

# Freelance fightback

MUCH IS happening in the field of rights for freelances, sometimes known as “precarious workers”. This includes developments around couriers and delivery drivers who have been coerced into accepting “self-employed” status on piecemeal rates, lacking the benefits employee status brings, when they are employees in all but name.

NUJ President and LFB member Tim Dawson notes in his “President’s Platform” the recent victory by “self-employed” bike, motorbike and moped couriers at Deliveroo London ([www.londonfreelance.org/fl/1609prez.html](http://www.londonfreelance.org/fl/1609prez.html)).

The self-employed Deliveroo riders – organised as the couriers’ branch of the Independent Workers’ union of Great Britain (IWGB), fought off attempts by management to impose pay cuts and new zero-hours contracts. They successfully crowdfunded a strike fund to see them through the dispute. When management called in individual couriers to offer them each better terms, they stood their ground and held out for collective bargaining.

As we go to press, the threat of imposed new Deliveroo contracts is

off the table, in London at least, with industrial action suspended during a “trial” of new agreed arrangements. The dispute caused Her Majesty’s Government to “clarify” that self-employed workers can only be self-employed if HMRC says they can.

Delivery drivers at UberEats, also organised by the IWGB, held a one-day strike in August over changes to contract, piece-meal rates and “employment status.” And Business Secretary Margot James has now asked HMRC to investigate “arrangements” by Hermes, who engage “self-employed” couriers paid by the parcel for John Lewis deliveries. The *Guardian* reported that some Hermes couriers ended up earning less than minimum wage. Also, a crowdfunded Industrial Tribunal case brought by IWGB by bike couriers over their “false designation as self-employed” will be heard in November.

As also noted by Tim, the NUJ “has battled on behalf of precarious workers for over a century... The NUJ has been insisting on fair pay for freelances from the outset... that fight continues to this day... The NUJ’s approach recognises that the

vast majority of the self-employed are neither entrepreneurs nor business, but workers. They need union protection as much, if not more, than those with permanent contracts.”

In September the NUJ and Equity took a motion to the Trades Union Congress calling on the labour movement to commit itself to creating a better statutory backdrop for freelances. It was passed. The NUJ is also asking the International Labour Organization to adopt a convention covering the rights of freelances.

A possible special LFB event on genuinely freelance workers (freelance by choice), precarious workers and “false freelances” coerced into self-employed contracts is planned for March 2017, possibly to include workers in the IWGB union couriers’ branch. Guy Standing, an economist specialising in precarity, has been invited. Watch this space.

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A Deliveroo worker shows the contract two fingers

Photo © Tim Dawson

## Not working for free: precarity presentation

LONDON FREELANCE Branch members Richenda Power and David Wilkins attended the Fifth International Conference on Precarious Work and Vulnerable Workers at Middlesex University in June. Richenda presented, on behalf of LFB, “Freelance workers do not work ‘for free.’” She outlined the work of

LFB, as we see an increasing proportion of freelances within the Union (more than 40 per cent of total NUJ new member applications). David, who chaired one of the sessions, highlighted the pressures on today’s journalists, who are expected to be able to do absolutely everything. He provided an example of disability

discrimination: a training institution told him that he could no longer be a journalist if unable to create video or to use social media. (He is a journalist with visual and hearing difficulties.) The “Freelance workers do not work ‘for free.’” slideshow will be linked from [www.londonfreelance.org/fl/1609prec.html](http://www.londonfreelance.org/fl/1609prec.html)

## Work for older journo in India

The Indian newspaper *Hindustan Times* is planning to invite recently retired or senior journalists between jobs to work in New Delhi as desk journalists. Applicants should have online experience. The paper is seeking expressions of interest and CVs. Anyone interested should email its London-based editor, [Prasun.Sonwalkar@hindustantimes.com](mailto:Prasun.Sonwalkar@hindustantimes.com)

# We are an evil cartel, no?

“TO KNOW your enemy is to better your chances of eventual victory”, wrote Sun Tzu in *The Art Of War*. So an eyeball-to-eyeball encounter with one of the European Union’s competition tzars provided a rare chance to understand the frustrations placed in the way of unions working on behalf of freelance journalists and other creators.

My encounter came at the concluding conference of “The future of work in the media, arts and entertainment sector”, a two-year project to consider the challenges faced by our sector and organised by the European Federation of Journalists, the International Federation of Actors, the International Federation of Musicians and UNI, the “international” for media technicians’ unions.

Several member states have used

EU competition regulations to rule that freelances are micro-businesses whose unions’ attempts to regulate rates are anti-competitive and illegal.

Tobias P Maas works for “DG Competition” in the European Commission. He came to the conference to persuade a hundred or more disputatious trades union officials that their worries were groundless. “If cases do arise,” he suggested, it is easiest to resolve them in court.”

Irish senator, Ivana Bacik has introduced a Bill in the *Dáil* to make bargaining and information for freelances legal. She suggested that Maas was proposing a job creation scheme for lawyers. Was not DG Competition advising the Irish government on the amendments that they should insist on? And NUJ Assistant General Secretary Seamus Dooley told the con-



ference that: “court is open to all just as the Ritz hotel is – deep pockets are required”.

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• See all Tim’s Platform pieces in full at [www.londonfreelance.org/fl/1609prez.html](http://www.londonfreelance.org/fl/1609prez.html)

Senator Ivana Bacik  
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