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Building Momentum for Collectivity in the Digital Game Community

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Introduction

The digital game industry is thriving. The Newzoo Global Games Market Report forecast annual revenues for 2018 at \$137.9 billion (Wijman 2018). In Canada, 596 studios generated \$3.7 billion of the country's GDP in 2017 and 40,600 direct and indirect jobs (ESAC 2017). In the United States, the game industry accounted for \$11.7 billion of GDP in 2015; it directly or indirectly employs over 220,000 workers across nearly 2,500 companies (Siwek 2017).

However, digital game development is not immune from disruption. The industry is undergoing transformations affecting its established approaches to managing organizations, producing games, and generating revenues (O'Donnell 2014). It also faces challenges with respect to working conditions, with game studios often accused of treating their development talent poorly (Williams 2015). Human resource management issues, ranging from long, uncompensated working hours to lack of advancement opportunities and insecure employment, have been linked to the organizational processes governing game production (Legault and Weststar 2017). In particular, the game industry is prototypical of post-industrial knowledge work where the project management regime creates an “iron triangle” that requires development teams to create innovative and high-quality products, on tight, inflexible timelines, and under intense budgetary pressures. They do this in an environment of normative managerial control where commitment to

the work and the team becomes an internalized lever for self-exploitation (Peticca-Harris, Weststar and McKenna 2015).

An increasing number of game developers are dissatisfied with their working conditions. Dissatisfaction is a necessary condition for workers to engage in collective action to gain the representational power needed to achieve change in the workplace. John Kelly's (1998) mobilization theory, a prominent meta-model of social factors shaping collective mobilization, identifies four determinants: 1) individual challenges must be reframed as injustices against the collective by a ruling group; 2) the organizational structure of the collective, including communication channels, the degree and nature of member interaction, and the density and strength of social networks must be sufficiently robust; 3) the mobilization must have leadership to sustain a favorable cost-benefit rationale for the effort and maintain social interactions across the mobilizing group; and 4) there must be reasonable opportunity to engage in collective action, a factor which includes consideration of the balance of power between the parties, the costs of repression by the ruling group, and the alternative avenues for subordinate groups to pursue their claims.

To date, studies of game labor have tended to document problems in the working lives of developers, while devoting relatively limited attention to solutions, or to collective representation as a step toward solutions. Our research, in contrast, assesses developers' capacity to engage in collective mobilization. Though this industry shares characteristics with the film and television industry, due to important contextual differences game workers cannot follow the same historical path to unionization. It is important, therefore, to systematically map the landscape of collective mobilization in the game industry. Documenting collective actions reported in the game press and mainstream media over the past five decades, this article asks: Are the collective actions of

developers building momentum toward a viable, sustained mobilization? We have archived these media sources as part of our research on the game industry, and, unless otherwise stated, these sources are thematically categorized online at <http://gameqol.org>. As we were directly involved in some of the events and actions catalogued in this article, it is important to note that our chronicle is informed by our interconnected roles as third-party researchers, subject-matter advisors, and participant-observers. Our research is biased by our North American perspective, and we do not claim to provide a global representation of game workers' mobilization efforts. Despite its geographic limits, this chronicle of resistance and collectivity is offered as a contribution to the growing scholarly literature on digital labor politics generally.

Chronicle of Resistance and Collectivity

Workers of all types engage in individual actions, such as speaking to managers, to improve their work or that of others. These actions can take collective form when workers share problems and advocate in small groups. Workers also routinely act on their displeasure by exiting organizations. However, individual actions do little to induce widespread change within organizations or industries. Rather, it is through public and collective actions that momentum for change is built. In this section, we present a thematic survey of such actions in the games industry, including Early Efforts, the Quality of Life Movement, Exposés of Working Conditions, Union Efforts, and Gender Equity Struggles, while Figure 1 gives a chronology of the same events. We conclude by analyzing the impact of these events on building a lasting collective mobilization of workers in the game industry.

Figure 1: Chronology of Collective Action in the Game Industry

[INSERT FIGURE 1]

Early Efforts

Developers' early forms of resistance and mobilization show a movement from individualized to public and collective actions. Perhaps the first documented instance of public resistance was when developer Warren Robinett surreptitiously inserted a feature displaying his name into the 1979 Atari game *Adventure*. Robinett (2003) was responding to Atari management's decision to stop crediting the contributions of individual programmers and to name only the Atari brand. Robinett interpreted his act as one of labor resistance and agency, writing that management "had the power to keep my name off the box, but I had the power to put it on the screen" (Robinett 2003, xviii). Dropping such "Easter eggs" into games became a common approach to signal developers' creative contribution (Yarwood 2016).

Game developers formed their first collective body, the Computer Game Developers' Association (CGDA), later renamed the International Game Developers Association (IGDA), in 1994. Founder Ernest Adams' account of the instigation of the CGDA/IGDA has collectivism at its heart (Hoffman 2007). Adams foregrounds the importance of developers getting together and discussing their craft and the improved bargaining power that can come from those interactions. Today, the IGDA is an international organization with over 12,000 members. It operates local chapters in more than 100 cities and maintains twenty-five Special Interest Groups on key topics. The IGDA has made important contributions to protect the livelihood of developers and the cultural freedom of games, to advocate for demographic diversity in the industry, and to research developers' working conditions. There is, however, an inherent scope constraint in the mission and structure of the IGDA, which has never purported to be a legal representative agent of developers like a trade union. The IGDA takes an individualized approach to solving employment problems rooted in educating members to increase their individual negotiating

power, creating voluntary codes of conduct and best practices for studios, and, in discrete instances, applying public pressure to studios that act poorly toward their employees. A largely volunteer-driven organization, the IGDA “exists in a tenuous space, relying on the industry for its bread and butter, but also looking out for its greater well-being” (Hoffman 2007). As a result, the IGDA has been criticized for its unwillingness to act aggressively against exploitative practices and diverting energy from other forms of labor solidarity (Kazemi 2013).

The Quality of Life Movement

The discourse on developers’ working conditions came to the fore in 2004 due to a series of events, which, considered collectively, inaugurated the Quality of Life (QoL) movement in the game industry. In April 2004, the IGDA published the white paper, “Quality of Life in the Games Industry: Challenges and Best Practices,” which was featured at the preeminent Game Developers Conference (GDC) (GDC Vault 2004). Co-author Gregory Abrenio remarked that the report was written by a newly formed QoL Committee to recognize the costs of poor quality of life for developers and the industry. The report shone a light on core employment challenges and became a touchstone for game industry reflections on working conditions and for academics turning to the study of digital labor.

In November 2004, a blog written under the moniker “EA Spouse” by the fiancé of a developer at Electronic Arts (EA) took the industry by storm. EA Spouse’s account of working conditions at EA eloquently and candidly brought the issues of the QoL report to life. Over 4,500 comments flooded the post with similar accounts. The story spread across the game and mainstream press and inspired early academic accounts of game labor (e.g., Dyer-Witheford and de Peuter 2006; Pettica-Harris, Weststar and McKenna 2015). “EA Spouse” was a watershed moment in raising awareness about exploitative working conditions in the games industry and is

also an early example of the power of social media to spark change-oriented discourse. EA Spouse, later revealed to be developer Erin Hoffman, became a high-profile spokesperson for QoL. Hoffman created a now-defunct website, “Game Watch,” to collect stories from developers with the intent to leverage them against studios and foster peer-based self-regulation.

Fuelling the QoL fire, developers filed a number of class action suits between 2004 and 2006 against prominent studios for unpaid overtime. Two suits were against EA. One, led by Jaime Kirschenbaum on behalf of game designers, settled for \$15.6 million, and another, led by Leander Hasty (at the time, the fiancé of Hoffman and subject of the EA Spouse letter) on behalf of programmers, settled for \$14.9 million (Surette 2006). Similar suits were launched against Sony Entertainment, which settled for \$8.5 million, Viveni, and Activision. The EA suit resulted in the reclassification of many developers to be eligible for overtime provisions under California law. However, an unforeseen effect was that EA relocated portions of its business to Florida and Canada, where overtime laws remained more permissive.

In 2009, the IGDA conducted a second QoL survey, which had an expanded set of questions, including, notably, questions about developers’ propensity to vote for a union. Rather than flow from a strategic mandate of the IGDA, these union-related questions were proposed by us, as labor relations scholars advising on the project. This IGDA survey provided the first data showing game developers’ positive attitude toward unionization (Legault and Weststar 2012). The QoL survey, more recently renamed the “Developer Satisfaction Survey,” was conducted in partnership with us between 2014 and 2017. The resultant reports continually highlighted employment challenges (Legault and Weststar 2015; Weststar and Legault 2015a) as well as gender- and, to a lesser extent, ethnicity-based inequities (Weststar, O’Meara, Gosse and Legault 2017). In 2014, the survey questions about unionization were retained and, once again, the

survey results showed support for unionization; 48% would vote for a union at their studio and 64% supported a form of sector-based unionization (Tô, Legault and Weststar 2016). In 2015, our talk, “Do Game Developers Want a Union?” (Weststar and Legault 2015b), was accepted to the GDC, and we were invited to deliver a “Unions 101” presentation at the second-largest game developer conference, the Montreal International Games Summit, in November 2018. Such panels reflect the growing institutional legitimacy of discussing unionization as a potential solution to workplace problems in the digital games industry.

Exposés of Working Conditions

EA Spouse set the stage for further whistleblowing about studio employment practices. A spate of exposés kept the QoL discourse alive and sometimes resulted in workplace changes. In January 2010, “Rockstar Spouse” posted on the premiere game industry online magazine, *Gamasutra*, decrying the working environment at Rockstar San Diego during the development of the game *Red Dead Redemption*. The story went viral and the IGDA issued a public statement to the studio about “appropriate” balance in working hours. Around the same time, a story broke regarding extended, uncompensated “crunch” time and poor management practices at Australian Team Bondi, the studio making *LA Noire*. A series of tweets led to local and international coverage as well as two investigative journalism pieces. The IGDA was said to be investigating the allegations, but no further action was publicly reported. Following the release of *LA Noire*, the game’s publisher, Rockstar, cut ties with Team Bondi, in a perceived effort to distance themselves from the studio.¹

In a now established genre, embittered “38 Studios Spouse” posted a *Gamasutra* blog in 2012. She chronicled the story of moving her family across the US for her husband’s new job. Five months later, however, the studio declared bankruptcy. Many developers at 38 Studios

claimed that they had been kept in the dark, had gone without pay or benefits for weeks, and never recouped their losses. The story received considerable press due to the high public profile of 38 Studios' founder, pro-baseball star Curt Shilling, and the state monies used to attract the company to Rhode Island in the first place. In another investigative account, the studio Trendy Entertainment came under fire in 2013 for excessive "crunch" and gender discrimination in hiring and compensation on *Dungeon Defenders II*. The IGDA condemned the practices and a follow-up piece reported that internal changes had been made. And most recently, an investigative account was published on August 7, 2018 about sexist culture at Riot Games. On August 29, Riot posted an open letter to their website about the steps they will take to initiate cultural change. As these examples show, journalists, workers, and fans seem increasingly inclined to call studios out for perceived poor practices and studios seem increasingly inclined to respond to them.

Union Efforts

In perhaps the first direct collective action in support of unionizing, Ubisoft France developers experimented with union forms and created the anonymous "virtual" union, "Ubifree," in December 1998. Their website described negative working conditions and called on Ubisoft employees around the world to join Ubifree. This initiative, launched in the early days of the Web, generated a wealth of supportive messages. A few months into the Ubifree campaign, Ubisoft France announced some workplace improvements, such as including an employee representative on some internal committees, and Ubifree disbanded. There was an attempt to revive the Ubifree concept in Canada in September 2010, with a few posts to a website announcing "Ubifree 2.0: The Other Side of Ubisoft Montreal," but it gained no traction.

Some Swedish game developers are represented through sector-wide unions and union confederations. Unionen, a private sector white-collar union, said they have about 200 game-developer members and noted that a few other Swedish unions likely have some developers among their members (e.g., a Swedish engineers' union). In most instances, however, Swedish game companies do not negotiate directly with unions and they lack specific collective bargaining agreements for their workplaces. An exception is EA Digital Illusions CE (DICE), which was pressured into entering a direct bargaining agreement with Unionen in 2004 following bad press about firings and attempts to eliminate the nominal union committee in place under the broad sectoral agreement for white collar workers (ETUI n.d.; Fridén 2013).

In May 2011, the French studio Eden Games held a one-day, symbolic “strike” in protest against their parent company, Atari, for perceived mismanagement and lack of transparency in the face of restructuring and layoffs. Eden demanded a meaningful voice in the restructuring plan and fair compensation. One year later, Atari began a divesture process and Eden was liquidated in January 2013. However, Eden employees went on to resurrect the studio as an independent company.

Awareness of another option for workplace representation rose in 2015 when the German trade union Ver.di accused Goodgame Studios of dismissing employees for attempting to form a “works council.” In Germany, works councils are firm-level institutions that give legal voice to employees. They often complement unions by helping to tailor national agreements to local conditions. Goodgame countered the allegations, indicating that they supported employees’ right to form a works council or another representative body. It appears that a subset of the employee group was engaged in developing an alternative to a works council, which Goodgame felt was more suited to the studio’s work conditions. Developers ultimately voted to reject the works

council advocated by Ver.di, and Goodgame announced that the studio-supported employee group would address workplace matters.

In North America, concerted attention was paid to unions in 2016-17 when video game voice actors represented by SAG-AFTRA (Screen Actors Guild-American Federation of Television and Radio Artists) struck prominent US studios for eleven months. Key issues were vocal stress and rights to secondary compensation. The strike garnered considerable media attention and prompted discussions about the rights of voice actors as compared to those of other game industry workers. The race-to-the-bottom argument—"Developers don't get residuals, so why should voice actors?"—was challenged and debated on social media.

Union efforts have since escalated. First, in November 2017, a game developers' union formed again in France, the Syndicat des Travailleurs et Travailleuses du Jeu Vidéo (STJV), stating:

Up until now, there existed no structure to allow workers of the video games industry to express themselves publicly and collectively. In such a situation, only the point of view of a small fringe of the industry (for example editors or employers) could be heard by society and the government. Also, associating inside a union facilitated access to help and information, enabling us to defend and improve our working conditions. (STJV 2018)

These newly unionized developers did not delay in exercising their rights; STJV members went on strike at Eugen Systems in February 2018. Although they engaged in mediated talks with the employer, the workers ended their strike in April, saying they would "conserve [their] resources for the future," adding, "this novel social movement reinforced us in the idea that it was not in vain, and that we were right to fight for our rights."

Second, the announcement of a union-focused roundtable at the 2018 GDC, chaired by IGDA Executive Director Jen MacLean, galvanized a group that had already been discussing industry unionization online. Descending upon the GDC with its pro-union campaign, this group, Game Workers Unite (GWU), dominated the roundtable and were bolstered by the union representatives from IATSE (International Alliance of Theatrical Stage Employees). A GWU spokesperson framed the roundtable as the first step in a long campaign. In addition to GWU International, there are ten local GWU chapters, including in Brazil, Canada, the UK, Germany and the STJV in France. GWU convened a panel at the developer conference PAX Dev in August 2018, “The Case for Unionizing the Game Industry,” and is actively working on additional interventions. In December, 2018 the UK chapter became a legal trade union as a semi-autonomous branch of the existing Independent Workers’ Union of Great Britain (IWGB).

Gender Equity Struggles

Alongside mobilizations around poor working conditions, members of the game community have mobilized against sexism in the industry. Whereas the EA Spouse blog was the spark of the “quality of life” movement, the 2012 Kickstarter campaign of Anita Sarkeesian was a trigger for sexism. Sarkeesian’s project to critically examine the depiction of women in digital games made her the target of a prolonged online campaign of misogynistic abuse. While academics had long been writing about gender and video games, support groups like Women in Games International (WIGI) existed, and female developers and gamers certainly knew the challenges of being a woman in this male-dominated industry, Sarkeesian’s treatment publicly exposed the virulent underbelly of sexism in game culture. The floodgates opened, with articles, blogs, and testimonials about games and sexism proliferating on the internet and WIG topics gaining prominence at industry events and conferences.

Emerging from this context, a series of Twitter hashtags built WIG awareness and community through 2012-13. “#1ReasonWhy” went viral after female game developers responded to a male developer’s tweet, “Why are there so few lady game creators?”, with a deluge of accounts of sexist and inequitable treatment. “#1ReasonToBe” quickly followed, with female game developers engaging in supportive dialogue and celebrating the incentives to work in games. And “#1ReasonMentors” began to connect women developers, while the now-defunct website 1reasonwhy.net was established to profile the work of women in games. “#1ReasonToBe” became a standing session at the GDC.

Sexism in the games industry intensified and darkened with #GamerGate, a hashtag used by individuals directing sexist and misogynistic abuse at prominent female game developers, journalists, and academics. #GamerGate became the locus of debate about gender equality and inclusion in the industry, giving rise to some direct action. For instance, in October 2014 #GamerGate followers successfully pressured Intel to pull its ads from *Gamasutra*. Gamergaters were angered by a *Gamasutra* article by Leigh Alexander criticizing gamer culture. Intel issued a statement that they were not taking sides in “an increasingly bitter debate in the gaming community” and that they “believe men and women should be treated the same” (Good 2014). Faced with mounting pressure not to be seen as sexist, Intel reinstated its advertisements in *Gamasutra* in November 2014 and in January 2015 announced a \$300 million fund to improve the diversity of the Intel workforce and support WIG efforts. A partnership with the IGDA Foundation created the “Intel Scholars” program, which sent twenty-nine aspiring women developers to GDC 2015. The working conditions of women have become a key rallying issue and, as illustrated by the case of Riot Games noted above, it is increasingly difficult for the game industry to turn a blind eye to gender equity struggles.

Requirements of Sustained Collective Action

We revisit Kelly's (1998) mobilization theory, which we summarized in our introduction, in light of the events presented above. We can conclude that game developers have demonstrated raised consciousness of themselves as workers and about the specific challenges they face as workers. Conversations about developers' poor working conditions and about the negative experiences of women in the industry—and about the intersection of these dynamics—are occurring with greater frequency, vigor, and engagement. These discussions have played out across social media and at in-person industry events (i.e., conference sessions and the GWU actions) and increasingly acknowledge affinity with cognate groups (e.g., voice actors). The IGDA has inserted itself in the debates about game labor conditions, albeit carefully, and, over time, this professional association has developed a consistent stance against "crunch" and the lack of diversity in the industry. Explicitly pro-union bodies, such as STJV and GWU, have recently emerged and engaged in direct action. And, partly in response to the QoL movement of 2004-06, digital game labor studies has emerged as an interdisciplinary academic subfield. Based on the developments, campaigns, and actions documented by our research, we would argue that the employment problems of the game industry have been increasingly reframed as collective and systemic issues rather than as the experiences of individual workers who are not strong enough to "cut it," or the isolated, anomalous behavior of individual studios. In these ways, Kelly's first determinant of collective mobilization—that individual challenges must be reframed as injustices against the collective by a ruling group—has been achieved in the game industry.

Significant progress has also been made on the second determinant—the capacity of the organizational structure and the strength of social networks—due to the industry's technology-rich, networked organization. Game workers are highly connected and information is easily

disseminated within their communities. Events that bring game workers together are also common, both in terms of large national or international events (e.g., GDC, MIGS, PAX) and local interest groups (e.g., IGDA chapters, indie meet-ups, emerging GWU locals). And perhaps most importantly, the industry relies heavily on social networks for recruitment, training, and professional development. In short, there is ample organizational capacity for mobilization.

Achieving these two conditions of mobilization through the actions identified above, game workers have brought change to their industry. However, these interventions remain localized and disjointed, and where changes have been instituted, these are often involuntary on the part of the studios, stemming from a class action ruling, public shaming and peer pressure, or community pressure from institutional bodies such as the IGDA. Yet, changes they remain. For instance, we have documented consistent improvement in working time in the game industry over the past fifteen years (Legault and Weststar 2015).

With regard to Kelly's third determinant, leadership, we argue that the game industry is at a significant juncture. In the past, figureheads have emerged at flashpoints—Hoffmann and Sarkeesian, for example—but their leadership has been confined to single issues, has not grown beyond advocacy, and has failed to unite game workers, locally, nationally, or internationally, under the banner of a common collective vision or way forward. The first Ubifree “union” existed on very narrow grounds. Organizations with a degree of institutional structure, longevity, and reach such as the IGDA remain conservative in their advocacy efforts, maintain a precarious balance of loyalty to both employers and developers, and reject the notion that they are a representative labor body akin to a union. In Sweden, where game developers are members of unions, the unions negotiate with diverse employer associations across a sector (i.e., white-collar workers) on issues typically related to minimum standards (ETUI, n.d.). There is limited

attention to specific game industry issues. However, a new set of leaders may be emerging in the form of the founders of the STJV and GWU. If these groups can continue to build leadership and organizational capacity within the ranks of developers, and with the support of established unions (like the GWU UK case), they could become lasting institutions. It is necessary, however, for these groups to achieve some definitive wins in the short- to medium-term, or they likely risk fizzling out. Such a loss of momentum could be deleterious to game workers, many of whom could interpret the failure of these organizations as closing the book on the appropriateness or feasibility of unions in their industry.

On Kelly's last determinant, the legal systems for international unionization do not exist, and systems which support the Wagnerian enterprise-based model would entail a long road to unionizing the industry one studio at a time. Here is where the GWU may benefit the most from building connections with established sectoral unions, such as IATSE or SAG-AFTRA, if those bodies were to expend political and organizing resources to achieve a sectoral solution. The inclusion of GWU UK as a semi-autonomous branch within the IWGB is an important example. In the case of the STJV, the legal organizing model is more permissive to minority unions in the context of France, or individual voluntary membership in sectoral unions and confederations, such as those that exist in Sweden. In these environments, it is easier to get an immediate foothold and legal union status, though representations to employers are arguably weak until a majority of workers are represented.

Conclusion

The history of individual and collective resistance in the game industry is rich and nuanced. While our account does not attend in detail to the specificities of each event or action, our chronology shows how mobilization among games workers occurs over time, how it flags

grievances, and how it is influenced by numerous factors. With repeated attention, and the continued poor behavior of employers in regard to salient concerns, workers come to internalize and own a sense of injustice, which ultimately can lead to labor mobilization. The case of game developers also shows how forms of collective action continuously emerge to suit the requirements of the time, the issue, the workers involved, and social and technological affordances. From individual acts of resistance written into secret code to legal action, media attention, peer pressure, advocacy groups, and labor unions, game developers, like many others in the creative and cultural industries, are engaged in active experimentation to find the form of collective action that will best address their circumstances.

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Endnotes

¹ Rockstar's poor reputation for working conditions was recently reinforced when co-founder and head writer Dan Houser's off-hand comment to *New York Magazine* about "100-hour weeks" in the making of *Red Dead Redemption 2* sparked heavy media scrutiny (Goldberg 2018).