



BECTU

a sector of Prospect



STANDING UP

FOR
YOUR
SELF

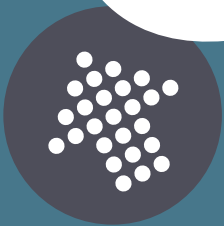
FOR
EACH
OTHER




Freelancers protect yourself
Negotiating your terms

Get involved in BECTU
Agreements that protect you

Dignity at work
Ending bullying and harassment



Standing up for yourself – and for each other

 Many of BECTU's members in TV and film production value the freedom and the flexibility of freelance working. They tell me how much they love their industry, whether it's making feature films, TV dramas, entertainment, factual or commercials. They take pride in the craft.

Meanwhile, employers tell BECTU their crew know "the door is open and no-one has anything to fear by raising concerns or questioning decisions".

However, crew members perceive things very differently. They are more likely to talk to BECTU about their fears for themselves and their industry. They say that an industry dominated by freelance workers – where someone can be hired or fired at very short notice (usually with no legal redress) – doesn't reward people who challenge poor decisions or unhealthy working practices.

"BECTU will be stepping up its campaign in the coming months for industry-wide action to guarantee dignity at work for all"

The long hours working culture is driving people out, while the industry struggles to find good crew. It's dangerous for crew members who have to drive home after 13+ hour days. It damages health, ruins family life and deters women and people from low-income backgrounds from coming into the industry. This kind of scheduling could be avoided, or planned more safely – but people are afraid to challenge it. We have to call this out for what it is – a structural climate of bullying.

BECTU's success depends on our members knowing their concerns are raised in a way that doesn't endanger their livelihoods and makes the industry listen.

Members need the confidence to be assertive about their own terms and conditions – knowing how to strike a fair bargain on their rates, breaks, hours, etc.

When they are bullied at work, they need to know how to deal with it – how to challenge it when they see it happening to others, and how to prevent it.

That means colleagues sticking together and everyone's voice being heard. It means being represented by people who do the same kind of work, and knowing their union continues to press employers to create, and improve on, agreed working practices.

Industries without established norms are more likely to foster bullying behaviour and abuses of power. By negotiating agreements, and encouraging members to take a joined-up approach to negotiating deals, we can help them protect themselves by protecting each other.

We welcome the article on pages 8-9 from BAFTA and the BFI setting out key principles for employers and employees in the screen industries, and recognising BECTU's crucial role in getting to this point. We are glad that theatre employers are also on board.

BECTU will be stepping up its campaign for industry-wide action in the coming months to prevent and tackle harassment, bullying and abuses of power and ensure a safer, more inclusive environment that guarantees dignity at work for all.

Freelancing is exciting. It's also tough. BECTU's strength depends on what our members can achieve by sticking together. Our full-time officers will support you and your colleagues so we can continue to grow in strength and numbers.

If you're not yet a member, help achieve that change by joining us today at www.bectu.org.uk/join and if you are a member, get involved!

Philippa Childs, Head of BECTU

STANDING UP

AGREEMENTS THAT PROTECT YOU

Most of the UK's TV, major motion picture and commercials sector is governed by formal legally-binding agreements or "agreed industry norms". Most have been formally negotiated by BECTU – and we regularly revisit them to seek improvements.

They set standards around things like:

- the length of the working day – and when paid/unpaid breaks are taken
- overtime payments – when they're paid and at what rate
- night-work rates and minimum breaks between shifts
- penalty payments for missed or shortened breaks
- travel terms, daily allowances, cancellations, mileage etc
- rights to access union representation, help and advice.

Individual BECTU craft branches – for example, Camera, Hair and Makeup, Art Department etc – also have their own policies that urge members not to accept anything below particular minimum terms.

BECTU only has agreements in areas where crew can present a united front and defend their terms robustly. The union offers help and advice to members on how to be better at "sticking together".

Negotiated agreements achieve genuine improvements to working practices – including:

- getting rid of the "buy out" (ie unlimited unpaid overtime) in many sectors
- reducing the length of the working day from 10 hours to 7.5 hours (in the BECTU-PACT Construction Agreement).

Contact your BECTU branch if we can help you and your colleagues. The union offers training, advice and resources to reps and a framework for fixing the union's policies, and for negotiations with employers

See "Getting active", pages 6-7

WHO NEGOTIATES THEM?

BECTU's agreements are negotiated by lay representatives – ordinary members, elected by their branches.

Between 2014-2017, a dedicated group of reps negotiated hard with the TV Drama employers (the latter led by PACT). BECTU achieved a landmark agreement that now applies to all independent TV Drama shot in the UK.

Similarly, in 2017, the union broke the long deadlock with employers on agreeing terms for crews working on Major Motion Pictures (above £30m budget), bringing pressure to get the employers to the table. The result was a framework agreement for Major Motion Pictures covering eight key questions raised by the union.

In both cases, ballots of members endorsed the agreements by overwhelming majorities. BECTU also has agreement from the employers to revisit these agreements regularly to firm up grey areas and address abuses.

These two new agreements join a list of existing deals in the production sector. Each one only happened because BECTU members were prepared to stick together behind minimum terms.

Members maintaining a united front enabled the union to negotiate from a position of strength and achieve good terms.

BECTU provides training to members on how to develop the skills needed to be an effective negotiator. We owe the quality of our agreements to the dedication of these negotiators.

Getting people to stick together isn't easy. Our reps consult and represent members and sometimes need to make compromises to get other things back

We owe the quality of our agreements to the dedication of our BECTU negotiating reps, who are ordinary members elected by their branches, and we thank them

Individual BECTU craft branches like Camera have their own policies on minimum terms members should accept

BECTU AGREEMENTS THAT HELP FREELANCERS

- **PACT-BECTU UK Independent TV Drama Agreement** (all budgets)
- **PACT-BECTU UK Major Motion Picture Agreement** (budgets above £30m)
- **PACT-BECTU UK Construction Crew Agreement** (including agreed rates)
- **PACT-BECTU UK FAA (Film Artistes Association) Agreement** (including agreed rates)
- **BECTU-BBC Series & Serials & BECTU-BBC Continuing Drama agreements** (including agreed rates)

BECTU also works constructively in commercials with 4creative and the Advertising Producers Association (APA) on their recommended terms for engaging crew (including rates).


More information: <http://bit.ly/bectu-agree> (you may need to log in as a member)



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Holiday pay entitlements form an important part of any negotiated agreement



RAISING THE BAR FOR PERSONAL TERMS AND CONDITIONS

 BECTU's collective agreements strongly influence the working "norms" affecting individuals in the production sector. These documents lay down a benchmark – even for those not covered by them.

The union advises each member to establish a standard set of terms and conditions that reflect the value you bring - to match the needs of an industry that relies on a sustainable supply of skilled and motivated freelance workers.

For example, your personal T&Cs should specify:

- that **you are entitled to holiday pay** at a minimum rate of 12.07% – employers should make clear what you will get - both including and excluding holiday pay
- what **breaks**, and the amount of **compensation you are entitled to when you miss a break**. Good work can't be done without adequate rest breaks. Get advice from your branch reps or full-time officials on "**time off the clock**" (compensatory rest for crew asked to work without a full 11-hour break between shifts) and "**rest break penalty payments**" (when agreed breaks in the working day are missed, delayed or shortened)
- that **late payment is not acceptable** and you will always apply legally enforceable late payment interest and collection fees
- that the "**day-rate**" is the **minimum fee** – for example, in this sector employers generally cannot find crew willing to work five hours for only five times the hourly rate. Production crew can usually only work for one employer on any given day
- that you have **fair cancellation terms** which recognise that once you accept one job, you have to turn down other offers
- treatment of other issues such as **payment for travel days, night work, travel** and (for drivers) **mileage**

"Our industry is dominated by freelance working. That's why freelance crew need a strong voice in agreeing the general terms that they work under. We must stick together and be rule-makers, not rule-takers"

– Paul Evans, assistant national secretary

charges, accommodation, catering and "**box money**" or **kit hire** when employers are also hiring equipment

- most vital, the length of the working day, **when payment at the "overtime" rate starts** – and how it is calculated.

BECTU members can view these agreements, access branch-recommended rate-cards, and contact full-time officials or fellow branch members and reps for detailed guidance. We urge every branch to share advice on the minimum terms that members should accept.



Do you drive to and from work on top of a 55hr+ working week in the film and TV industry?

Did you know...



...drowsy driving leads to 100,000 police-reported crashes each year?

...77% of BECTU survey recipients have felt unsafe at work, or travelling to and from work, because of tiredness?

...1/5 of accidents on motorways and other monotonous types of roads may be caused by drivers falling asleep at the wheel?



#eyeshalfshut

.....
Road accidents happen when people are too tired from working long hours without proper breaks

GET PAID!

⬆ Unless you are working under an established sector agreement (eg BECTU/PACT agreement, the FAA agreement or the APA terms for commercials), the terms and conditions of your work will be determined by what you have agreed with the employer, and nothing else (apart from the law!).

A verbal contract is a contract in the strictest legal sense, but you should get something in writing – ideally an agreement outlining your standard terms and conditions.

It's best to email your T&Cs to the employer and ask them to read and confirm by email that they are happy with them. This makes them quite a bit more enforceable. The more you have in writing, the better.

Late payment law helps!

If an employer doesn't pay you within 60 days (30 for a "public body"), you can invoice them for a late payment "debt recovery costs" fee along with an interest payment. Details of how this works are on this government website:

<http://bit.ly/gov-late>

Ask First

BECTU's "Ask First" system usually speeds up late payers, who hate to get a reputation for this. That's why BECTU's branches instructed the union to publish details of companies who haven't met their obligation to our members.

If your payment is late, you can contact BECTU head office to ask for a "Monies Owed Form". BECTU can then write to the employer, and if they still don't pay, or fail to provide a legitimate reason, we will publish their details in *Stage Screen and Radio*, BECTU's industry magazine for members.

Last but not least

If it looks too good to be true, it probably is. So do ask around if you're considering working for a small employer that is not well known. Make sure that they are who they say they are. A quick Companies House check and a few discreet enquires can help you avoid disappointment later on.



MARK DIMMOCK



Time to take back control

Opinion by Paul Evans,
BECTU assistant national secretary

⬆ Do you have a document that would tell a prospective employer about how you value your time and efforts? It could make a big difference to your working life.

Where there isn't a relevant BECTU agreement, everyone needs a clear idea about issues like hours, breaks, limits to how many hours you are expected to do (and penalties if the employer asks for more on the day).

On page four here, we outline the things that you need in your own personal contract. You need to be clear about other issues, too. What happens if you are expected to supply kit? Who is responsible for any losses, damage or injury you may suffer on this job? What if you cause damage or injure yourself while there?

These questions are often just a matter of specifying who will be providing the relevant insurance. BECTU's low-cost Public Liability Insurance helps with this – see <http://bit.ly/bectu-pli>


Everyone should have a clear set of personal terms to send to every employer on request. Different parts of the industry have their own "norms" and your ability to hold out for yours will be stronger if you work with colleagues to agree standards for a personal contract.

You can base yours on the advice in this booklet and the relevant published BECTU agreements – or ask your BECTU branch to publish a set of recommended personal terms on the BECTU website.

If you have a good model personal contract why not send it to your BECTU branch and ask fellow members to consult on an agreed document that you, and your colleagues, can stick together on?



LEADING YOUR COLLEAGUES TO A BETTER WORKING LIFE

 Everything BECTU does is driven by the formal democratic structures of the union's branches. Our freelance branches are looking for active members to join in the campaigning and policy work that is already making a difference across our industry.

Each branch is led by elected volunteers from the many parts of the audio-visual production industry. These representatives, chosen by members, meet formally to discuss problems in the industry and liaise with other branches to improve rates and working conditions.

Because BECTU makes some decisions on controversial issues where members might differ, it is vital that the branch has elected reps who members trust to consult colleagues and who help to reach a workable consensus.

Reps are elected at your branch annual general meeting, and any member can seek a nomination. If you have a few hours to spare each month, are good at listening and can help convey the views of other branch members, then it's worth considering putting yourself forward.

In some cases, branches will elect dedicated reps for specific agreements that the union is negotiating. Above all, we can achieve a good deal by sticking together.

How much time does it require?


We recognise the challenge of balancing union work against other commitments, particularly in the industry our members work in. At a minimum, BECTU asks each branch to meet for couple of hours one evening every few months, sometimes using a range of free or cheap video/phone conference tools.

Instead of face-to-face meetings, branch reps who make themselves available to members on email/social media/chat can often develop a real grasp of what can be achieved by sticking together.

Members with more time can get involved in activities such as writing articles on branch websites, designing leaflets, holding member gatherings, etc.

With a range of new agreements, BECTU is currently achieving a lot, and the next few years will be critical as we broaden our efforts and push for fairer treatment for all crew.

STICKING TOGETHER THE BECTU WAY

 BECTU has dozens of freelance branches, both at a national and local level. Many are "craft" branches, ie restricted to members of a particular department, like the London Production Division's Camera branch.

If most members don't agree with the "description of the problem" that the branch is working on, any attempt to stick together to resolve it is bound to fail. It's the same with branch activities.

That's why BECTU has established branch structures designed to promote meaningful and inclusive discussions.

A good democratic branch shouldn't only be driven by the opinions of the most active minority. Full-time BECTU officials will always advise branch committees on how they can ensure that all members are fairly represented – including those who can't attend meetings or actively take part in discussions.

Collective action has to be designed and it needs leadership. The practical experience and established BECTU structures have been proven to succeed. Branches are encouraged to work with each other. Many branches also have their own manifesto, guidance on what terms to seek, and rate-cards for members to stick to when pursuing better wages.

Branch reps who make themselves available to members on email/social media/chat can often develop a real grasp of what can be achieved by sticking together




BECTU offers training for reps as well as vocational courses with preferential rates for members – see www.bectu.org.uk/training-development
Left, a new course on black and minority ethnic hair and make-up for professional artists held in 2017

Increasingly, branches are experimenting with video, teleconferencing and a range of online forums to involve members more effectively.

Remember, BECTU is a union, not a service. Most things we achieve happen because members help each other. BECTU contributes the resources, structures and expertise to enable this to happen and to do it well.

BECTU BRANCHES SHAPING YOUR INDUSTRY

 BECTU's most active members care about the future of their industry. We are interested in sticking together to achieve better terms and conditions, or rates, but we also care about making the industry a sustainable one for the future.

The UK film and TV industries will grow and prosper as long as the focus is on being a "race to the top" in terms of the craft skills of film making. BECTU doesn't just want its members to get a fairer share of the pie. We want the pie to grow – based on the UK's reputation for being the world's leading-edge destination for production work.

For this reason, BECTU branches work hard to fill gaps left by the industry's management. The union's SFX and Riggers branches each run grading schemes that recognise skills and prioritise safety.

The Assistant Directors branch is working to establish a similar scheme. The VFX branch is working to address the problem of women leaving the industry early – worsening the UK skills shortage.

Our two post production branches, and the Writers, Producers and Directors, each organise their own day-long events designed to help members network and learn new skills. Many other branches have similar initiatives.

Every worker has the right to a voice in their own industry. Good branch organisation allows BECTU members to exercise that right.



Branch chair

"A good branch chair needs to be able to commit and to feel passionately that change can happen through everyone's involvement, and to ensure members and non-members feel welcomed and heard.

"It is important to delegate jobs, however small, as shared responsibilities and good communication are key to a successful branch. A chair also maintains an overall knowledge of what is happening both within the branch and more widely, to keep everyone informed as well as continuing the branch's involvement in wider issues."

Charlotte Sewell – Costume & Wardrobe branch



Branch secretary

"A branch secretary's job is to make sure things get done, and to be the point of contact for the members. I find out what people want on the meeting agenda, circulate it beforehand and send the minutes after, so everyone can have a say in what we discuss, and what is important to them.

"I am a conduit for communication – for both BECTU and branch members – and help encourage them to get involved, sharing relevant information and following up on action required.

"An effective branch secretary will really improve the representation, information and communication that your colleagues get."

Harriet Lawrence – Locations branch




Negotiating rep

"I'm one of the people who represent the lighting technicians at meetings with the TV Drama employers. Union agreements are impossible unless the reps in the room have some recognised flexibility to negotiate – after all, it's about give-and-take if we want the best outcome.


"It's important that I have a good idea about what the concerns of members are, and my role is to act as a representative – not a delegate. You can do this as long as you are talking to a wide range of members and if you have built up a bit of personal trust among your colleagues."

Mark Thornton – Lighting Tech branch

BECTU COMMITTEES

 Alongside BECTU's branch structure and core campaigning on pay and other terms and conditions, the union works with different groups of members to represent their interests. There are BECTU committees for Black Members, Women's Equality, Disabled Members, LGBT+, Young Members and Training.


BRANCH WEBSITES

 Many branches in the London Production Division – for example Animation & New Media, Camera Department and Costume & Wardrobe – have their own websites or Facebook pages. See <http://bit.ly/bectu-lpd> (member log-in required).



One of the 2018 Freelancers' Fair workshops, organised by the BECTU Writers Producers and Directors branch

RE-SETTING THE TONE: THE BULLYING AND HARASSMENT GUIDANCE AND PRINCIPLES

 Here BAFTA and the BFI outline groundbreaking new principles and zero-tolerance guidance they have developed with organisations across the film, television and games industries and in co-operation with BECTU.

Last year saw a watershed moment with a swathe of allegations that shocked the industry with their scale and gravity.

These allegations instigated a long-overdue conversation, and it was clear that the industry needed to respond in a meaningful way.

The BFI and BAFTA joined forces and led a consultation with leading industry bodies and also those working at the coal face.

We quickly realised that people needed more knowledge and better tools to tackle such behaviour and so we decided to work with the conciliation service ACAS to support our ambitions to drive culture change across the screen sectors.

Through the consultation, it quickly became clear that we needed specific guidance to address the particular working environments in the industry and the added complexity of a largely freelance industry.

We felt that a framework was needed – and crucially training. We continued to work across the industry to provide some written guidance with details about what bullying and harassment is with real examples.

We recommend that at least two people of different genders are identified on all call sheets and that they should be trained to respond to reports when they arise.

“Our partners at BECTU were pivotal in our thinking and continue to work with us to champion these issues on the ground”



This is built into BFI funding agreements along with the requirement that the principles below are published and highlighted at the start of any production.

We worked with our friends at the Film and TV charity, who also launched a 24/7 support line in April 2018 – **0800 054 0000**. It is published on all BFI production call sheets, but we want that to spread to all UK productions.

The guidance and training are only the start of the journey. If we want to instigate a true cultural change, we need to ensure that all productions have a proper process for dealing with reports of bullying and harassment and that those working in the industry come to expect this from their employers. We will continue to work with our 40+ partners to embed these changes.

Our partners at BECTU were pivotal in our thinking and continue to work with us to champion these issues on the ground.

The full guidance is available on the BFI website and – whilst there is no substitute for reading the guidance in full – here is what we hope is a helpful summary, listing things to do differently for both employers and workers.

FOR EMPLOYERS

- know the law and your responsibilities
- write a policy and commit to the principles publicly on your website for all prospective employees to see
- ensure there are at least two people named on every call sheet who have been trained to deal with reports
- at the start of every production communicate your policy on bullying and harassment be clear what kind of behaviour you will not tolerate
- respect confidentiality, and reassure the person raising the concern that reporting will not disadvantage them.

FOR WORKERS

- know your rights and what a proper process looks like – be it informal or formal
- if you feel able to – ask prospective employers if they have a procedure in place
- don't be a bystander
- report bullying and harassment if you experience it or witness it – although we recognise that this is sometimes easier said than done
- use the support line and share the number – **0800 054 0000**.

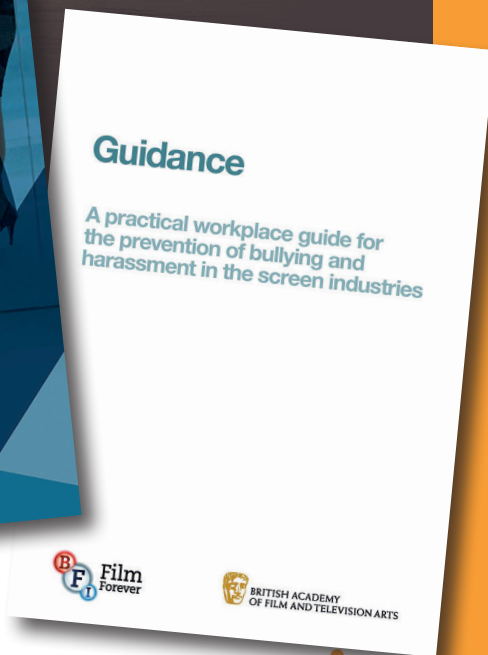


Bullying and harassment have no place in our industries.

These principles aim to eradicate such abuse. They can also help employers meet legal requirements and offer a shared vision to promote and maintain a safer, more inclusive workplace environment for everyone working within the screen industries. All employers, employees, officers, workers, agency workers, trainees, volunteers, trustees and freelancers should adhere to the following principles:

“We will respect each other’s dignity, regardless of the seniority of our role in an organisation”

- everyone is responsible for creating and maintaining an inclusive workplace that is positive and supportive
- we recognise that harassment may be unlawful under the Equality Act 2010
- those of us who are employers accept our responsibilities under the Health and Safety at Work Act 1974
- we do not tolerate bullying and harassment, including sexual harassment, and will ensure that processes are in place for the reporting and investigation of these serious issues
- we recognise that bullying and harassment can have significant adverse impacts on the productivity, long-term health and well-being of affected people and we will work to eradicate it. This will mean providing adequate protection for complainants and victims, and, where bullying or harassment is found to have occurred, taking appropriate action against bullies or harassers
- we value inclusivity, appreciate difference, welcome learning from others, and consider people equal without prejudice or favour. We build relationships based on mutual respect. We will all work to give and receive feedback in a constructive way, which we know will improve creativity and productivity
- we understand that reporting bullying or harassment can be intimidating. We will respect confidentiality where possible and aim to make the process of reporting clear and straightforward. If anyone comes forward to report behaviour which might amount to bullying or harassment, we will endeavour to investigate objectively. Individuals who have made complaints of bullying and harassment or participate in good faith in any investigation should not suffer any form of reprisal or victimisation as a result
- we will respect each other’s dignity, regardless of the seniority of our role in an organisation.



MORE INFO

Film and TV Charity support line

Free phone: **0800 054 00 00**

Online chat: filmtvcharity.org.uk

Email: support@filmtvcharity.org.uk

BAFTA and BFI bullying and harassment guidance:

bit.ly/BAFTA-BFI-guidance

Prospect/BECTU's workplace guide to dealing with sexual harassment:

bit.ly/BECTU-BHguide

UNDERSTAND THE AGREEMENTS

↑ If you are working under one of the BECTU agreements, it is important that you understand your rights. In most cases, these agreements include penalty payments that you are due if you:

- are asked to work overtime
- don't get a full 11-hour break between day shifts
- have to work during a lunch break
- have a delayed lunch break
- are working a long week (six or seven days).

The agreements define the length of the working day and how it is affected if the day has no breaks, or only a short one. When you work through your lunch, it is either a "continuous working day" (which is shorter) or the standard day will end early and overtime payments will become due earlier.

You can read about the agreements on the BECTU website at <http://bit.ly/bectu-agree> (you may need to log in as a member).

It is also worth talking to colleagues in your branches about these. BECTU full-time officials are happy to attend meetings to explain specific agreements in more detail and

briefings are often available through your branches.

Please get involved in your branch – understand your agreements and get involved in deciding how we want to improve them. That's the real meaning of sticking together.

To retain talented women, the whole industry - unions and employers - needs to rethink the way that careers work in this industry

SUCCESSFUL INDUSTRIES LISTEN TO THEIR WORKERS

↑ The British film and TV industries are expanding as never before. This is a tribute to the high and sustainable level of skills in the industry – both of which are threatened by the industry's short-termist approach to cost-saving on productions.

BECTU branches have developed strategies that promote:

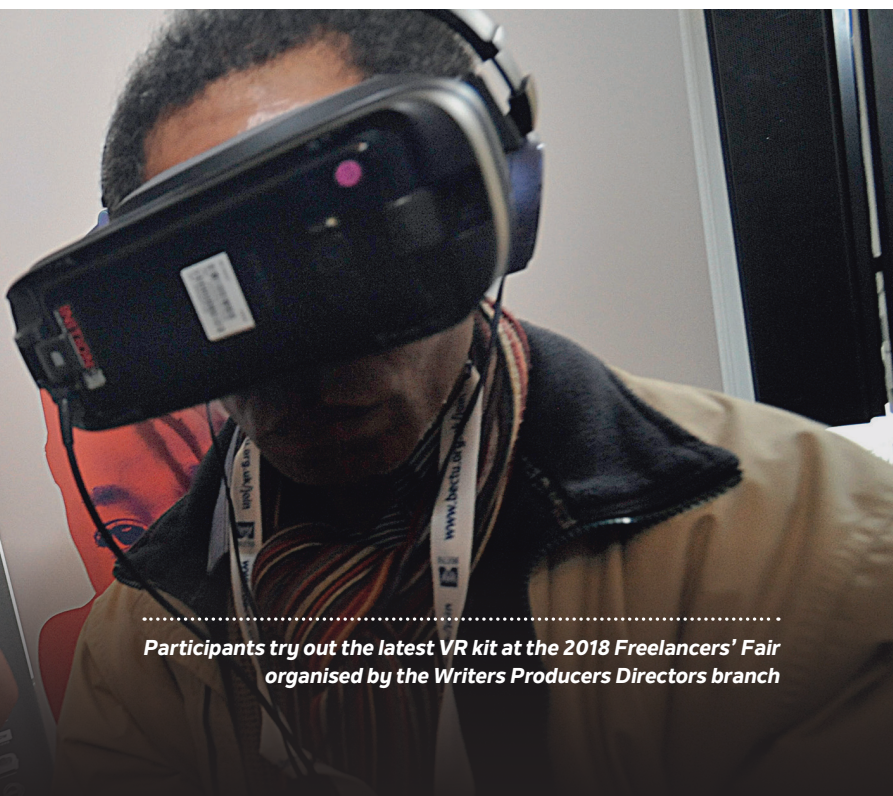
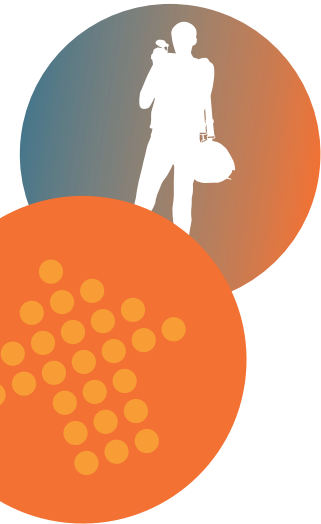
- **recruitment of people with vital skills** by removing industry barriers and improving access to people from all backgrounds. Employers who rely on freelance skills also need to consider sufficient training and development structures
- **retention of skilled crew** – again through promoting training and also through more family-friendly working practices
- **higher quality and productivity standards** through demands for better, fairer management.

BE INCLUSIVE

↑ Retention, along with the development of skills, is the key to the success of the British film and TV industries. To achieve this, these industries need to be attractive, accessible and inclusive places to work.

Attractive industries give their workers a voice and see it as an investment. This argument is widely accepted in the most successful sectors of Europe's economies, but the UK has always been behind the curve.

For this reason, BECTU works with its members to ensure that our freelance branches are inclusive, consultative and coherent channels, where everyone's voice is heard. In this way we support crew to bring about achievable changes to the industry.



Participants try out the latest VR kit at the 2018 Freelancers' Fair organised by the Writers Producers Directors branch

END THE LONG-HOURS CULTURE: #EyesHalfShut

 #EyesHalfShut is BECTU's campaign for productions to decrease working hours to improve productivity, safety and work-life balance in the film and TV industries. The union is calling on the UK's entertainment industry union to work with us to establish a commission on the counterproductive long hours culture. For information, news and resources visit www.bectu.org.uk/eyes-half-shut

Ford Motor Company spent 12 years studying productivity. Their results found that...

...workers on a 60 hour week...

...were more productive for the first three to four weeks, compared to workers on a steady 40 hour week,

BUT...

AFTER FOUR WEEKS...

...they were only as productive as someone working a 40 hour week.

AND AFTER EIGHT WEEKS...


...they had actually become less productive than workers on a 40 hour week!

OVER THE COURSE OF EIGHT WEEKS...

...someone working a 60 hour week had produced no more than someone working 40 hours.

 BECTU
a union of Peoples



#eyeshalfshut



Staying at work when I am not always needed does nothing to aid my creativity, yet I do it because it's the norm.

My wife said to me the other day, 'I feel like a single parent'. That is the saddest thing she has ever said to me"

Assistant art director


#eyeshalfshut



Safeguarding freelancers in precarious work

Opinion by Spencer MacDonald, BECTU national secretary

MARCDIMMOCK

 Perhaps the most common feature of BECTU negotiations is trust (on both sides). Employers often consider themselves to be reasonable people who wouldn't endanger the professional future of crew members raising legitimate concerns.

When we ask employers about long-hours working, safety, overtime, breaks, or rates of pay, the reply is always: "Everybody knows that my door is always open if they have concerns."

This will often happen at meetings which I have invited highly respected and senior members of crew to attend. In some cases they have refused to come along for fear that putting their heads above the parapet will endanger their career.

I'm not saying that most managers who work in production are bad people – but I know for certain that many people working in this industry have been afraid to raise very real concerns. This is a failure of an industry that has not listened to the crew or addressed this issue of trust in the past.

This is why it is essential that we have as many collectively negotiated agreements as possible. They achieve two things. Negotiations promote more honesty, which is crucial if you want a more open dialogue about the problems. They also build a better relationship, a personal connection to a shared problem.

However, BECTU members still need the option to be able to raise concerns in an anonymised and general way. For this reason any information provided to the union will be kept confidential unless you have given consent for it to be used.



NEGOTIATING THE BEST DEAL FOR YOURSELF



BECTU asked **Sara Putt**, one of London's leading crew agents, for some tips on negotiating your rate

How should I prepare for an offer of work?

Firstly, have a template – a clear list of things you know you want – in advance. This is the tick-list of things you need to cover off and discuss in the conversation.

If you are working to a BECTU/Pact agreement or Advertising Producers' Association (APA) terms, then a lot of these questions should be answered in a deal memo. Things like:

- job title and what you will be credited as
- daily rate (including 6th and 7th day rates)
- dates expected to work (prep, shoot and post)
- number of days a week/hours a day
- are the days "continuous" or are there breaks?
- equipment/laptop/software/box money
- vehicle terms (Mileage? Receipted fuel? Van hire?)
- travel, accommodation and "per diems" (where catering or evening meals aren't provided)
- notice period
- payment terms (7 days? 14 days? etc).

Also, know what the consensus is among people in the "department" you work in. Is parity expected with other departments? (For example, if you are boom op in sound department, are you getting parity with a focus puller?)

Secondly, you need some kind of ready-reckoner chart – based on an hourly rate, with overtime multipliers and terms for missed breaks and "broken turnaround" (where you have to return to work within 11 hours of knocking off).

How do I take control of the conversation?

Firstly, think about timing. Make sure you are not in the car/pushing a baby buggy/bungee jumping. Ask if you can call back shortly when you are in a quiet place with a notepad/laptop to hand.

Once you are ready, always ask the employer to lay out the terms if you can, rather than having to give a quote. Listen to the offer carefully. Make notes. Ask the questions based on your checklist and then reflect back to them what your understanding is.

"So you're asking me to do a ten-hour day for £220 – there will be a one hour unpaid meal break, and any work

done outside of that will be paid at the overtime rate?"

If there are things you don't understand, ask for an explanation. Ask for the conversation to be slowed down to your pace. Ask for terms to be repeated and clarified where you aren't 100% clear.

Note: Forcing people into hurried, unclear negotiations is a well-established tactic that some employers will use if they are allowed to.

During questioning, ask if there are parities across departments. Find out if you are being treated fairly (eg trainees should generally be paid the same across departments, with a few notable expectations).

How do I get the offer improved?

Firstly, you don't have to accept the offer there and then – even if it's OK. If you are broadly interested, say so and say you will call back shortly to confirm once you've checked your availability (it always helps for employers to understand that you are juggling other offers).

At this point, you may want to phone a few colleagues – do a bit of discreet research to help you find out if this is the best rate you can get. When you do call or email back, you may want to accept conditionally, eg: "You've offered me £220 per day – the BECTU ratecard is £235 per day and I'm trying to stick to that. If that's OK, please send me a deal memo and I can sign it."

Any other tips?

If you don't value yourself, why expect anyone else to value you? Everyone who survives in this industry has done so by turning down work from time to time. If the potential employer is not prepared to value you, is it the kind of production you want to work on in the first place?

Sara Putt is one of the UK's leading crew agents. See www.saraputt.co.uk

"You don't have to accept the offer there and then – even if it's OK"

STANDING UP

Standing up for yourself and for each other

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