

ORGANISING FREELANCERS



How does your organisation work with organising and representing freelancers?

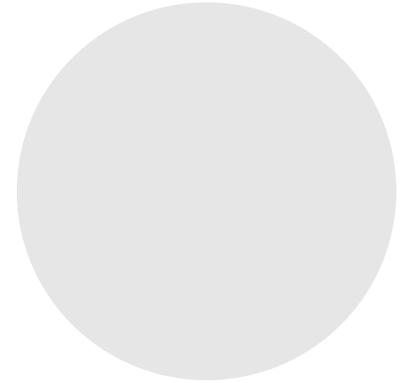
Are there any good examples of successful freelance organising that you would like to share?

What areas of improvement can you identify? What changes, if any, must unions make to represent freelancers in the future?



The Swedish Union of Journalists has approximately 15 000 members, working in all kinds of media. Of these, some 1 700 are freelancers – that is, roughly, 11 percent of the total membership.





Who is a freelancer?

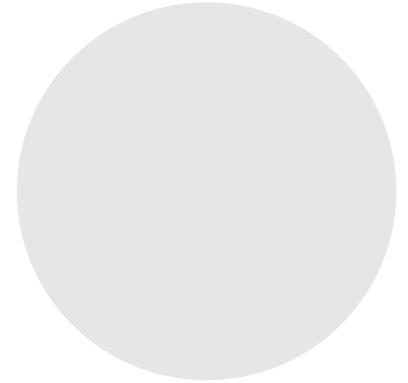
A freelancer is normally an independent, self-employed contractor. Many freelancers combine freelance work with short-term employment contracts. A small number of freelancers (“false freelancers”) work as more-or-less dependent contractors under conditions that should rightfully, under Swedish labour law, be classified as belonging to an ordinary employment contract.





The SUJ has organised freelancers since at least the 1960s. The freelancers have their own sub-section of the SUJ, with separate geographical branches.

The SUJ has a subsidiary company that provides services for its freelance members in their capacities as self-employed business owners. The union membership fee is thus partly VAT deductible.



Freelance services

- Freelance calculator.
- Recommended rates.
- Rates database.
- Model contracts.
- Legal services.
- Education and training.
- Advice on contracts.
- Advice on taxation and business matters.
- Insurances.
- Professional services.
- Networking.



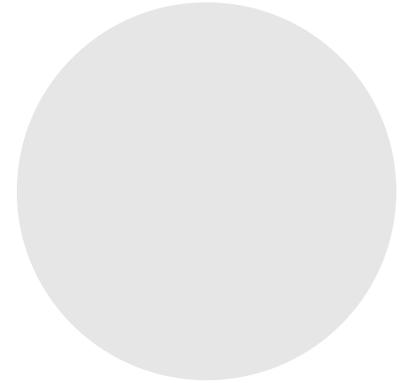
All in the same boat?

The relationship between freelance members and employed members within the SUJ has not always been an easy one

On the other hand, there are many, and many more, examples of manifest solidarity between the two groups.

Union branches representing employed members have on several occasions acted on behalf of freelance members. The





Collective bargaining?

Swedish labour law theoretically allows collective bargaining for economically and socially dependent contractors.

A mutually binding collective agreement for wholly independent contractors would likely breach competition laws on both national and European levels, at least as long it applies to more than one company.





Since the 1970s, there exists a “kind-of collective” agreement for freelance journalists.

This agreement applies only to members of the union and guarantees, among other things, a severance pay when contracts are terminated or substantially re-negotiated.

The agreement does, notably, not set any minimum rates, nor has it ever done so.

Collective action – case 1

Freelancers working for the TT News Agency have for a long time complained over low rates. A group of freelancers, working for the agency's features section, formed a network using a private Facebook groups. The group was made up of both union and non-union freelancers.

After having stated their claims both directly to the company and to the local union chapel, the group turned to the SUJ. The union offered to negotiate rates directly with the agency, hoping to achieve a general percental increase. The negotiations are ongoing but will most likely result in increased rates for several freelancers, though not for the entire collective.

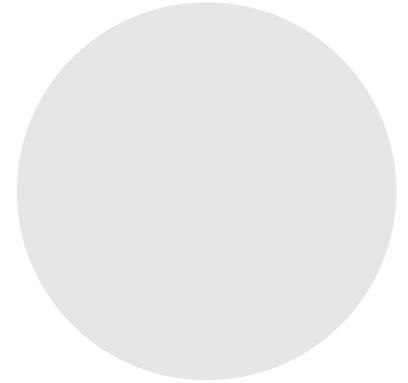


Collective action – case 2

When hiring outside contractors, Swedish employers are typically obliged by law enter union negotiations. The purpose of this is to allow the union to react if a contractor appears dishonest, or if a case of outsourcing risks undermining a collective agreement or other good labour practices.

The Swedish Radio company failed to properly negotiate the intake of freelance producers – and the union demanded damages. In a settlement negotiated with the NUJ, the company agreed to finance a recurring conference for freelancers and employees alike. In other cases, the union chapel at Swedish radio has used the traditional negotiation rules in the Swedish Employee Co-Determination Act to raise freelance rates.





Some conclusions

- Collective action may be necessary to achieve individual benefits – even when it doesn't result in a collective agreement.
- The union needs to take a liberal stance on representing non-members to achieve results that benefit members.
- Grassroots organising is key to any successful union negotiation.
- Successful organising demands honest communication – not wishful thinking.
- Traditional union action can be used creatively to benefit freelancers.





Individualisation is a reality –
but to maintain its relevance a
union always needs to entertain
the possibility of collective
action, in one form or another.

