

# How to organise against a rights-grab

**WHAT CAN journalists do when confronted by the sort of "all rights and your firstborn" contract described overleaf? Negotiate individually, certainly, but collective action is stronger!**

• Contact the NUJ, tell them what's happening and discuss the way forward. This will probably involve at least some of the following:

• Contact other freelances you know who work for the client/company involved, NUJ members or not, and ask for help in doing what comes next. Check if it's clear whether the contract has gone to both writers and photographers. Form a steering committee of the willing and set up a committee joint email.

• Compile a list of freelances who might be affected.

• Set up an email network to contact this longer list and involve them in open discussion.

• In your first message, state the problems of the contract as pithily as you can, with emphasis on the practical effects first, high principles second.

• Ask for questions to help with the collective struggle to understand the legal terms used. Any terms that are

uncertain can be explained by the union.

• Ask for views on what might be done as a group.

• Stress that the contract must be rejected by each freelance. If you do not respond and continue to provide work then you may be deemed to have accepted the contract.

• Give people the option as to whether they wish to remain on the list.

• Put together a letter/email signed by as many freelances as possible rejecting the contract. This should state the reasons for rejecting the contract and ask for a meeting to discuss the issues. Occasional or just feasible contributors should be included.

• If the company agrees to a meeting elect reps to attend.

• Call a meeting of freelances, if practicable, for brainstorming and possible decision-making. It is always advisable to elect a committee at a meeting – if that's not possible the committee could be extended by volunteering or voting in email.

• Follow this with a mass mailback of the contracts with everything unacceptable deleted. As an option,

you could put together your own version of the contract and send it to the company.

• If the company has an NUJ Chapel (workplace-based unit of organisation) invite the Mother of Chapel or Father of Chapel (its head) to the meeting. If that's not possible, try to arrange for committee members to meet them informally to discuss the problems, what support if any the staff can give, and to establish that any freelance action, such as refusing to sign the contracts, isn't directed at them but at the company's policy.

• Contact other freelances and other freelance networks for support.

• If talks are refused or break down, consider using publicity (media columns, mags, radio and blogs). Remember that the press will see freelance resistance as a story, and you will have to decide early on how to deal with this.

• If there is support at this point, organise a day of action.

• Throughout, stay in touch via the network or by issuing bulletins. Keep the staff updated on what's happening and sustain freelance discussion and democracy via the network.

**NUJ Freelance Office**

## Free money for writers

Membership of ALCS – the Authors' Licensing and Collecting Society is now free to NUJ members, who no longer have to pay the ALCS lifetime fee of £25. ALCS distributes money to text authors for re-uses such as photocopying in university libraries. Annual payouts approaching four figures are not unusual for LFB members who have signed up to ALCS. For more on how to sign up and claim for your published works, see [www.londonfreelance.org/fl/1103alcs.html](http://www.londonfreelance.org/fl/1103alcs.html)

## Write to your MP on late payments

THE NUJ asks you to write to your MP about UK implementation of the recent EU Directive on late payments. This enforces payment within 30 days, but crucially allows this to be "extended by contract" to 60 days, which effectively means our clients can still coerce us into agreeing to wait two months for payment. Please let the template below inspire your letter, remembering that a number of letters whose authors have clearly expressed their own thoughts creates more of an impression than yet another cut-and-paste.

Dear ----- MP,

I write to register my concerns about Directive 2011/7/EU "on combating late payment in commercial transactions", which has serious implications for small businesses. As a freelance journalist, one of thousands in the United Kingdom, I operate as a sole trader. Prompt payment is crucial to my business and to those of my colleagues.

Although the Directive continues the current default payment period of 30 days, this can be extended by contract to 60 days. There will even be circumstances in which the parties can agree to payment periods of longer than 60 days provided "this is not grossly unfair to the creditor".

Within the media industry pay-

ment upon publication is a common practice. This is not an issue if publication is prompt. Unfortunately, some publishers hold on to freelance work for many months before publishing, to the severe detriment of the freelance. This is not something agreed by the parties: usually it is a case of corporate bullying.

This already causes severe problems and we would like to see the practice outlawed.

A recent study has shown that 73 per cent of businesses have been paid late in the last 12 months. It is

difficult to believe that the leeway allowed by the new Directive will make much impact upon this state of affairs.

What I would suggest is this:

• That any company seeking an extension to 60 days should be required to demonstrate the necessity for such an agreement. Necessity should not just mean 'convenience'.

• That only one such extension should be permitted between any two parties in one calendar year.

Your constituent, -----

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