book focused on Hardt and Negri's (2000) use of the 'multitude', with a broader notion of resistance in relation to video games. For example there is much focus on practices like 'counterplay' (Dyer-Witheford and De Peuter, 2009, p. 193).

In light of the recent unionisation efforts, the strongest parts of their analysis related to the longer histories of resistance and refusal – for example in Chapter 1 ('Immaterial Labour: A Workers' History of Videogaming'). The history is traced back to the earliest video games and the refusal and capture of immaterial workers in the military–industrial complex. This involves a reading of this kind of work as involving resistance from the start, rather than seeing the recent unionisation as taking place against some sort of tabula rasa.

This focus on histories of resistance provides an important backdrop for making sense of GWU. In more recent years, this has included trade union forms of workers' struggles in – or adjacent to – the game industry. For example in 2016, voice actors organised a strike with the Screen Actors Guild-American Federation of Television and Radio Artists. Although these are highly visible – or more accurately, audible – parts of contemporary video games, they are not often considered to be core parts of the workforce. Their strike was launched for better conditions, particularly focusing on vocal safety, as well as better compensation for their contributions. Similarly, in 2018, workers staged a strike at Eugen, a French video game studio. These workers – who looked much more like the typical video game worker – had organised with a specialised trade union: *Le Syndicat des Travailleurs et Travailleuses du Jeu Vidéo* (the video game workers' union) in order to try and apply a collective bargaining agreement that covered tech workers.

From the history covered in *Games of Empire* to these most recent pre-GWU flashpoints, there are likely many stories of workers who resisted and tried to organise. These may have been individual acts, or small attempts to try something new, or plans that never materialised. However, what is certain is that there has been workplace resistance throughout the history of the video game industry. Most of these were invisible – known only to those directly involved and hidden from a popular understanding of the industry. The formation of GWU should therefore be understood as the first moment of international visibility of worker organising. The formalisation of these networks is also creating moments where workers can meet, discuss and plan action on a scale that was never present before.

## Rise of GWU

The strikes of voice actors and video game workers at Eugen foreshadowed the rise of game worker organising, showing that it was possible – even if not probable at that point. However, these were covered in increasingly pro-worker video game media. Alongside new organising in video games and the wider tech industry, many of these publications were also having their own pushes for unionisation. However, it was not until the annual US Game Developer Conference in 2018 that organising became internationally visible. At this conference, there was a scheduled discussion on 'Union Now? Pros, Cons and Consequences of Unionisation for Game Devs'. This was to be hosted by the executive director of the International Game Developers Association. This professional association is widely considered to be anti-unionisation and not orientated around worker concerns. A group of video game workers planned a pro-union intervention. They decided on a name: GWU, developed a logo and prepared video game themed propaganda. This attempt to raise the visibility of pro-union voices was greatly amplified when the panel organisers attempted to suppress the discussion. News spread of the event across social media, rapidly building an international profile for GWU.

As of the point of writing, there are now national chapters of GWU across the world, including Europe, North America, South America, Asia and Oceania, with an increasing number of country specific chapters. The UK group was the first of this wave to become a legal trade union, joining the IWGB as a branch at the end of 2018. Most recently, the Irish GWU chapter has unionised with the Financial Services Union.

The process of unionising that the GWU UK branch has adopted differs from much of the mainstream trade union movement. In particular, this has involved translating aspects of trade unionism into a context that works effectively with video game workers. An important part of this has been the use of online communication tools, including Discord. Given that the majority of the workforce already use Discord, due to its large uptake for communicating while playing games, it quickly became the preferred online method. While the sign up process to GWU required disclosure of information about the worker, Discord allows for some anonymity amongst participants. This meant that early process of recruitment – in which many workers were initially not prepared to give their names or details about employers – could be mediated via Discord, with workers increasing their level of disclosure amongst each other as confidence in the project developed. The online communication became an important bridge for workers who had never organised before to build their engagement in steps, leading up to in person meetings and union activities.

The use of social media more broadly has become an important part of the growth of GWU UK. However, the interrelation between in person meetings, video calls, instant messaging and shared online discussions has accelerated the development of both local chapters of GWU and the international network. However, these questions of visibility have always been important to the early stages of trade union organising, particularly in the face of hostile employers. It is worth noting that at one of the first meetings of GWU UK, many of the workers who attended did not know that union membership could (and most often should) not be disclosed to an employer at the initial stage of organising.

At the time of writing, GWU UK charges a monthly fee to its members (£8–15 per month, depending on salary) and welcomes anyone who is 'involved in the creation of video games', as long as they do not have hiring/firing powers (GWU UK, 2019b). This decision was the result of a lengthy debate about who and what constitutes a 'game worker'. Unlike the discussion of the multitude against empire that often comes up in *Games of Empire*, instead here there is a return to the more convention opposition of boss and worker. This can be clearly seen in the riffing off the use of 'boss' from video game terminology in leaflets and social media content (Woodcock, 2020) but is also a return to a workplace politics that often slipped into the background in *Empire*. The formation of a trade union is, of course, not analogous to a revolutionary subject that Hardt and Negri were searching for. Trade unions play a contradictory role under capitalism, in what Hyman (1975, p. 185) has argued is the dialectic of industrial relations: 'conflict and accommodation'. However, the new formation could play a role – despite the limitations of trade unionism – as 'schools of

war' for wider struggles, as Engels (2009, p. 232) once argued. It is these dynamic workers are involved in within the union that are of particular interest.

The members of the new union have been actively involved in campaigns and political education on workers' rights. GWU UK has also joined in political campaigns and strikes of other groups associated with the broader IWGB, which gathers workers involved in the gig economy (such as Uber drivers and couriers), and low-paid migrant workers involved in sectors such as security, cleaning and care. GWU UK has been organising local training sessions to educate members on how to engage with their bosses and with potential new members on their workplace. While the details of the disputes cannot be disclosed (as will be discussed below), GWU UK has announced on 21st January 2020 that a total of 19 cases, involving 11 companies, have been opened by the union since its inception. This has resulted in £25,720 win for their members. The cases where the union has been involved include forms of grievance, such as harassment, discrimation and bullying, changes to terms and conditions, unfair or wrong dismissal and redundancies. The union has also started local groups across the United Kingdom, with the purpose of involving a larger number of workers in meetings and bottom-up decision-making. In short, GWU UK's activity has been, so far, a combination of information and sensibilisation, creation of local networks and legal representation.

## Visibility and Individualisation

GWU is certainly not the first attempt at unionising the game industry. While similarities can be drawn with previous forms of unionisation and resistance in the video game industry, GWU faces challenges that are specific to the contemporary conditions of labour in the industry. GWU has an internal organisation that makes it almost unique, not only in the history of the medium but also within practices of unionisation more broadly. Firstly, the bottom-up foundation of the union has brought to the sharing of information across members in different countries. While talking with committee members at the UK division, it emerges that communication with other national groups has brought to a spirit of solidarity and collaboration. The reasons are pragmatic: while the establishment of GWU took place in the USA, each national group must comply with local laws and with the specific distribution of the local workforce. This has brought to the formation of channels of communication (typically via Discord) to share information and case studies and effectively create an international network of workers interested in unionising the industry and assisting their peers.

Moreover, GWU faces difficulties that are inherently a part of the contemporary practices of production of video games. Since the publication of *Games of Empire*, the emergence of social media has incentivised practices of self-promotion, which are often conflated with self-branding and the promotion of one's own labour (Gregg, 2011). These dynamics can draw attention to and implicate game workers are overtly visible. They need to be active on Twitter, and other channels of promotion and visibility, to get access to, or keep their position within, the networks of production.

Presence in first person is also required at the frequent meet up events, workshops, festivals and conferences, which often act as cultural mediators and gatekeepers (Parker et al., 2017). These conditions are social and economic, but are also entangled with the technical apparatus of social media, where the profiling of users is now considered paramount for online communication (Lovink, 2011). Being visible as an individual, often using one's own real name, body and 'profile pic', has corroded the forms of protection previously guaranteed to those belonging to non-dominant genders, races and age groups within the industry. When a labour is negotiated through relations of friendship and acquaintances that make it more similar to a 'club culture' (McRobbie, 2002), it becomes difficult to identify the forms of exploitation and the positions of power where a labour union could intervene.

These conditions are particularly relevant for independent game workers. Designers, artists, writers and musicians, who work in the game industry in a more or less 'formal' manner (Keogh, 2017), through sub-contracts and temporary partnerships, are more likely to be affected, as they rely on their networks of contacts and their constant visibility within those networks. In the United Kingdom, up to 95% of the workforce is employed in small or micro companies and could be defined as being 'independent' of publishers and producers (UKIE, 2018), consistently with other countries where the game industry is considered a driving force of the creative economy (GDC, 2018). A good number of those who work within a company have been independent in their career, or consider being independent as a possibility, or a necessity in case of redundancy. Many young graduates similarly identify in an independent labour the only viable path to enter into the circuits of employability. Independent game workers are no longer extraordinary but typical in the industry (Vanderhoef, 2016). Self-promoting one's own work often involves engaging with platforms of crowdfunding such as Kick-starter. The employer, in those circumstances, is no longer an identifiable company or individual but an ineffable 'crowd' of funders, followers and, possibly, consumers of products (Tyni, 2017). The 'workplace' of the new game worker is often an online platform of self-branding and knowledge exchange such as Twitter, Discord, of funding such as Kick-starter and distribution such as Steam or itch.io. Since the publication of *Games of Empire*, the game worker has become more visible and individualised, while employers are increasingly opaque and distributed.

One of the striking differences with the case of EA Spouse, which took the initial pages of *Games of Empire*, is the deterioration of the conditions of possibility of anonymity for the game worker. EA Spouse could have been anyone within EA, while EA's management was easily identifiable. The current conditions are almost the opposite: while we get to know name, personal tastes and opinions of game workers via social media, the sub-contractors and crowd of consumers are involved only temporarily and are not as easy to identify. However, anonymity constitutes an essential condition for denouncing unfair conditions.

As board members of GWU UK told the authors during an interview, anonymity is protected differently across countries and constitutes an area in which the original

manifesto, published while keeping US laws in mind, does not directly apply everywhere in the same manner. Anonymity formed an important part of the early organising of GWU in the United Kingdom. The GWU network provided two ways for workers to move across the boundary of anonymity. Firstly, many workers joined the network through engagement on social media, using website sign up forms to join a Discord server. Discord, like many of these online communication tools, does not require a real or a full name. Despite providing a name to the organisers to join, it was then possible to retain full or partial anonymity when engaging in discussions with other workers. This lowered the barriers to get involved, with less perceived risk to speaking out and starting to take action. Afterwards, the Discord discussions moved into face-to-face organising meetings. As Jamie has noted in his account of the organising (Woodcock, 2019), many of the workers who came to the early meetings would not tell people their names or which company they worked for. This meant they could take a significant step – attending a meeting to plan unionising their industry – while retaining some protection of anonymity. This meant that workers began getting to know each other, both in the meetings and the socials afterwards.

GWU UK has already acted in labour disputes, and on all occasions, there was an identifiable employer. In those circumstances, one of the interviewees said to Paolo that the union had been acting as a 'cover', or 'mask', for the game worker. The importance of reintroducing a layer of opacity is acknowledged by the union and is seen as one of the most complex issues to preserve in the future. Interviewees admitted the feeling of moving through an uncharted territory, which brings practical complications when, for instance, they are asked to mention successful case studies that could promote the union among other workers. Cases of independent workers have not yet occurred but are perceived as an even more complex challenge. There are ongoing debates about the possibility of introducing certificates that guarantee that none of the workers involved in an indie project have been exploited. The strategy would be to identify, in an apparently solitary endeavour such as the production of an independent game, those inevitable relations and collaborations that make it the work of a less individualised subject and act to prevent controversies and support those who might be exploited in the process of generating a successful intellectual property.

While many of these strategies are still preliminary and provisional, they highlight a number of significant implications for the present conditions of labour in the video game industry. The visibility and individualisation of the game worker, welcomed by Dyer-Witheford and de Peuter as a potential form of emancipation, has hindered the possibility of unionising or even identifying social relations that are not based on mutual competition. On the other hand, GWU demonstrates that organising is still possible and that local and international channels of communication and solidarity can bypass the apparently unavoidable conditions of (self-)exploitation. From an initial investigation, we conclude that the discourse surrounding the unionisation of the game industry is mostly framed on semantic oppositions such as visibility–opacity and individualism–collectivism. These discursive dualisms materialise in the conditions of labour of game workers and in the organisation of GWU.

## Conclusion

The case of GWU UK is particularly emblematic because it is one of the first and most significant responses to the conditions exposed by Dyer-Witheford and de Peuter 10 years ago. It is also essential to analyse its internal dynamic and public presence in order to better understand how labour in the game industry has changed since. GWU UK is a labour union operating in a context where employers are becoming invisible and disembodied, replaced by temporary contracts, partnerships and platforms of online distribution. Workers are often independent or only temporarily involved in practices of production (a phenomenon particularly evident in the British game industry). Moreover, the exposure of the worker in the contexts of promotion of their product makes it difficult to speak from the position of partial anonymity of EA Spouse, the wife of 'one among many' employees at Electronic Arts. The new conditions of production have shifted the ground, while also creating new potential forms of worker leverage. Thus, it is essential to analyse GWU UK as it experiments with the possibilities of a shared strategy among game workers that could transform their industry.

One of the difficulties that emerge when writing about game worker organising is the speed with which things change and new developments come to the fore. For example while writing this piece, the chair of the GWU branch, Austin Kelmore, was sacked from the games company he worked for in London. The union claimed that he has been targeted for his organising activities – which of course the company denies for now. As the branch secretary of GWU has argued 'Despite Ustwo's claims of being as much a family as it is a company, it has decided to leave Austin, one of its best developers, completely orphaned' (quoted in Quinn (2019)). This highlights how visibility remains a significant risk for organisers within the video game industry – as is so often the case with new forms of labour organising that employers seek to suppress. Quite rapidly, there has been the development of a highly visible campaign to defend Austin, both in the video game press as well as mainstream media like The Guardian. This moment of high visibility, for both an activist and the union more widely, represents an important development in the GWU campaign.

One of the key lessons that can be drawn from *Games of Empire* is an understanding, inflected by autonomism, that workers have always been experimenting and testing new ways to resist and organise in response to their working conditions. GWU is the upshot of a longer series of often invisible protests. Its novelty consists in acting as catalyst to workers' struggles. The possibilities sketched out by *Games of Empire* remain an enduring contribution to how we can think about and try to change the video game industry. The book effectively mapped forms of resistance that, at the time, were only beginning to emerge and that were still leaving workers overexposed and in relative isolation. GWU constitutes a collective organisation which, by providing the space for workers to gather, plan and develop representation against their employers, prepares the conditions for workers' organising to become more effective.

## Declaration of Conflicting Interests

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