

Know your rights as a freelancer

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Rights vs. risks

- Kinds of rights
 - Personal
 - Professional
 - State-protected
- Kinds of risks
 - Jerks, cheats and liars
 - Etc.

Limits to your rights

- It's critical to know that enforcing your rights can be very difficult. You often need access to resources: either legal or organizational, or power of some kind. So, while knowing your rights is important, you also need to balance what you know with your capacity, time and ability to have your rights respected.
- There are various ways to do this, so don't worry (as much!)

Limits to your rights

- Sometimes our rights are limited by our desire to:
 - Be seen
 - Be millionaires in Exposure Bucks
 - Do someone a favour
 - Kind of work that we do

- Or ... By systemic oppressive factors
 - ... Bad legislation (wages)

Enforcing your rights

The important thing is that your rights are identified in documents that you use to govern the relationship you're entering into.

- Contracts
- Verbal or informally written agreements (including email, notes from phone calls, etc.)
- Do not fuck around; keep good records
- Ask for help

Professional rights

- As defined by legislation
 - Employment standards
 - Anti-SLAPP
- As defined by practice or convention
 - Wages (per word or similar types of work)
 - Copyright ownership
- As defined by previous work
 - Whether or not with the same agency
- As defined by a contract/terms of work

Personal rights

- As defined by employment standards legislation
 - personal leave entitlements
 - EI
- Are you even a freelancer? Understand what RQ considers to be independent contractor vs. salaried employer.

Personal rights

- As defined by human rights legislation
- As defined by terms of service:
 - Pay
 - Kill fees
 - When payment is delivered (in parts or in whole, when)
 - Mode of payment
 - Change of project scope
 - Fair use / copyright

Personal Rights

- Rights to free expression and free speech
- I am not a lawyer
 - I am not a lawyer.
 - I am not a lawyer.
 - I am not a lawyer.
- I am not a lawyer.
 - I am not a lawyer.
 - I am not a lawyer.
 - I am not a lawyer.

Personal risks

- Kinds of risk:
 - Investigative reporting
 - Reporting at a rally
 - Reporting on a high security event
 - Interacting with state security forces in general
 - Personal risk based on identity
 - Personal risk based on the type of story
 - Racial profiling
 - Lawsuits

Some protections

- Access to a lawyer
- Clear liability language with your publisher
- General Liability Insurance
- Knowing what defamation is and how to avoid defaming someone!
- Media credentials
- Following instructions to report on high-security events (to whatever extent that might be possible)
- Tax filing and legal requirements (to be able to access parental leave, for example)
- Encryption/two-step verification, other e-safety tools

Enforcing your rights

- Clear contracts
- Organizational support – formal
 - Canadian Freelance Union
 - Quebec Federation of Writers
- Organizational support - informal
- Public shaming
- The Law

Managing your life and your projects

- Enforcing your rights requires you to get organized! Make sure that you're managing your life and your projects effectively.
 - One consistent contract vs. many different contracts (likely, a mix of both)
 - Managing expectations
 - Tracking payments and expenses (including receipts)
 - Helpful online tools

Pay attention!

- Be an engaged member of the freelancing world and listen to rumours
 - Examples:
- Check out potential suppliers online (do a Twitter and Google search) and see if there are any horror stories you should know about
- Know about how trends might impact you (Ontario closing local newspapers will limit your options to find work if that creates an exodus of writers)

Most important

- Fight for your rights

Nothing was given to journalists without fighting for it, defending it and winning it. Don't wait until you face a crisis to learn about defamation law or RQAP.

Resources:

- Revenue Quebec (especially to calculate how much to hold back for taxes)
- Educaloi: <https://www.educaloi.qc.ca/capsules/le-statut-du-travailleur-autonome>
- <https://pige.quebec/blog/categorie/guides>
- Parental leave guide: <https://pige.quebec/blog/conge-parental-guide-travailleurs-autonomes>
- Canadian Binders group (just for women-identified writers)
- Canadian Freelance Union: www.canadianfreelanceunion.ca
- Quebec Writers' Federation: <http://www.qwf.org/>
- Canadian Journalists for Free Expression
- Google / anti-google / Duck Duck Go etc.

Join the CFU!

- \$125 per year
- Access to help
- A network of freelancers across Canada
- Forums, a staff person, access to Unifor

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