The Rate for the Job

This month's Trireme Award – for "the worst terms since I was last chained to the oars" – goes to OpenDemocracy.org for offering £0. "No expenses. Not taxed at source;" the member reporting the rate announces, perhaps with a touch of sarcasm. Of course OpenDemocracy is a Good Cause: but so was the Huffington Post, built on the backs of unpaid bloggers: see below.

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Virtual picket line

When America Online bought the online publication the Huffington Post for $315 million, a lot of its (mostly unpaid) contributors thought “hang on”. As the US National Writers Union, which represents freelances, put it back in February, “AOL buys Huffington Post – can you spell B-A-C-K-P-A-Y?” A very possibly significant move followed on 16 March, when the US Newspaper Guild, which represents only staff journalists, joined in the call for an oh-no-this-is-not-a-strike, Your Honor. Links to background at www.londonfreelance.org/fl/1040aol.html

Where is all that work going to?

Just how much freelance work is disappearing? Adam Christie of the NUJ’s Freelance Industrial Council is compiling a short report on this phenomenon, as an update to similar reports he has compiled, which have been cited by the NUJ widely in the continuing campaign against cutbacks in the media industry. The union already has a good idea about how and where rates are being cut; we need to know about what is no longer being commissioned, whether in the media industry or elsewhere. Sources will remain confidential, and titles or outlets if you say so. Knowing which groups are cutting or have cut the most commissioned work is helpful, though.

Let us know about any freelance work that you know has disappeared in the last few months – by 27 May, in time for the information to go to the NUJ National Executive Council meeting in that month. Send data by email to freelanceoffice@nuj.org.uk with “Disappearing freelance work” in the subject line.

And where is the work going to? Are media outlets hiring more staffers to do the work in-house instead? Are they giving existing staffers a bigger workload instead of giving the work to freelances? Are they using content from agencies more? Or are they just cutting pages and producing shorter publications, or updating digital media less often? Please let us know if you can.

KEEPING RIGHTS from p1

"What shall I do?" the new freelance asked colleagues. "Any chance of getting out of under it?"

Oh yes, came the reply from several (not ancient) veterans of contractual crapola.

One pointed out that, regardless, the company couldn’t pay when the work had fulfilled the commission and been published. QED, it’s the law, etc.

Another reported he’d had the contract for his first piece of IPC work, had discussed it with the commissioning editor (who hadn’t mentioned it when agreeing brief and fee) and was amiably advised “cross out and initial everything you don’t agree with, sign it and send it".

He returned the document, almost black with deletions, and the company has subsequently paid for all work without further ado.

A third said she took a more direct route: “When IPC asked me to surrender my rights, my children and the equity in my house, I emailed as follows:

Dear XXXX, Thanks for sending over the enclosed contract. I’ve returned it unsigned because I don’t sell all rights in my work. However, I am willing to issue IPC a licence to use the work in the magazine for the agreed fee. If you want other usages I’m happy to discuss it. The terms on the attached document were not made clear to me when I was commissioned, and as the work has now been submitted and published, these terms cannot legally form part of the contract. I will require the agreed payment to be made without signing the enclosed document. Please contact me if you have any queries.”

The company paid up. And when the new freelance borrowed much of the wording and the politely assertive tone of third freelance’s letter to IPC, the mag pronounced themselves “happy” to ignore the contract and pay up.

There’s no science on this, but freelance discussion suggests a substantial majority of freelance journalists – writers, photographers and others – are retaining copyright in the substantial majority of work. Keep at it and you’re in good and numerous company.

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• See the guide to the essentials of copyright at www.londonfreelance.org/c-basics.html