

## Five things for producers to remember:

- 1) WE ARE ALL ON THE SAME TEAM:** Freelancers are your fellow Guild members. Together, professional freelance producers, reporters, researchers, camera people, and technicians work with staff colleagues to make quality CBC programming.
- 2) IT'S A LIVING:** Freelancers are media professionals – just like you – trying to make a living. Freelancers pay out of pocket for added overhead and employment expenses; they receive no benefits, nor payment in lieu. Consider their costs when negotiating a fair contract.
- 3) EQUAL PAY FOR EQUAL WORK:** Using freelancers as cheap labour undermines your job, and the jobs of all Guild members. Paying freelancers fairly ensures protection of staff jobs and garners the best programming from professional freelancers.
- 4) EVERY FREELANCE CONTRIBUTOR IS DIFFERENT:** When negotiating a contract, consider the freelancer's experience and expertise. A CBC staff reporter with five years experience would never work for a rookie's salary. Neither should you expect that of an experienced freelancer.
- 5) PAYING MINIMUMS IS NOT NEGOTIATING:** The CBC/CMG collective agreement states that commissioning producers, on behalf of the corporation, must negotiate with freelancers in good faith. If you've got the authority to hire freelancers, ensure you've got the authority to pay them fairly based on their experience and the unique requirements of each contribution. Be ready to advocate for your colleagues.



**Canadian Media Guild**  
**La Guilde canadienne des médias**

CWA/SCA CANADA

[www.cmg.ca](http://www.cmg.ca)

# We're on The Same Team

**A producer's guide to hiring  
CBC freelancers fairly**



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## Who is a CBC freelance contributor?

A CBC freelancer is a media professional who provides content, performs, or produces programming for the CBC. Freelancers work as independent producers, reporters, researchers, and technicians in radio, TV and online. A freelancer is not a regular employee and is not assigned hours of work.

## CBC freelance contributors are your colleagues

CBC freelancers are members of the Canadian Media Guild (CMG), and are protected under the CBC/CMG Collective Agreement. Freelancers pay union dues and are entitled to representation by the Guild in negotiations, grievances, and other matters associated with their work for CBC.

## Do CBC freelance contributors need a contract?

Yes! Before a freelancer begins work, you – as a commissioning producer – are responsible for negotiating and issuing a contract that stipulates the length, fee, authorized expenses, deadline, and subject of the work.

If you don't draw up the contract yourself, make sure you send an e-mail to the person who does, complete with the details of the assignment, and copy the freelancer.

Never ask a freelancer to do work without guaranteeing he or she will be paid for it. That's called asking someone to work on spec: it's not fair, and it's not allowed under the collective agreement.

## How much should a CBC freelance contributor be paid?

Freelancers should be paid fairly for their work. A freelance contributor must never be paid less than the minimum rates set out in Article 30 of the CBC/CMG collective agreement.

## Can a freelance contributor negotiate a higher fee?

Yes. Rates in the collective agreement represent minimums only. Producers must be prepared to negotiate in good faith and can agree to rates higher than the minimums. This is entirely normal, doesn't offend any established CBC principles and shouldn't negatively affect your relationship with the freelancer or your manager.

You should take into account:

- the freelancer's experience and expertise
- the freelancer's specialty and/or access to sources
- the time required to do the work
- the complexity of the work
- expenses incurred to do the work (overhead, travel, telephone, etc.)
- the deadline for the contribution (the tighter it is, the higher the fee)

Remember that freelancers pay out of pocket for overhead, recording equipment and media, telephones, editing software, computers and office supplies – all things the CBC provides to you as a staff employee. Freelancers also pay additional CPP premiums of nearly 5% that the CBC covers on your behalf. Freelancers receive no health, dental or pension benefits, nor payment in lieu, and are not protected by Employment Insurance. Consider these costs when negotiating a fair contract.

## When do I pay a "kill fee"?

Sometimes, through no fault of the freelancer, a project doesn't pan out. The freelancer is then entitled to no less than 20% of the full contract amount if the contract is cancelled before the work is complete. That is a minimum payment and the freelancer should be paid a kill fee that fairly reflects the work they have done.

If the freelancer has completed the work, and the Corporation decides for whatever reason not to use it, the freelancer must be paid 100% of the fee.

## Who holds the copyright to a freelance contribution?

The freelancer owns copyright in any material provided to the CBC. The CBC buys a license to use and reuse the contribution in whole or in part.

There are two types of licenses, and an opportunity for the CBC to purchase copyright. See Article 30 of the CBC/CMG Collective Agreement.

The freelancer may also wish to negotiate other terms that restrict or alter how CBC can or cannot use the freelancer's contribution. These terms should be included in the Additional Terms section of the standard contract form.

## I need help!

For further information and assistance in negotiating a fair contract, check out the Freelance Branch website at <http://www.cmg.ca/freelancebranchhome.asp>, or contact the Freelance Branch at [freelance@cmg.ca](mailto:freelance@cmg.ca) or call the Guild at 416-591-5333 or 1-800-465-4149.

### Paying freelance contributors poorly undermines YOUR job

It is in YOUR interest and the interest of all Guild members that freelancers be paid fairly. It ensures the CBC does not use freelancers simply as a source of cheap labour to replace staff jobs.