

Live from Workplace Horizons 2025: Media and Entertainment

By Christopher M. Repole & Peter J. Woo

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Meet the Authors



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Welcome to a special edition of We get work®, recorded live from Workplace Horizons 2025 in New York City, Jackson Lewis' annual Labor and Employment Law Conference. Over 500 representatives from 260 companies gathered together to share valuable insights and best practices on workplace law issues impacting their business today. Here's your personal invitation to get the insights from the conference, delivered directly to you.



Transcript

INTRO

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CONTENT

Alitia Faccone

Senior Director of Business Development

Welcome to the Live from Workplace Horizons 2025, We get work® podcast series. In the studio with me this afternoon are Chris Repole, principal in our New York City office, and Peter Woo, principal in the Orange County office of Jackson Lewis and the co-leaders of Jackson Lewis's Entertainment and Media Group.

Welcome, gentlemen. First off, the softball question. Tell me a little bit about your practice, what issues you're seeing with employers this year and how you are helping them.

Peter Woo

Principal, Orange County

In California, I am doing a lot of work with respect to DEI right now. That has

been very hot and heavy, especially in our media and entertainment space. Lots of questions are coming up from the executive orders and the directives from the EEOC and the DOJ. A lot of people are asking questions about that.

Also, a lot of class action and PAGA work in California as well. I do a lot of wage and hour class actions, and a lot of misclassification issues exist in the entertainment and media space, especially in entertainment, I would say, more so.

Faccone

Chris, what about your practice in New York City?

Repole

My practice is largely focused on traditional labor, so some of the same issues that Peter covered, but with that labor lens. Issues around DEI certainly come up at bargaining tables in this industry, perhaps more than others. Also issues around AI, both how it's used by employers as a tool, and how employees use it as a tool and the labor ramifications of that.

Faccone

You both led the Entertainment and Media Roundtable, which is one of our industry roundtables here at the conference this year. Why entertainment and media this year? What are our clients facing? What did you cover in your discussions during the roundtable, Chris?

Repole

The two issues that I mentioned earlier were the two that we focused on the most – DEI and AI. The timing of this is coming right off the executive orders that the administration signed. ChatGPT and other AI tools that have been at the forefront of the news last year and into this year. So, those were top of everybody's minds.

The labor and employment ramifications are really pronounced in the media industry, where people are using AI as a tool in their work, and also where DEI is at the forefront, partially because many of our media and entertainment clients are located in diverse and sometimes politically progressive locales.

Faccone

Peter, when those issues come up and you're discussing those issues, how do you respond to some of these questions? What are the pain points for the clients, and how can we help them through those? What did you talk about?

Woo

One question that came up in our discussion, particularly on the media side, is how do we handle potential censorship issues? That has come up a lot – First Amendment issues. While it's not necessarily related to labor and employment, it does impact their employees, writers and the folks who might want to write in a certain way. So, we talked about that a little bit and how to manage through it.

We also talked a lot about how to get through some of the tougher questions with regard to ERGs, and how to approach that from the DEI side.

Then, from the AI side, there are a lot of things to consider as well. We have HR using AI to filter through resumes or to look through content. A lot of our clients use or create content in terms of whatever it may be, a writing sample, an article or a work of art. The question becomes, is that an original piece of art, or are they using AI? So, there's a lot of push and pull from all of that, and lots of discussions on that. There's no right or wrong answer, really. Everything's really, really fresh. But there are certain protocols that can be done now and certain guidelines that can be created to help manage the usage of AI.

Faccone

So, this big writers' strike a couple of years ago in the entertainment space – is that still a hot-button issue, considering how prominent AI is becoming?

Repole

It is an issue, and it's part of a number of social movements that are coalescing, particularly in the traditional labor area. It has employment implications as well, but we're coming off of a couple of years of huge societal change – #MeToo, George Floyd, the pandemic, the labor unrest that we saw last summer. That has impacted media, entertainment and sports employers, just as it has other employers, but perhaps even more so in this industry. Because these are individuals, again, who are located in many cases on the coast, but across the country, who are keyed into what's going on in society. They're writing about it, creating pieces of art that have to do with it, or in the sports context, there are people who, in many cases, are in urban centers like where many of our clients are located. All of that has really put those issues front and center in this industry.

Faccone

A lot of your colleagues have talked in the studio this afternoon and yesterday about significant changes that have taken place since the beginning of the year. I'm assuming that those issues probably came up in your presentation as well.

What are some key takeaways that you would share with not only the attendees here at Workplace Horizons, but to our podcast listeners who want to know what they should do given the current regulatory and administrative environment?

Repole

Absolutely. I think the biggest takeaway from our presentation is that an ounce of prevention is worth a pound of cure. You need to be planning as much as possible ahead of time so that when there is a new executive order, you have a plan for how you're going to deal with that.

For example, you need to be constantly reassessing your policies around EEO and DEI, to the extent you have a DEI policy. You need to know who needs to

look at them, and have a task force or plan of action for dealing with those issues, and knowing who the people are that need to be giving input on those policies.

The same thing on the AI front. You can't deal effectively with a new AI tool and its implementation in your workplace if you don't have a plan for how you're going to deal with those issues when they come up, or deal with a case of an employee infringing on intellectual property. Really, planning is key. So, in that respect, it's probably the same advice we would give in any other year, but it's even more true today.

Faccone

Peter, what would you add to that? If I could take it a step further, how is Jackson Lewis helping employers in the entertainment and media space handle all these really tough issues they're facing?

Woo

These are certainly uncertain times, and a lot of the ways in which Jackson Lewis helps with that is by providing webinars and articles on these front-facing issues that come up. We get them out in real time to our clients to make sure that they are informed. Education is the main source of power, as they say, so we try to empower our clients with this information. I know it's a lot sometimes, but we try to do that. If they have questions, they can come to us about risk management or how to handle a DEI or wage and hour audit, and things of that nature.

More importantly, with media, entertainment and sports clients, there's a sense of cancel culture that may exist. Of course, there is a reputational risk that every one of our clients cares about very much, so we provide a lot of crisis management services as well.

That's how we try to help out. We try to stay ahead of the game in terms of as much as possible, try to have that crystal ball and provide our clients with that kind of service.

Faccone

This podcast will also help. Now, everybody who's listening knows they can reach out to Chris Repole and Peter Woo about anything related to entertainment and media, and labor and employment law.

Thank you both so much for stepping behind the podcast mic with us today, and enjoy the rest of the conference. Thank you.

OUTRO

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