

Bectu coronavirus advice for production freelancers in TV, Film and Commercials



The TV, Film and Commercials industry relies on the goodwill of freelancers and now is a good time to ask for some flexibility from employers wherever possible.

HIATUS

If your production is put on a **hiatus**:

Many productions have been paying half pay or full pay for a specific set period of time. This is at productions' discretion but it is always worth asking your engagers if they will support you financially for as long as possible.

- Check your contract to see what the hiatus clause entails and what your potential entitlement is.
- Keep an open and positive dialogue/communication line going with your heads of department (HODs) and producing teams. The production might start up again soon and working relationships resumed.
- Keep safe and practice government guidelines while you're away from work. These can be seen in the Helpful Resources links below.

CANCELLATION

If your production is **cancelled**:

- If you are working under the *Bectu/Pact Major Motion Picture Agreement*, *BECTU/Pact TV Drama Agreement* or Bectu Construction Agreements and are engaged on weekly contracts, you will be entitled to one week's notice period. You will be paid in full for that 1 week even if you don't work during that week.
- If you are working on a commercial under the APA agreement you can see what your cancellation rights are in section 7 of the agreement which you can find here: <https://bectu.org.uk/get-involved/agreements-grading-schemes/>
- If you are on any other fixed-term contract, you have the statutory right to a minimum notice period of:
 - 1 week if you've worked continuously for at least 1 month
 - 1 week for each year you've worked, if you've worked continuously for 2 years or more
- These are the minimum periods. The contract may specify a longer notice period, so first read what your own contract says. Bectu advises members to request a longer notice payment wherever possible.
- If an employer ends a contract without giving the proper notice, you may be able to claim breach of contract.
- If you have a daily contract, unfortunately there are no current laws protecting you.
- Every contract is different so it's essential you read yours carefully to determine what compensation is available to you.

- If you haven't got a contract at all, or if you've been engaged via an agency, unfortunately you may only be paid for days worked (unless a cancellation fee was put forward and accepted by the engager before accepting the work). Please note that it is the industry norm for most crew (apart from 'Dailies') to be paid at least one week's notice and we urge members who don't have a contract to request this as a minimum.

UP AND COMING PENCILLED OR CONFIRMED WORK

If you have work that is due to start soon...

- Do not accept work without agreed cancellation fees with the engager.
- Bectu recommends the following cancellation fees in line with the organisation London Freelance:

1-7 days' notice	100%
8-14 days' notice	75%
15-21 days' notice	50%
22-28 days' notice	25%

WHAT IS BECTU DOING TO HELP?

- Representing members to the government and the industry. Working closely with industry stakeholders on:
 - BFI Screen Sector Task-Force (Covid-19),
 - British Film Councils Advisory Panel (deals with the economics of inward investment)
 - Greater London Authority Round Table: Supporting Freelancers During Coronavirus.
- Lobbying the Treasury to have adequate financial support in place for people who have lost income while working as freelancers or on other precarious work contracts (inc Zero Hours).
- Lobbying the Treasury to provide support for renters.
- Lobbying the Treasury to provide sickness/absence from work payments to freelancers as well as employees.
- Requesting deferment of the 31 July tax deadline, along with lobbying for tax rebates, and retrospective tax rebates for workers who have paid heavy tax bills in recent months. (Note the government has delayed IR35 changes for a year – see <http://bit.ly/IR35-delay>)
- Encouraging productions to recognise the unique vulnerability of workers on 'Daily' contracts and to provide the enhanced cancellation terms that are currently offered under Bectu's Construction Agreement
- Gathering info on what productions are doing to support their crews. Any information is valuable to us so please get in touch with Bectu if you know anything.
- Supporting and advising our members on an individual and crew basis.

This crisis has shown just how much the entertainment industries rely upon the goodwill of people who work on very precarious contracts of employment, whether they are freelancers, zero hour contract workers, or employees of companies that are, themselves, commercially vulnerable.

Bectu is working to develop a long-term response – a **“New Deal for Freelance and Precarious Workers”** to ensure that, in future, the working relationship is less one-sided than it has been shown to be in recent weeks.

This section was updated at 17.00 on Friday 20 March

HELPFUL RESOURCES

- **Contact Universal Credit** <http://bit.ly/gov-UC-corona> Anyone infected with the virus, or self-isolating, or looking after a child affected by it, is entitled to claim Employment and Support Allowance through Universal Credit. It's not much, and takes a long time to come through, but it's better than nothing.
- **Film and TV charity** <https://filmtvcharity.org.uk/>
- **Bectu Covid-19 website page** <https://bectu.org.uk/topic/covid-19-coronavirus/>
- **Bectu News Pages** <https://bectu.org.uk/news/>
- **Government website advice for corona virus** <http://bit.ly/gov-corona>
- **ACAS** <https://www.acas.org.uk/>

Bectu officials will be available to speak with you throughout this difficult period, so if you have any questions get in touch – **phone 020 7346 0900** or **email covid19@bectu.org.uk**