



Presenting The Lemmies

Insights

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Some say that life is at its best when you are able to combine your work with something that you love. For those of us in the labor and employment world who love movies, what better way to celebrate movie awards season than by reviewing some of the best (and worst) films, all of which have labor and employment law themes? In light of the upcoming Academy Awards presentation this month, and with a tip of the hat to Oscar, here is our listing from the First Labor and Employment Awards. And the Lemmie goes to:

Best Picture: On The Waterfront (1954) – *"I coulda been a contender! I coulda been somebody...."*

Consistently praised as one of the best movies of all time, starring Marlon Brando in an Academy Award winning performance, this is a must-see for any cinema fan. A corrupt union boss exerts control over a group of longshoremen, which also makes this a must-see for any company facing a union organizing threat.

Worst Picture: Take This Job And Shove It (1981) – Based on the 1978 song by Johnny Paycheck, this movie's claim to fame is that it helped to popularize the monster truck craze. "Bigfoot" appears and tramples over the evil boss's car, which is about the only highlight of this bomb. **Runner-up:**

Hoffa (1992) – The subject matter is bad enough, glorifying the corrupt union boss Jimmy Hoffa (played by Jack Nicholson and several pounds of prosthetic facial features), but it's the bad acting, the awful dialogue, and the downright boring story that makes this movie almost impossible to sit through.

Best Comedy: Nine to Five (1980) – Dolly Parton, Lily Tomlin and Jane Fonda star as three office workers who exact revenge on their lecherous, unethical and chauvinistic boss. After kidnapping him, they restructure the office in his absence, instituting flex schedules, job sharing programs, and an employee assistance program. While it's not recommended that you solve morale problems by holding your boss hostage, this comedy – which holds up remarkably well after 30 years – actually offers some good HR lessons along with the laughs.

Worst Musical: Newsies (1992) – Want to see Christian Bale – ax murderer from *American Psycho*, violent superhero from *Batman Returns*, rebel leader from *Terminator: Salvation* – as a singing, dancing, turn-of-the-century street urchin who leads a newspaper boy labor revolution while capturing your heart along the way? I didn't think so. Neither did I. In fact, I'll be honest. I could only

sit through the first 45 minutes of this movie before I bailed out. I know some consider this to be a cult favorite, but if you're interested in getting your labor and employment law movie fix in the form of a musical, I'd recommend...

Best Musical: Pajama Game (1957) – Adapted from the hit Broadway show, this 1950's musical tells the story of union workers at the Sleepytime Pajama Company who are looking for a seven-and-a-half cent raise. Doris Day stars as the head of the grievance committee, whose negotiations with the new factory superintendent hit a snag when the two of them fall in love. Do the workers get the raise? Will their relationship survive the workplace tension? You can probably figure it out for yourself, but this is one of the few labor and employment movies you'll see that will leave you humming to yourself for a few days.

Worst Workplace: North Country (2005) – This movie was inspired by the first class-action sexual harassment lawsuit in American legal history, filed against a mining operation in Northern Minnesota. Charlize Theron and Frances McDormand, both nominated for Academy Awards for their roles in this movie, play female miners who endure harassment and retaliation after they complain about the mistreatment. The film contains several high-tension (and typically unrealistic) courtroom scenes. Employers should watch it and then do the exact opposite of everything that the company management did in the movie.

Best Actress: Sally Field in Norma Rae (1979) – Even hardened management executives will be rooting for plucky Sally Field to be successful in organizing a union at a textile factory in the deep South. She won the Best Actress Oscar for her work on this engaging film; even though the filmmakers hesitated casting Field, who at that time was only known as a flying nun and a perky Gidget, it's impossible to imagine anyone else pulling off this role quite so well. **Runner up: Meryl Streep in Silkwood (1983)** – Streep plays Karen Silkwood, the real-life union activist and whistleblower who worked in an Oklahoma nuclear plant and complained about dangerous work practices. The movie touches on labor strikes, OSHA violations, decertification petitions, and other issues that might strike too close to home for some. As always, Streep carries every scene in which she is featured.

Best Actor: Tom Hanks in Philadelphia (1993) – Hanks won an Academy Award for his dramatic portrayal of an attorney battling AIDS while also fighting his own law firm over a discriminatory termination. The movie includes some of the better courtroom scenes you'll see, with Denzel Washington outstanding as Hanks' trial attorney. **Runner up: James Spader in Secretary (2002)** – Spader plays your typical sadomasochistic trial attorney who has a unique relationship with his administrative assistants, most notably Maggie Gyllenhaal. For those who haven't seen it, be warned – it takes the concept of sexual harassment to a whole new level. Spader found his niche as a quirky attorney after this film, following it up on TV shows *The Practice* and *Boston Legal*.

Most Realistic Movie: Matewan (1987) – John Sayles tells the little-known story of the 1920 Matewan Massacre, a violent clash between West Virginia coal miners on strike and the Company

employing them. The movie is rich in depth and character, starring Chris Cooper and James Earl Jones. The lengths to which Sayles went to portray the story accurately are documented in his fascinating book "Thinking In Pictures," which is a great read for anyone who wants to know all about the inner workings of making a motion picture.

Least Realistic Movie: Disclosure (1994) – A corporate exec (Michael Douglas) files sexual harassment charges against his new boss (Demi Moore) and within 24 hours, both sides have already hired lawyers and are conducting a mini-trial before a federal mediator? Anyone who has been dragged through typical harassment litigation for several years realized that this movie was a bit of a stretch. **Runner Up: Enemy of the State (1998)** – Will Smith plays a dashing labor lawyer who meets with mafia bosses in the back room of an Italian social club, tries to intimidate them with a secret videotape highlighting illegal union business, and then threatens to report one to the federal authorities. The mafia boss responds by warning Smith that he'll be killed within a week unless he gives up his informant, which leads to a whirlwind of espionage and hair-raising chase scenes. Just another day in the life of your typical labor lawyer.

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