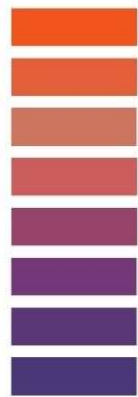




April 2024

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SURVEY REPORT:

A report on increasing work opportunities,
revising the minimum pay rates, working
conditions and standard contracts for Screen
Audio Workers in Aotearoa/ New Zealand

Part of the Turning up the Volume campaign

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Introduction

In November 2023, the Screen Music and Sound Guild of New Zealand conducted an international survey of Screen Audio Workers (production and post-production) in English-speaking countries, and received a total of 64 responses.

The survey results were compiled into [a comprehensive document](#), listing respondent comments, notes and recommendations. This information has been interpreted and refined here, for the purposes of this report. It is worth noting that some of the comments made by Screen Audio Workers apply more broadly to screen industry workers in general, and will also be included in a separate white paper report at a later date.

The survey questions related mostly to contracts, payments and working conditions for Screen Audio Workers, and asked for suggestions to create more positive and equitable working agreements, with greater transparency, in the industry.

The questions were phrased so that they related specifically to pay and working conditions of Screen Audio Workers in the last 12 months. Generally speaking, the findings from the survey indicated the following: Screen Audio Workers are mostly freelancers / self-employed, and work on a contract-to-contract basis, rather than being employed by studios as full-time, permanent workers.

Consequently, there is a significant disparity in the structure of work agreements in terms of contracts, pay and working conditions compared to other industries.

Freelancing does not afford Screen Audio Workers the same entitlements and job security that other industries enjoy. When events occur that significantly disrupt their work-life balance, freelancers are not well supported or protected; there are no sick or annual leave days, and their income is unreliable.



Survey data also indicates that many Screen Audio Workers experience burnout or elevated stress levels because of unregulated, pressurised, deadline-driven work environments.

When Screen Audio Workers work without contracts that ensure standard terms and conditions or minimum pay rates, it works to the production's advantage. Screen Audio Workers have no legal recourse if they:

- Work longer hours than are an agreed working day
- Are pressured to work through their breaks
- Get sick or can't work
- Find themselves in an employment dispute with soured working relationships.

Screen Audio Workers working contract-to-contract often struggle with career longevity; job security is not guaranteed and the unpaid effort involved in finding the next job can mean long stretches without reliable income.

The purpose of this report is to show that by instituting standard collective contracts with updated minimum rates and conditions, Screen Audio Workers will benefit from happier, healthier and more stable working situations.

This will result in improved career longevity, a more experienced workforce, and increased crew capacity, which will ultimately support the goals of New Zealand's international production attraction strategy. This is of considerable value to the domestic economy.

SMSGNZ has a role to play not only with regards to minimum rate recommendations for Screen Audio Workers, but also in lobbying the Government for minimum standards for health and safety protections and working conditions that are protected by law.



Production vs post-production workers

While there are more commonalities than differences when it comes to the working situations of screen audio production workers and screen audio post-production workers (the reason this survey was sent to both groups), there are some important distinctions, especially relating to several of the questions that were asked in the survey.

Sound Post-Production Workers have:

- A different type and level of pressure because of delivery timelines. Their contribution comes closer to the conclusion of a production, with less schedule and budget flexibility to help them reach their targets
- A different type and level of pressure because they are the ones who 'fix it in post' on tight deadlines. They bear the weight of responsibility for fixing mistakes and making the final product sound professional, regardless of any budget or schedule overruns that may have occurred up to that point
- More flexibility to deal with personal circumstances i.e. child care, aged care, disability etc because they are not on set
- Greater ability to work from home
- Are more able to accommodate Covid and sick days.

Production Workers have:

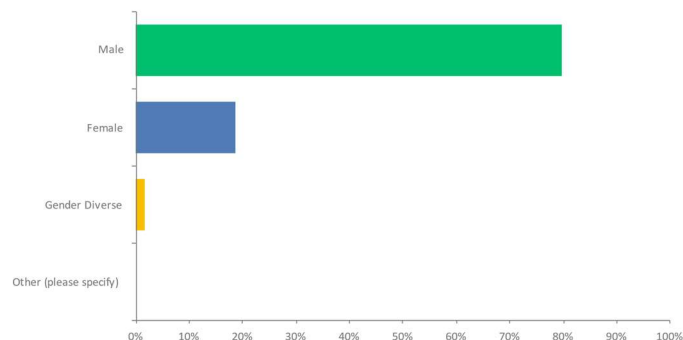
- Difficult physical challenges on set – particularly boom operators who need to have special considerations for long periods of time standing while holding equipment above their heads
- Potential health and safety issues driving to and from set with early starts and late finishes, especially on days requiring overtime.

Demographics - overview

It is notable that the male to female ratio among respondents was 79% Male, 18% Female, with 2% identifying as gender diverse, making this unquestionably a male-dominated area of the industry.

Q1: Are you

Answered: 64 Skipped: 0

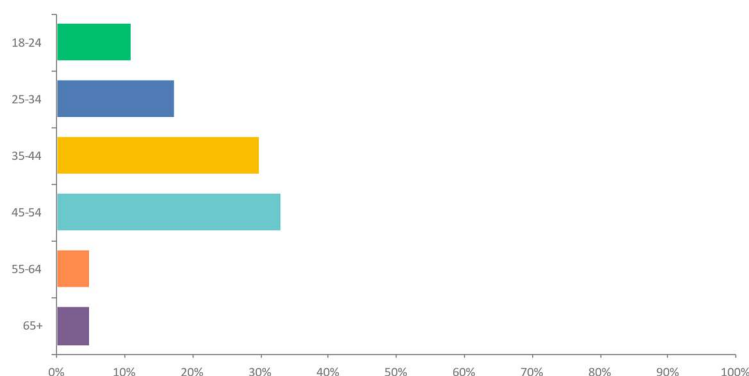


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Respondents varied in age across the 18-65+ range, with most Screen Audio Workers in the 35 – 44 and 45 - 54 age brackets.

Q2: Which age bracket are you in?

Answered: 64 Skipped: 0

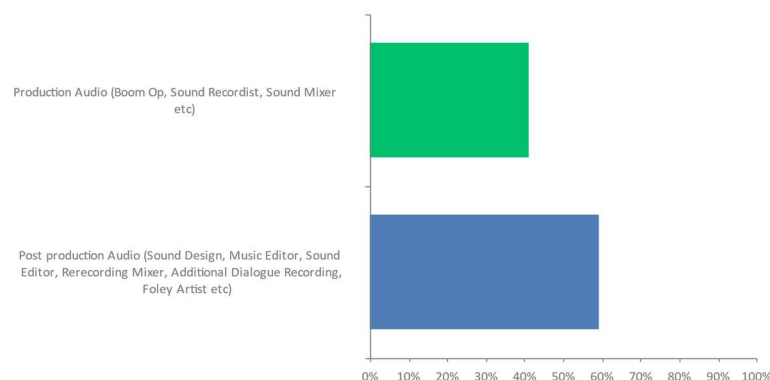


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The majority of respondents to this survey (59%) identified post-production sound as their main source of income, as opposed to production roles (41%), with some noting that they work across both areas. In the comments, some respondents also noted that they broaden their income by teaching as well.

Q3: Which area is your primary source of income?

Answered: 61 Skipped: 3

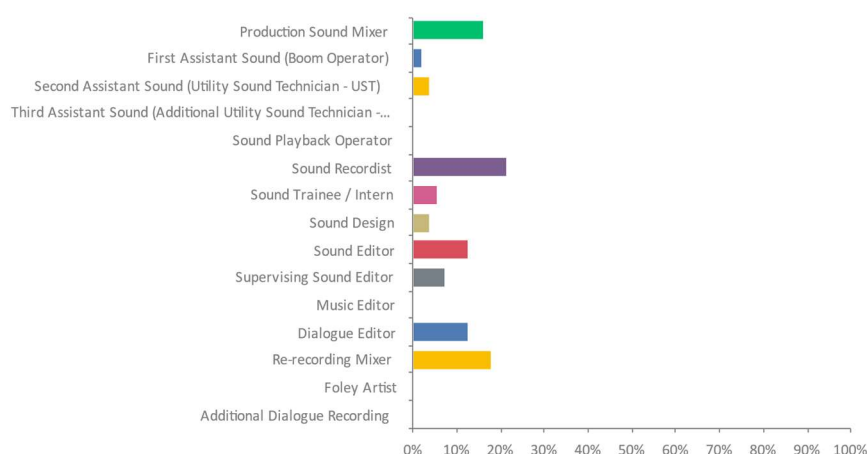


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The variation of the work respondents consider to be their main role can be found below.

Q4: What is the job title for your main role?

Answered: 57 Skipped: 7



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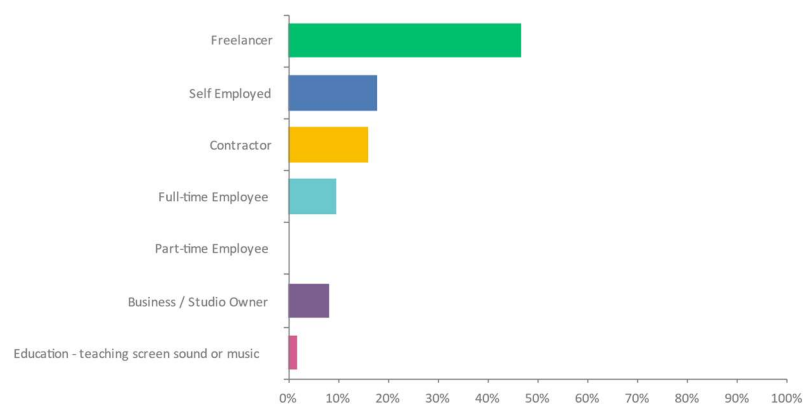
Some respondents noted that they also had ‘Senior’ or ‘Assistant’ or ‘Junior’ in front of their titles, indicating different levels of experience, therefore varied pay grades.

Other titles included: Sound Engineer, Head of Audio, Audio Director, Audio Post Engineer.

The majority of respondents were freelancers / self-employed / contractors (90%).

Q5: What BEST describes your working situation for your main role?

Answered: 62 Skipped: 2

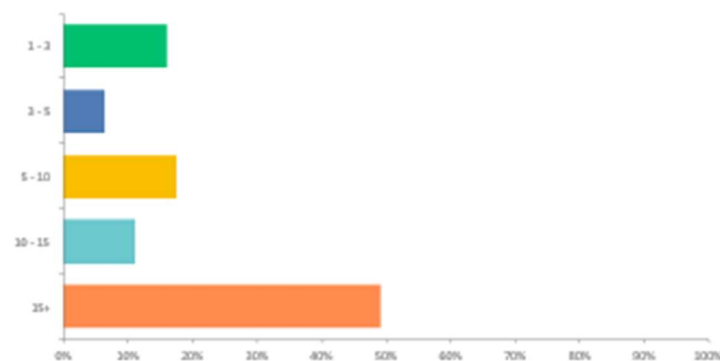


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The majority of respondents had worked in the industry for 15+ years (49%), with 77% considering themselves as experienced rather than beginner or intermediate level.

Q6: How many years have you worked in the Screen Audio sector?

Answered: 63 Skipped: 1



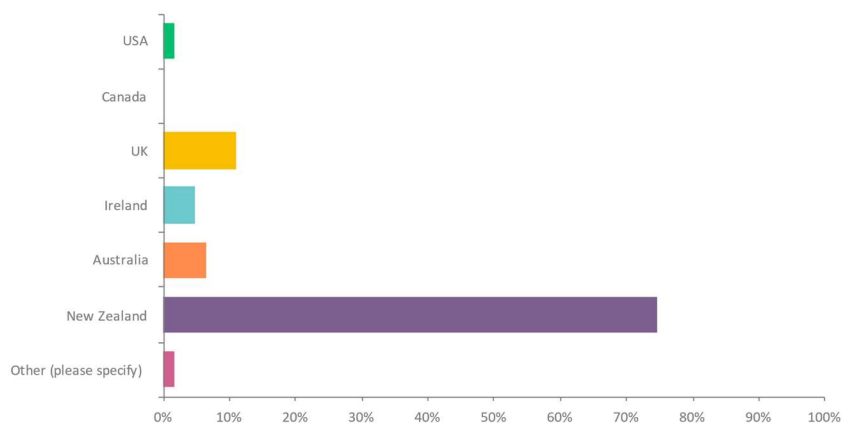
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Most of the respondents (75%) based themselves in New Zealand, followed by the UK, Australia, Ireland, and Canada.

Q8: Which country do you base yourself in?

Answered: 63 Skipped: 1



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Payments – overview

Rates

The survey's question on pay rates aimed to find a typical hourly rate, mostly for international comparisons, some countries operate on an eight-hour day others on a ten-hour day.

Rates also vary significantly when Screen Audio Workers are employed on productions that have different budget levels (and by logical extension, are produced for different formats).

For example, rates and production budgets often differ between an online series, commercial jingle, student short film, independent documentary, publicly-funded feature film, and a commercial feature film from an international studio.

It was noted that there should be different minimum rates for *each* of these different types of formats and within specified budget bands so as to create consistency of expectations for the amount Screen Audio Workers charge as a minimum.

A significant number of respondents indicated they get their top rates from advertising, TV and feature films.

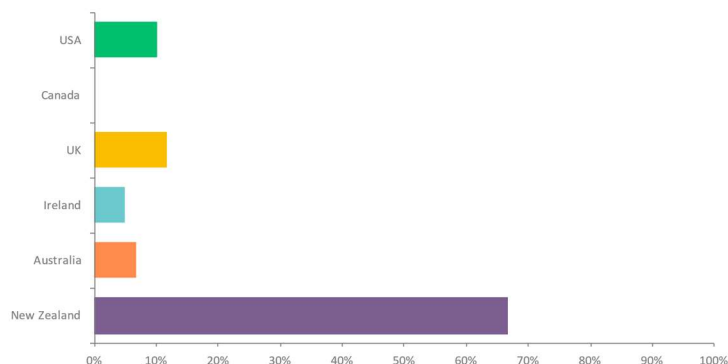
While the majority of respondents received most of their income from New Zealand, 10% received most of their income from the USA, and 11% from the UK. This indicates that production attraction (and post-production attraction) efforts could be ramped up to engage more strongly with UK productions as well as the Hollywood system.

Most respondents received the majority of their income from New Zealand, where they reside.

With 1.5% of respondents saying they base themselves in the US, and 10% of respondents saying that they receive most of their income from that country, it is clear that the Hollywood system has a significant part to play in job creation in New Zealand. Production attraction / post-production attraction is an important part of keeping that income stream intact.

Q9: Which country do you receive MOST of your income from?

Answered: 60 Skipped: 4



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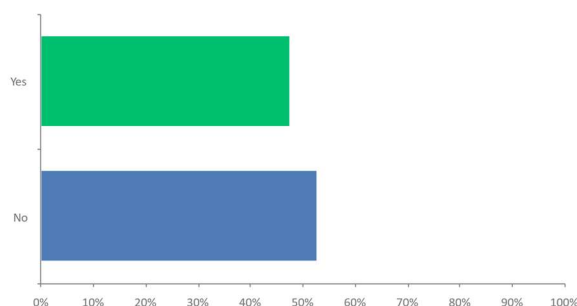
Working for less than minimum standard rates

A substantial number of Screen Audio Worker respondents (47%) have charged less than minimum guild rates in the last 12 months, for a variety of reasons.

The high skip-rate on this question may be because guild and union members shouldn't be doing this – even though the survey guaranteed confidentiality.

Q11: In the last 12 months, have you charged LESS than your guild's MINIMUM recommended rate?

Answered: 40 Skipped: 24



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Working for less than minimum rates – Producer planning

It was noted in the comments that often, post-production budgets are unable to sustain a full rate for post-production workers, indicating that producers often:

- Create unrealistic budgets or schedules
- Don't budget appropriate contingency during production
- Work from inadequate funding and hope for kind hearts and goodwill from post-production workers to finish the job
- Leave post-production as an afterthought, rather than something to be budgeted for in advance.

Through no fault of their own, post-production workers often carry the burden of producers who spend most of their money in production rather than in post-production. The crucial role of budgeting and negotiation consequently falls at a time meant for creative work; an unfavourable situation for both parties.

Working for less than minimum rates – Goodwill projects for arts, student, charity and passion projects

Screen Audio Workers often make goodwill exceptions by reducing their rates for arts, student, passion and charity projects. Some reasons for discounted rates include relationship building with people they want to work with in the future, when work will be offered at full rates. Word-of-mouth recommendation is a powerful factor in increasing employment opportunities in the screen industry.



Working for less than minimum rates – Working for high profile projects for the screen credit

At times, Screen Audio Workers will work ‘for the credit’ on high-profile projects, in an effort to leverage Internet Movie Database (IMDB) credits on well-known productions, and secure more upcoming work and better pay rates. This can become a vicious cycle if the next job also does not pay well, or the working conditions cause burnout during the higher-profile first project, with minimal legal protections.

This can also have the negative effect of ‘locking in’ perceived standard rates, where a producer will expect similar rates even on higher-budget projects.

Rates - scarcity of work

The scarcity of work is also a concern. This was recently highlighted by the flow-on impacts in New Zealand of the Writers and Actors strikes in the US. Scarcity of work is one of the reasons Screen Audio Workers may decide to work for less than their usual minimum rate.

When work is scarce Screen Audio Workers think about lowering their rates to maintain work and have some money coming in. This applies especially to new, young and hungry Screen Audio Workers who may be paid significantly lower rates, undercutting their worth.

One survey respondent suggested that the Government could generate more work by increasing money to funding agencies so more productions were commissioned. However, if no additional Government funding is applied (as currently indicated), commissioning more productions would spread the limited amount of funding available too thinly to pay existing workers at their minimum rates.

Either more money needs to be allocated to funding agencies, or fewer films and TV productions with realistic budgets be commissioned. This would allow Screen Audio Workers to be paid fairly.



Rates - breaking into the industry

Often, new Screen Audio Workers are employed on low-budget films for reduced rates in order to get a 'foot in the door' while learning their craft and adding to their portfolios. They see this as an investment in gaining screen credits, relationship building, and staying fresh in the memory of producers. However, this undercuts the rates that their established and experienced counterparts are paid. It also reinforces to producers and production accountants that paying below-minimum rates is acceptable.

Rates - cost of living

Affected by the rising cost of living, fledgeling and independent filmmakers often can't afford to pay even minimum standard rates set by guilds and unions. In an industry needing to retain highly skilled and experienced crew, Screen Audio Workers need to keep working to secure payment, while they continue upskilling. High-paying jobs are not the norm, making it difficult to turn down low-paying jobs (even those below the minimum rate).

Working for less than minimum rates – featured comments:

Respondents said:

- “[The company] underpays all contractors and won’t recognise the rate card.”
- “As a trainee I have a lack of agency and bargaining power this early in my career.”
- “It was advised to me by employers and other freelance workers that guild fees don’t apply in Auckland, where I do most of my work.”
- “I’ve certainly had to negotiate pretty hard to place my rates where they are, as I understand they are higher than other colleagues’ fees.”



- “I did use the guild’s rate card as a starting point in the negotiations but was essentially told those rates don’t work, and would work better if there were more brackets for different production budgets and sizes.”
- “Not much work where I’m based - therefore productions have smaller budgets. Also Welsh Language TV is underfunded by the government on purpose.”
- “Have done for short films/personal projects - there aren’t any published minimums for these here, though.”
- “Contracted on ongoing basis rather than per-production basis.”
- “Short day, limited gear.”
- “Small-budget short film, inhouse commercial video, low-budget commercial for charity or for social that is shot with a phone.”
- “That was the rate the studio agreed to pay me. Would love to charge more.”
- “Technically yes, but only on ultra low-budget (sub \$50k) projects. Parity with other departments becomes the bar. At least guild rates on everything else.”
- “The budget wasn’t known and there wasn’t a clear establishment of rate tiers.”
- “No budget, lack of work.”



Payments - recommendations

Minimum rates – recommendations

Minimum rates should be calculated on several levels, relating to different formats and production budgets.

For instance, the daily rate for work on a TV commercial would be different from that paid for work on an online web-series, and from a feature film or TV drama.

Examples of different tiers for minimum rates are below:

Level 1 – Large Budget Feature Films

Level 2 – TV Drama 1 hour

Level 3 – TV Drama / Comedy half hour

Level 4 – Gaming / VR / XR

Level 5 – Documentary features

Level 6 – Documentaries 1 hour

Level 7 – Short Films (Publicly Funded)

Level 8 – Online Web Series

Level 9 – Koha rates: Student / Charity / Passion Projects (where koha rates can be below guild rates, but visible % discounts apply).

Minimum rates should be discussed and agreed to by SMSGNZ members, in collaboration with other NZ screen guilds, before rates are set for the different tiers.

A consideration for rates is that on-set production workers do not have the same flexibility around personal circumstances and working-from-home arrangements. On-set work is also usually more physically demanding, and carries higher injury risk.

Once finalised, these different rates should be formalised and shown on the SMSGNZ 'rates' web page, and communicated to SPADA, other guilds, and into screen social media groups, increasing awareness of the new minimum rates to Screen Audio Workers and their employers.



The new minimum rates should be able to be negotiated up, but not down. Minimum Screen Audio Worker rates should be on par with Australian counterparts.

Koha rates should apply to student projects / passion projects / arts projects / charity projects, with discounts made appropriately and transparently, giving producers a clear idea of actual costs and preventing under-payments being made by regarding koha rates as standard rates.

SMSGNZ should recommend that its members always show the difference between their usual rates, standard minimum rates, and what is being charged, so that producers and production accountants understand what the level of discount is.

SMSGNZ should discuss with NZ funding organisations such as NZFC and NZOA, the existing frictions between: 1. Funding a greater number of projects where workers are paid less, versus: 2. Funding fewer projects where workers are paid more; and how to strike a reasonable balance between the two. There should also be conversations about absolute minimum total budgets for publicly-funded productions.

As an example, no feature film with a budget of less than \$1m should go ahead where guild workers are expected to be paid below their minimum rate or without clear ring-fencing of adequate post-production sound rates. SMSGNZ and SPADA should work together to publicise the SMSGNZ rate card on all budgets to producers.

Standard practice for all Screen Audio Workers should be referring to the SMSGNZ rates cards for all budgets if they are asked to work for less than the minimum.

Payments – overtime and eight-hour vs ten-hour days

Rates (labour only – not inclusive of gear hire) should be calculated on an eight-hour day, (not ten) and overtime calculated after that.

Forty-hour weeks (before overtime) should become standard.

This change should be managed in conversation with NZOA, NZFC, SPADA, regional film offices and other guilds, giving appropriate time for producers and studios to adjust the way they calculate their budgets, and for other guilds to align to the eight-hour day structure, that in line with other industries.

Discussing a unified strategy for this approach with Australian, US, UK, Canadian and Irish screen guilds and unions may be worthwhile.

Predictable pushback from these organisations, including studios / international producers / commissioning organisations should be anticipated by SMSGNZ, and appropriate responses prepared in advance, supported by other NZ Screen Production guilds and unions. This will present a united front.

This change will likely have far-reaching implications and may be quite disruptive. Therefore, it is worth having more in-depth conversations with SMSGNZ members about the pros and cons of doing this, as well as potentially offering sweeteners to assist its passage.

Producer budgeting & scheduling - recommendation:

SMSGNZ should enter into discussions with SPADA to work together to promote the need for Producers to be prepared to pay card rates for all positions.

SMSGNZ could also do some publicity to the industry through SPADA about the importance of budgeting adequately for post-production sound and music.

SMSGNZ could then write an article for distribution among NZ audio production social media groups, reminding non guild members about why joining the guild helps get better rates and more work, and helps prevent exploitation.

Business workshops – minimum standard rates recommendation

The SMSGNZ should run business workshops for freelancers explaining the new minimum standard rates based on a tiered system relating to production format and budget; as well as the updated standard contracts with updated working conditions.

These workshops would also help members understand tax allowances and codes, and budgeting for ACC payments and end of year tax etc. This should use plain language and simple terms and use common scenarios as examples, making it easy for members to budget appropriately, as well as calculate their charges based on experience and skill level.

Working for less than minimum rates

Scarcity of work – recommendations

SMSGNZ should be in discussions with NZFC, NZOA and RFONZ about supporting Production Attraction efforts, and encouraging Screen Audio Workers to work with international producers in a more ‘film friendly’ way, without sacrificing health and safety, minimum standard working conditions, or agreed minimum pay rates.

SMSGNZ should (in association with other guilds) be lobbying for NZ funding agencies to receive more funding from central Government, allowing agencies to fund more productions, while keeping budgets at a level where NZ Screen Audio Workers are paid guilds’ minimum rates.

This would support and keep in work local screen production workers.

The flow-on effect would be to make filming in NZ more attractive to international producers and studios because of our skilled, experienced composers and crew; regularly in work, and ready to work at the highest international levels.

More international productions would benefit New Zealand’s economy.



Enhancing International Opportunities – Recommendations

1. **RFONZ meeting:** SMSGNZ should attend the next meeting and propose working more closely with RFONZ and the NZFC, with increased collaboration on production attraction AND post-production attraction. Developing a strategy and action plan for promoting the professional and economic benefits of using NZ Screen Audio Workers to international companies should be a collaborative exercise.
2. **Memorandum of Understanding:** Create an MOU with NZFC and RFONZ about engaging and consulting on attraction strategy, policy and marketing, and creating promotional and marketing collateral. All three organisations should discuss how they can work in a more coordinated way to improve opportunities for screen music and sound workers in New Zealand.
3. **Clarification of VR, AR and XR rebate qualification criteria:** Engage with NZFC / NZOA to seek clarification on whether VR, AR and XR productions would qualify for a rebate under NZFC's PDV rebate, or instead, through NZOA's local gaming rebate scheme, and whether local post-production and scoring on these would also earn criteria points for local rebates. If neither NZFC or NZOA offers this kind of PDV rebate for the purposes of international interactive attraction, discussions should begin about how to institute this for VR, AR and XR productions.
4. **PDV incentives:** Work with NZFC to discuss ways to make the PDV incentives more internationally attractive. This could include discussing the pros and cons of removing the requirement of forming a Special Production Vehicle (SPV) in order to access the PDV rebate.
5. **Marketing - bespoke targeted marketing:** NZFC, RFONZ and SMSGNZ together could create bespoke marketing material aimed at promoting women and BIPOC (Black, Indigenous, People of Colour) who work in the local sound post-production community to international producers, line producers, directors and studios. This would include gaming and interactive companies. There are often international incentives relating to inclusion and diversity, potentially enhancing work opportunities for Screen Audio Workers here.



6. **Marketing - post-production attraction marketing:** NZFC, RFONZ, and NZOA should collaborate with the local post-production community (including SMSGNZ) to create a post-production attraction document or brochure, with a section devoted to sound and music post-production. This could link to the SMSGNZ site and directory, and highlight the calibre of NZ Screen Audio Workers and post-production facilities, including the [National Music Centre](#) sound stage when it is ready for use.
7. **Marketing - clarifying and promoting sound and music incentives:** In this sound and music section there should be an **incentives sub-section** relating to rebates, highlighting:
 - The 20% NZSPR rebate
 - That international productions using New Zealand sound post-production can earn criteria points towards receiving the additional NZSPR 5% uplift rebate, for live-action productions shot in New Zealand
 - The separate NZSPR post-production rebate for work that is PDV only, which qualifies for a 20% rebate of QNZPE
 - There is a 20% expenditure rebate available through NZOA's Gaming Sector Development Rebate (GDSR), which eligible international gaming and interactive productions can receive for similar finishing work.
8. **Marketing - identifying and targeting potential post-production customers:** This post-production attraction document should be distributed by NZFC, RFONZ and SMSGNZ, not only to targeted international studios, screen production companies, directors, producers and line producers who may be interested in filming live action in New Zealand, but also to those interested in doing *PDV only work* in New Zealand.
9. **Marketing - identifying and targeting potential gaming, VR / AR / XR customers:** SMSGNZ, NZOA and NZGDA can also work together to distribute this post-production attraction document, to *international gaming companies*, and also to VR, AR and XR production companies as well, once that rebate eligibility issue is clarified.
10. **Updating wording on relevant rebate documents:** SMSGNZ should work with NZFC and NZOA in agreeing on and updating wording on their



relevant rebate documents once the issues above relating to gaming, VR / AR / XR have been resolved, clarifying:

- How their rebates work for international companies seeking PDV or finishing rebates
- How using New Zealand post-production sound workers and facilities enhances eligibility for these rebates
- How these rebates will be administered.

11. Highlighting the benefits to internationals of staying for post-production work: SMSGNZ could encourage NZFC and RFONZ to highlight to international studios, screen production companies, line producers and directors, the benefits of not only shooting in New Zealand, but of staying on for post-production via the New Zealand Screen Production Rebate (NZSPR), increasing work opportunities for post-production Screen Audio Workers.

12. Closer relationships with Australian screen organisations: SMSGNZ should also establish closer relations with Australian screen music and sound guilds and associated organisations. This would encourage information and opportunity sharing and relationship building, which could generate more work opportunities for local screen music and sound workers. This is especially true if Australia's more competitive production expenditure rebate scheme attracts more work than they can handle, and they need to outsource sound post-production work to New Zealand workers and facilities.

Strategy Proposals – Enhancing Local Opportunities

- **Continuing the Fresh Shorts programme:** SMSGNZ and NZFC should discuss the merits of continuing the Fresh Shorts programme, to keep the skills of local industry practitioners sharp, provide more frequent work opportunities, and provide an entry-level pathway to those practitioners who are new to the industry.
- **Repayment terms for private investment:** NZFC and SMSGNZ should discuss pros and cons of changing the repayment terms for private investment, positioning NZFC and private investors on an equal footing.



There is some sentiment that equal footing could have an adverse impact on attracting private investment, making it even more difficult to get projects over the line, potentially impacting work opportunities in New Zealand.

- **Publicising and encouraging local producers to use local rebate incentives:** SMSGNZ should request that NZFC draw the attention of local NZSPR applicants specifically to the sound and music post-production element of the criteria document (Section B3), highlighting that applicants can gain 1 criteria point on the Significant New Zealand Content test, if they use at least 50% New Zealand Music Recording, Voice Recording and Audio Post-Production. By accumulating 20 criteria points out of a possible 32 on this test, local producers can more readily access a 40% production expenditure rebate up to \$15m Qualifying New Zealand Production Expenditure (QNZPE).

Diversifying income by teaching – recommendations

SMSGNZ should continue working with and developing relationships with the tertiary institutions that offer screen audio production and post-production training in New Zealand.

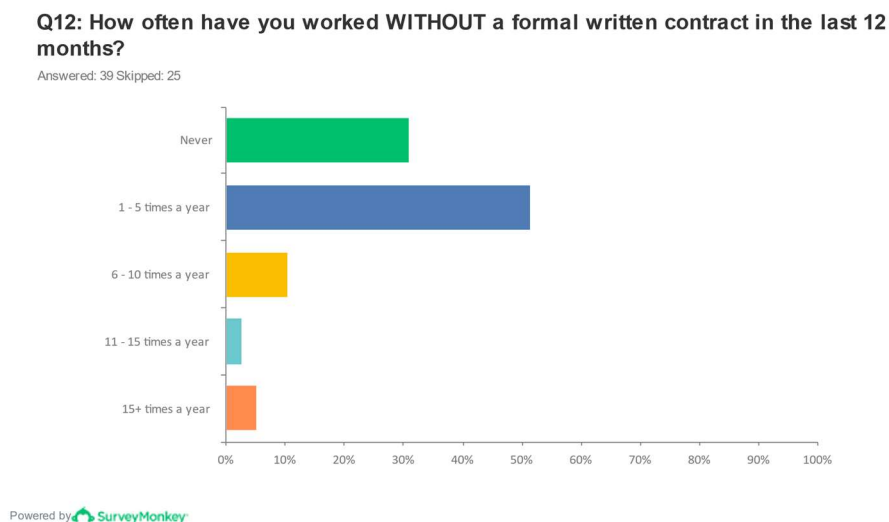
In ‘quiet times’ Screen Audio Worker members can be employed by these institutions to teach short course ‘modules’, as an alternative source of income.

Contracts – overview

Handshake agreements, verbal agreements, ‘broad terms’ email agreements, late delivery of contracts and / or non-delivery of contracts are all common situations, and all work in the producer’s favour. There is currently no incentive for productions to give screen sound workers the legal protection they deserve in this regard.

Contracts – working without a contract

68% of respondents said that they had worked without a formal contract at some point in the last 12 months.



While 30% of respondents said that they would never work without a formal contract, the majority (68%), would occasionally do this in special circumstances.

Many anecdotal examples included the reasons for working without a contract as being the laziness or disorganisation of productions. This is a poor excuse – failing to provide contracts advantages the Producer.

Workers protected by union rules weren’t so concerned about contracts, because of existing protections of workers’ rights.



Sound workers who replied to the survey also felt that working on short films at below-card rates was an act of collegial goodwill and a way to secure future work with up and coming producers / directors.

Featured comments on why screen audio workers worked without a contract:

- “I kept asking my company to renew my contract and they kept saying they would send me one, but it took three months of me asking for them to finally send me one.”
- “Working on low/no budget passion projects or covering a friend on their passion project. This helps with networking and meeting more people who are also working their way up through various departments.”
- “USA has everything set by the union. Studios follow the union rules etc. You don’t need to have a contract. But you do need to do security paperwork when starting with a new studio.”
- “Unorganised production / management.”
- “Was not offered one, the job is organised via email and then the media is sent through, so I just do it.”
- “Most of my clients don’t use contracts. I’ve only entered into contracts for bigger TV shows and streaming services”
- “Short independent films which are self-funded and usually cash payments or pro bono.”
- “ENG/doco, I don’t think the SIWA (Screen Industry Workers Act) applies for all forms.”
- “I’ve never been given one.”
- “I’ve asked but was told that they didn’t exist.”
- “It wasn’t offered, and I didn’t insist.”
- “Inept Line Producer.”
- “Lazy production company.”
- “Fairly informal paid work for independent filmmakers I know or was introduced to.”



- “Smaller last-minute jobs, some don’t get the contract sorted until you’re a few weeks in.”
- “Have always had something in writing but not a formal contract per se. Also worked on advertising jobs direct to client.”
- “Most of the one-day or half-a-day shoots that I do outside of drama and short films have no contract.”
- “I have worked for various sound post facilities in NZ and overseas that don’t offer contracts, just a verbal offer of work.”
- “Deals for on-set sound recordist for docos or TV shoots or short films where they have been on short notice.”
- “No contract offered.”

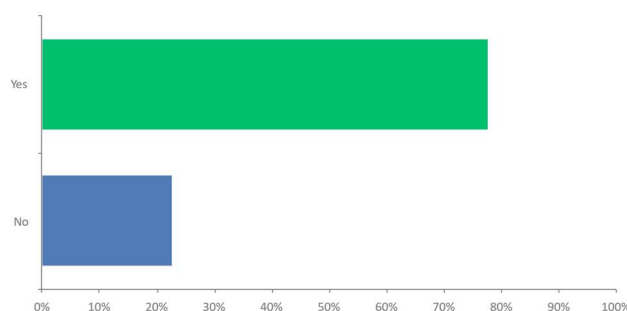
Contracts – producers’ contracts vs SMSGNZ contracts

Survey data showed that Screen Audio Workers tend to go with the contract that the producer offers them without too much negotiation, in an effort to show that they are easy to work with, putting them in a better position to be called back again for future work. This is acceptable, but the contracts need to be delivered by the producers in a timely manner.

77% of Screen Audio Worker respondents said that they would appreciate having a standard contract to download and use themselves from the guild – even just for reference.

Q13: If you regularly work without formal written contracts, would you be more likely to use one if there was a sample template contract available to download from your guild or association's website?

Answered: 31 Skipped: 33



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One respondent suggested that the standard template contract can't be too complex or use too much legalese. Simple, straightforward and clear is best so the worker can clearly understand the terms they are agreeing to.

It was noted that agreements drawn up by the producer always favour the producer. Having a contract available from the SMSGNZ that includes minimum rates and working conditions for Screen Audio Workers would be useful.

Featured comments about SMSGNZ providing template contracts

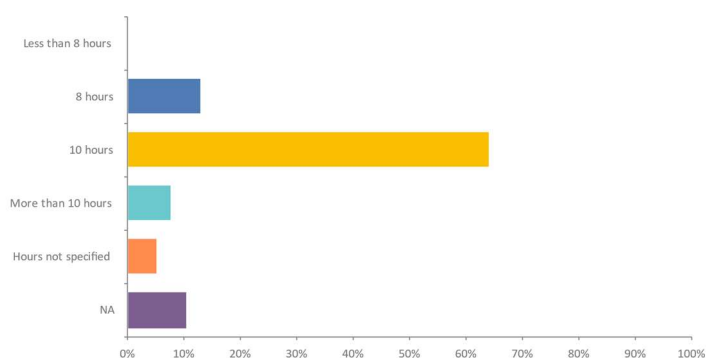
- “I don't work without formal contracts on legitimate productions. But a template would certainly benefit and provide guidance to all industry stakeholders, especially those starting out.”
- “Possibly, but the contracts tend to be so biased towards the employer that there isn't much in the contract that protects the contractor.”

Contracts – eight-hour days vs ten-hour days

When contracts *were* supplied, ten hours was the standard working day before overtime was paid. This means that any higher daily rates of pay for screen workers compared to other industries is offset by the requirement to work two hours longer every day.

Q14: How many hours does your current / most recent contract show as a full paid work day? (IE before overtime is activated)

Answered: 39 Skipped: 25

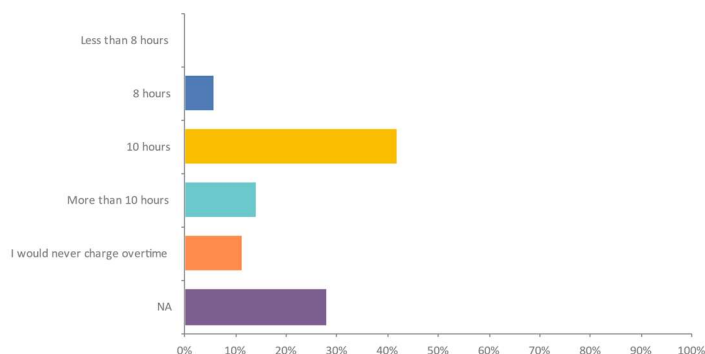


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Notably, without a contract, there were instances of Screen Audio Workers working longer than ten-hour days without being paid overtime.

Q15: If you DON'T work with a formal contract, how many hours would you work before charging overtime?

Answered: 36 Skipped: 28



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The 10% of respondents who said they would *never* charge overtime, is the group that would be best supported by formal contracts and SMSGNZ advocacy.

Contracts - bullying and harassment clauses

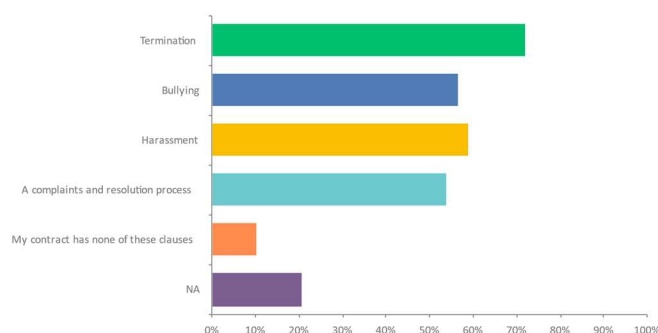
Of those who answered this question (25 respondents skipped it), slightly more than 50% replied that their contracts had these clauses.

Those who replied 'NA', or who skipped the question may not have had contracts, meaning their rights were not protected.

The combined 'NA', 'My contract has none of these clauses', and the 25 respondents who skipped the question, illustrates that 37 respondents (almost 50%) did not have any legal recourse for unfair termination, bullying, harassment, or trouble with a complaints and resolution process.

Q16: Does your current or most recent contract have clauses relating to the following: (Please tick all those that apply)

Answered: 39 Skipped: 25



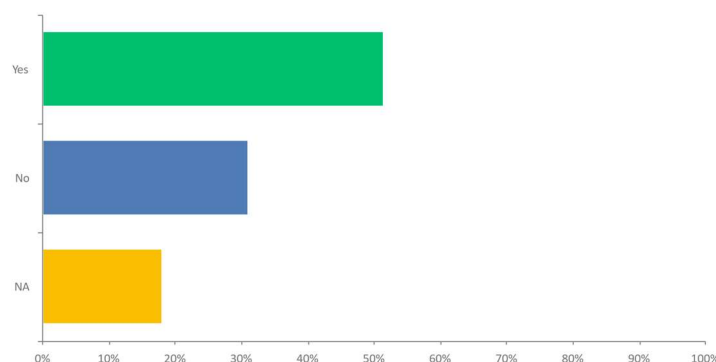
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Contracts – breaks

It was good to see that most respondents had breaks mostly written into their formal contracts. Once again, however, the hidden number is the “NA” and “No” responses, and ‘Skipped Question’ respondents. These respondents did not have breaks formally acknowledged in a legal contract, or had no contract.

Q17: Do you have breaks written into your contract?

Answered: 39 Skipped: 25



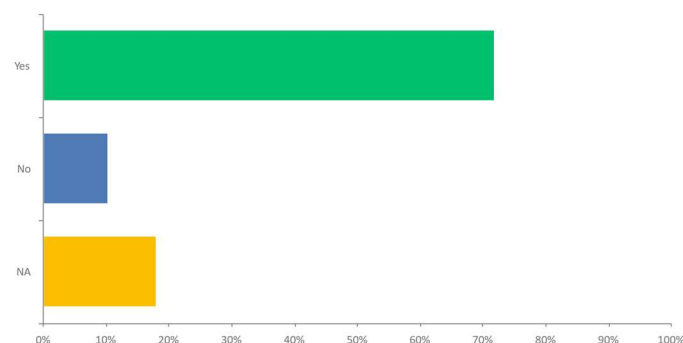
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Contracts - health and safety clauses

Health and safety clauses were more common in formal contracts. However, the “NA” and “No” responses, as well as the number of respondents skipping questions, illustrated that almost 50% of survey respondents did not have health and safety protection in a legal contract. This attributed to the large numbers working without formal contracts.

Q18: Does your contract have health and safety / OSHA sections or similar clauses?

Answered: 39 Skipped: 25



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Contracts – covid dispensation

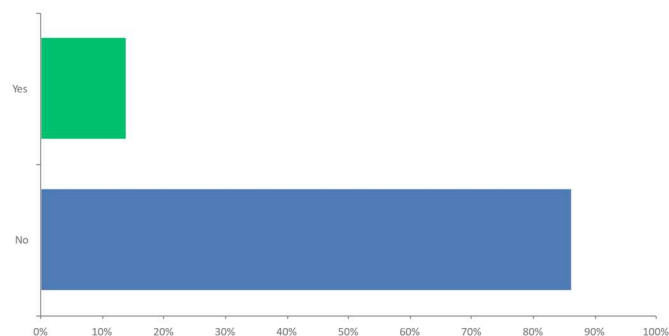
While traditionally the majority of screen sound workers are freelancers / self-employed, and don't work (or get paid) when they are sick, Covid has changed the game. Many respondents noted that it would be worth advocating and lobbying for special Covid dispensation, to protect workers who sign up for a job, but cannot deliver if they contract Covid just before the job, or more importantly, contract Covid *because* of the job.

Of concern are reports of workers minimising their symptoms, coming to work and spreading the virus, because they do not wish to miss out on paid work.

Based on the respondent comments, there appears to be significant variation in producers' policies and with expectations of Screen Audio Workers. Standardising this approach in conjunction with SPADA would create a common understanding between producers and workers.

Q19: Do your employers offer special Covid related leave dispensation in your contract?

Answered: 36 Skipped: 28



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Contracts – covid dispensation - featured comments

- “Do not come into the office for five days (self-isolate) but I do not get paid for these days that I am away. I never get paid for sick days. “
- “You isolate at home UNPAID, or you work from home if well enough.”
- “Unsure - conversation with crew rep usually.”
- “Their contact ended.”
- “Time off, unpaid.”
- “Depends... if you are sick stay home. If you are sick and away from home, stay in your hotel room until you are better so you don’t spread it.”
- “1 week off paid”
- “You used to (2021-2022) get ten paid days off however I am unsure what the current policy is in most contacts.”
- “Not in this current one - film last year was really good with it - no pressure to work but remote was given as an option if just in isolation.”
- “Does not expect people to work while positive, though doesn’t pay for this. “
- “Not sure.”
- “Unpaid - stay away if sick.”

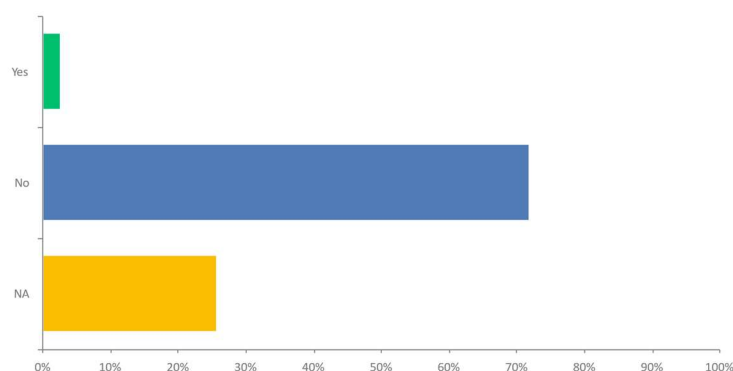
Contracts – working from home

Working from home obviously does not apply to workers on set, and this number corresponds with the ‘NA’ number in the survey results.

While post-production workers can sometimes work from home if they have their own equipment, many companies will cite risks of commercially sensitive project information being used outside of their security ecosystem and confidentiality as reasons against working outside a designated office.

Q20: Do you have days working from home written into your contract?

Answered: 39 Skipped: 25



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Suggestions from screen audio workers about how contracts could be improved

- “If we got them when we agreed to the work that might be nice. [We] mostly receive [them] on the start day/week.”
- “As you mention days working from home, that would be lovely. I’m very effective at it - but most places lean on security as the reason as to why not.”
- “Agreements with clear terms and conditions. On commercials, we have the APA terms here, which are really clear <https://www.a-p-a.net/2023/07/front-page/apa-crew-terms/>
- Anything done in feature films and TV has had terms with ‘grey areas’”



- “Probably a bit more protection for the workers. As you might know, the contracts are to protect and benefit the production companies, mainly.”
- “Templates would be a great option.”
- “Mandatory pay for any overtime.”
- “A strict adherence to the already established Union Agreement should be written into the contract to avoid ambiguity in certain areas like OT or travel/mileage.”
- “An option to opt out of having your image used in *Behind The Scenes* advertising.”



Contracts - recommendations

Formalising suggested timeframes for producers within which to provide workers with contracts, (endorsed by the blue book after negotiations with SPADA), would be welcome.

However, as some respondents have pointed out, contracts provided by the producer, typically favour the producer. It would be preferable for workers to use the SMSGNZ template contracts once they have been updated, reviewed and ratified.

Regardless of the contract used, there needs to be regular, highlighted reminders for SMSGNZ members that contracts should be exchanged before work commences, and that both parties should have a signed copy.

The general consensus from respondents was that access to standard template contracts reflecting minimum rates and working conditions, available to download from the guild website, would be beneficial.

One of the advantages of using this type of SMSGNZ template contract would be standardisation i.e. producers could be reassured that SMSGNZ contracts have already been reviewed, negotiated and agreed to by a number of other experienced practitioners and organisations, cementing in place legality and basic, agreed principles.

Having standard agreements up front (however small the production), saves awkward conversations if there is conflict or disagreement later in the production stage.

These contract changes should be ratified after discussion with *other* Screen Guilds and unions, to show collective will, agreement, support and solidarity in the face of potential push back relating to basic rates and working conditions in standard contracts.



Once the terms, conditions and clauses are agreed upon by SMSGNZ members, they can be discussed and negotiated with the wider industry sector for feedback, and then checked by the SMSGNZ legal provider. Following this, template contracts can be updated, finalised and made available for download on the SMSGNZ website.

These contracts should have clauses relating to:

1. Standard 40-hour weeks before overtime
2. Paid overtime, travel and mileage, as well as processes if these aren't paid
3. Health and Safety in relation to working conditions – particularly outlining good faith standard operating procedures if health and safety concerns are raised by SMSGNZ members
4. Breaks (and what provisions are made for workers if deadlines mean breaks are missed)
5. Sick leave (including Covid dispensations)
6. Personal Circumstances including processes for negotiation (agreed to by both parties) relating to disability, medical issues, child care and aged care, which may require flexibility around communication and delivery
7. Termination, bullying, harassment, complaints and resolution processes
8. Production Credits across multiple platforms (on-screen and IMDB for instance).

Front-footing the use of standard SMSGNZ template contracts that support the needs and interests of NZ Screen Audio Workers, and having these available in a timely way, would effectively put members in a more favourable position than having to wait on formal contracts from producers, which may never eventuate.

If the producer wants to negotiate removing particular conditions from these standard template contracts, or pay less than the agreed minimum rates, the worker should have an opportunity to go back to SMSGNZ to discuss, and potentially seek SMSGNZ advocacy advice.



The contracts should include a section acknowledging that the expected workload should not be more than 40 hours per week, and that if it is, overtime provisions apply after that. If there is dispute over this, the Screen Audio Worker can engage the SMSGNZ for advocacy advice.

The spread of Covid on set should continue to be a legitimate concern, especially since producers have a responsibility to keep other workers safe, and intermittent earnings by freelancers may influence them to decide that coming in to work to earn money outweighs health and safety considerations.

While further discussion is needed by industry members, guilds and organisations, about how to realistically institute some form of sick leave as well as a Covid dispensation system, it is clear that some action needs to be taken.

Ideally, standard contracts would include guidelines for sick and Covid leave in their health and safety clauses.

Some suggestions around the sick leave / Covid dispensation include:

- A nominal and limited sickness payment provided by the production company to support the incapacitated worker on provision of a medical certificate.
- Sick leave / Covid leave standards should be consistent across the industry
- Instituting a Covid insurance scheme through ACC or paid for by production and guild members could take financial pressure off producers
- If a worker has contracted Covid on the job, and loses their contract because a replacement has stepped in, there should be preferential treatment for the initial person hired to return to work. This would occur after a stipulated number of days, and only if the production is long enough in duration.



Finalising contracts – recommendations

Before any contracts are finalised, SMSGNZ should hold an information evening with SPADA and all local Screen Guilds, inviting local and international producers, seeking feedback on the outlined changes and new minimums for standard contracts.

Once feedback has been given and incorporated, SMSGNZ should work with SPADA / The Bluebook to get their endorsements on the updated template contracts, for the sake of transparency.

These changes and new standards should be publicised on social media and through newsletters, ensuring all SMSGNZ members and the wider industry are aware of the changes.

Standard contract updates – additional

Based on respondent comments, additional clauses to consider putting into standard contracts include:

- Relevant terms for advertising from the APA (Advertising Producers Association) contracts
- Working from home clauses (post-production only)
- An ‘opt out’ clause for workers if they don’t want their image or voice to be used in any kind of behind-the-scenes filming, stating that all workers need to give their consent to be filmed in such productions without pressure from the production, by way of signing a consent or waiver form.

(Noting that the template contract for screen composers would differ than production and post-production sound workers due to differing working conditions and pay structures.)

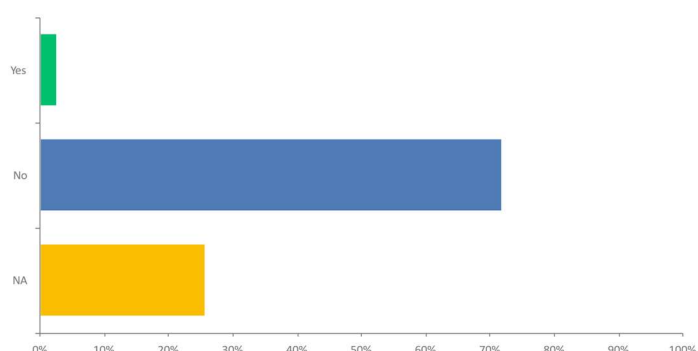
Working conditions - overview

Working from home

There are a small number of post-production workers who can work from home. However, companies sometimes cite security and commercial confidentiality as reasons that project information cannot be used outside of their building.

Q20: Do you have days working from home written into your contract?

Answered: 39 Skipped: 25



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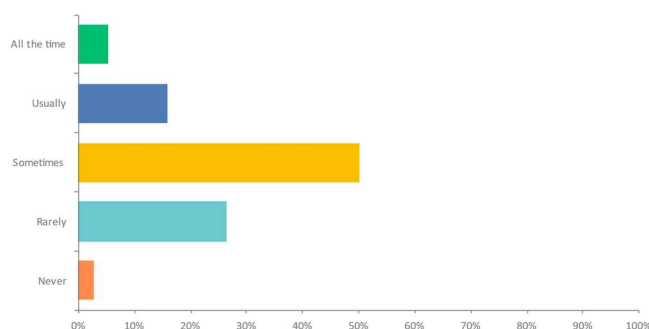
Hours and overtime

When the responses 'All the time', 'Usually', and 'Sometimes' are combined, it is evident that it is common practice for Screen Audio Workers to be requested to work longer days than other industries.

Health and safety concerns arise from the screen industry standard of 10-hour days, meaning 'longer days' are considered to be 10+ hour days.

Q22: How regularly would your employer(s) ask / expect you to work longer than a full work day? (IE Overtime)

Answered: 38 Skipped: 26



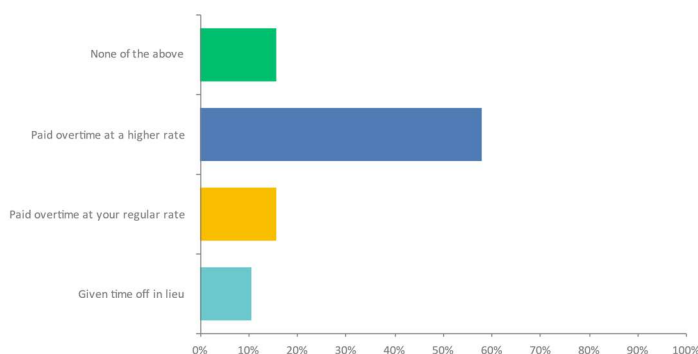
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Compensation for working longer hours:

While it was pleasing to see that 58% of respondents said they were paid overtime at a higher rate, it was concerning that others said they were often not paid extra for working longer hours. Being offered time off in lieu instead of overtime, only brought the overall rate up to standard rates.

Q23: In return for working longer hours would you typically be:

Answered: 38 Skipped: 26



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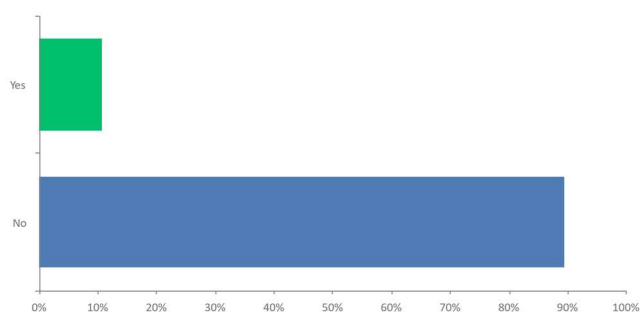
Personal circumstances considerations

In comparison to post-production workers and screen composers, on-set production workers have limited flexibility to deal with personal circumstances.

The majority of respondents did not have personal circumstances requiring flexibility such as disability, medical issues, childcare, and aged care (for example), however, 10% did.

Q25: Do you have any personal circumstances that you need your employers to be flexible with? EG disability, medical issues, breastfeeding, childcare, aged care etc?

Answered: 38 Skipped: 26



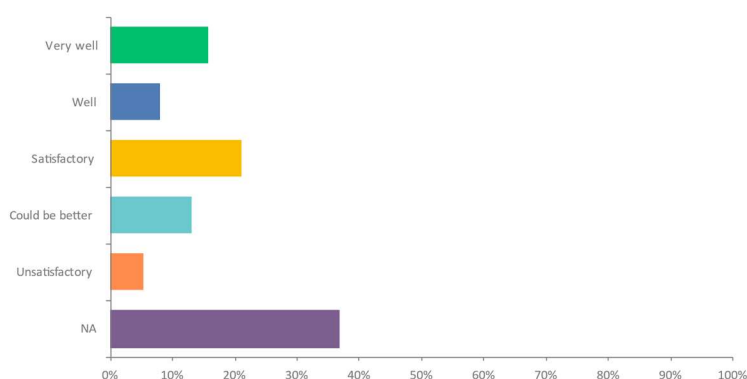
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The data does not show biases involved when hiring (or retaining) production workers if they do have personal circumstances, or develop personal circumstances requiring flexibility. For instance, in a freelance environment, there is no paid parental leave, annual leave or sick leave.

When asked how well their employers had accommodated personal circumstances affecting their flexibility, it was reassuring to see that 44% of respondents thought their employers had accommodated their situation in a satisfactory or helpful and flexible way. In contrast, 13% said their situation could have been addressed more effectively, while 5% said their personal circumstances had not been addressed in a satisfactory way.

Q26: How well would you say that your employers have accommodated for your personal needs (as mentioned above) in the last 12 months?

Answered: 38 Skipped: 26



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Adding clauses in standard contracts about how: 1. An employer should (in good faith) be flexible with regards to a worker's personal circumstances, and, 2. A guide to managing these situations, may be the answer to better working relationships.



Featured comments – flexibility with personal circumstances

- “As a freelancer and often on short contracts, it’s very unlikely they will (be flexible).”
- “If you’re sick you lose your pay check.”
- “Pretty awkward post-COVID having people show up to work trying to play down their symptoms.”
- “Location sound is not an industry that suits needing to duck off from work in any capacity. It creates a lot of work in replacements/cover and potentially issues on set with cast/crew. Also, delivery of services may be different, creating other costs later (in post etc).”
- “My employers have gone out of their way to accommodate my childcare needs when things were tough (through separation). They were extremely flexible and understanding.”
- “Allowing me to work from home has helped with this, but I still have to sneak under the radar to fulfil these needs, as the expected work hours (48.6 not including lunch breaks) make it impossible.”
- “They have always been very flexible with my personal needs / wants.”
- “No one cares about you. If you’re sick, then you have to get cover. No pay or anything.”

Health and safety – briefings and information sharing

Concerning responses in the health and safety section showed that in the last 12 months, the majority of workers had NOT been alerted to the health and safety risks around:

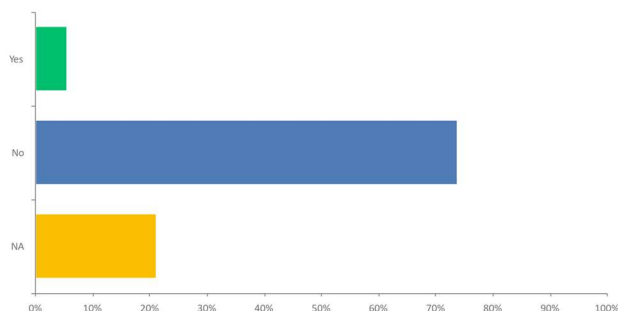
- long periods of standing
- long periods of sitting
- long periods of working with screens
- being exposed to sound levels of more than 85db for more than eight hours
- being exposed to peak sound levels of more than 140db (IE gunshot and explosion sounds).

*More detailed data on this is available from slides 53 – 66 in the [original survey results document](#).

* These questions were compiled to align to the legal standards outlined by [WorkSafe](#) in relation to preventing work related noise induced hearing loss

Q27: Have your employers alerted you to the health and safety risks of long periods of standing in the last 12 months? (more than 2 hours without a break)

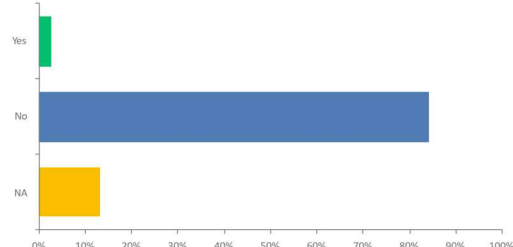
Answered: 38 Skipped: 26



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Q28: Have your employers alerted you to the health and safety risks of long periods of working with screens in the last 12 months? (more than 2 hours without a break)

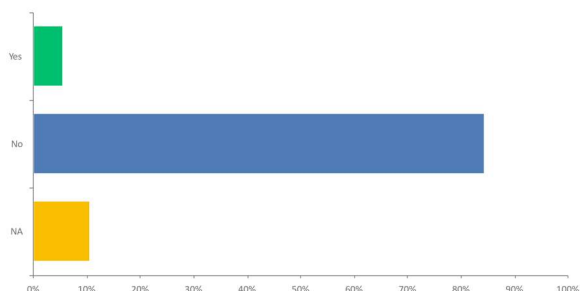
Answered: 38 Skipped: 26



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Q29: Have your employers alerted you to the health and safety risks of long periods of sitting in the last 12 months?(more than 2 hours without a break)

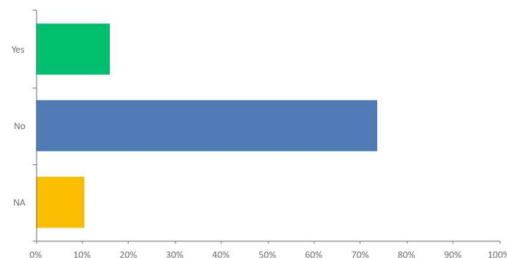
Answered: 38 Skipped: 26



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Q30: Have your employers alerted you to the health and safety risks of being exposed to sound levels of more than 85db for more than 8 hours? (In the last 12 months)

Answered: 38 Skipped: 26



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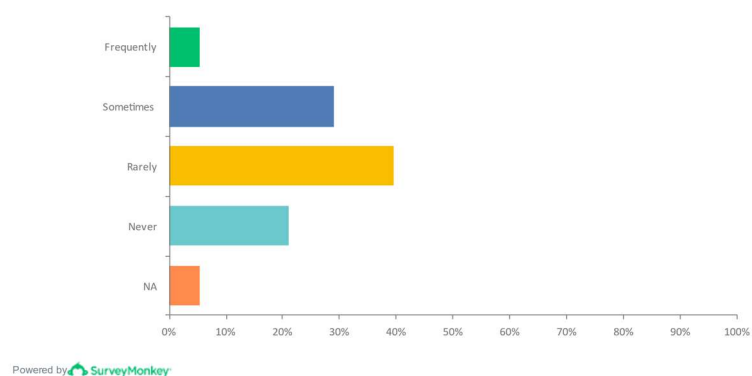
In some situations in the last 12 months, respondents had been:

1. Exposed to sound levels of more than 85db for more than eight hours

(Rarely = 39%, Sometimes = 28%, Frequently = 5%)

Q31: How often (in the last 12 months) have your employers' expectations resulted in you being exposed to noise levels above 85db for more than 8 hours?

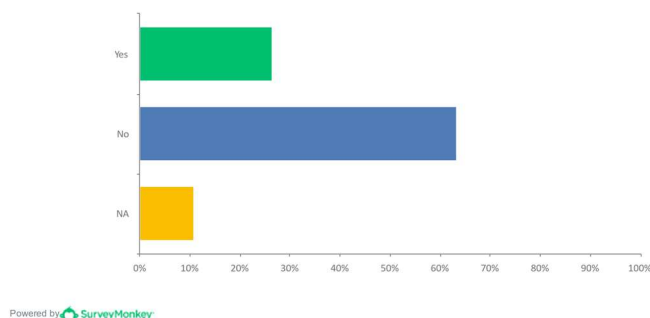
Answered: 38 Skipped: 26



2. Exposed to peak noise levels of 140db or more (13%).

Q32: Have your employers alerted you (in the last 12 months) to the health and safety risks of being exposed to peak sound levels of more than 140db? (EG gunshot or explosion sounds)

Answered: 38 Skipped: 26



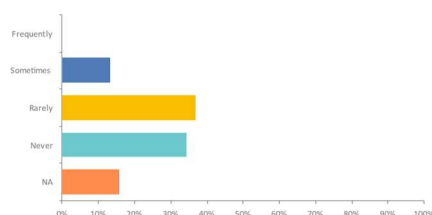
Health and safety – physical working environments

Noise assessments

Although the data here is difficult to interpret because most freelancers don't work for a single production company consistently over one 12 month period, the high result of respondents answering 'No' to this question is concerning.

Q33: How often (in the last 12 months) have your employers' expectations resulted in you being exposed to peak noise levels of 140db or more? (EG gunshot sound, explosion sounds)

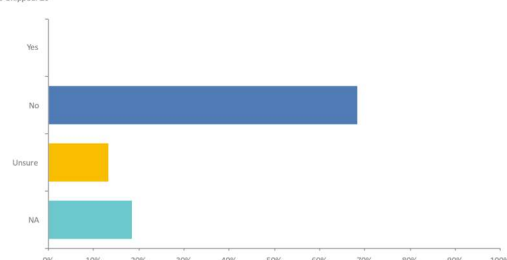
Answered: 38 Skipped: 26



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Q34: To your knowledge, has your current employer conducted or offered to conduct a detailed noise assessment of your workplace in the last 12 months?

Answered: 38 Skipped: 26



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This indicates that there should be an annual or bi-annual audit, completed by WorkSafe, of production companies and studios, including workers in the production office and in the field. Workplaces can be certified as safe once they have undergone a detailed noise assessment.

Assessment results should be available to workers on request or displayed on the production company website, informing workers that the workplace is compliant with noise protection responsibilities.

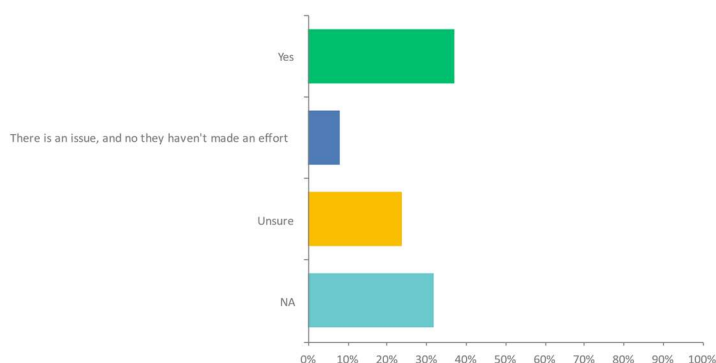
Health and safety – physical working environments

Noise generating areas

It is pleasing to see that the majority of respondents report that their employer self-regulates, almost 8% say there is a noise issue that is not being addressed.

Q35: Has your workplace made an effort to separate noise generating areas from other staff?

Answered: 38 Skipped: 26



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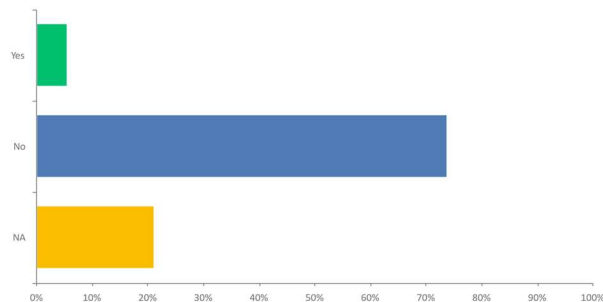
Health and safety – physical working environments

Preventing hearing loss – training

The survey showed a lack of training available through screen industry employers and workplaces relating to hearing loss for sound workers; a legal obligation if they are operating a workplace that can cause hearing damage.

Q37: Have your employers offered you training on preventing hearing loss in the last 12 months?

Answered: 38 Skipped: 26



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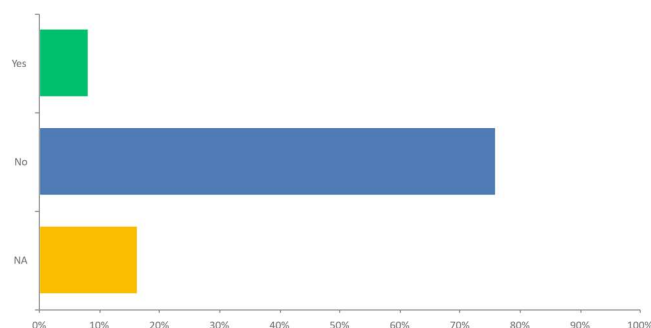
Health and safety – physical working environments worker views on their workplace

In an ideal world, employers or places of work would check in with their workers about their conditions and comfort, in order to address any health and safety issues.

Efforts need to be made to create avenues for health and safety issues to be reported to production offices and studios.

Q38: Have your employers sought your views about managing risks associated with workplace noise in the last 12 months?

Answered: 37 Skipped: 27



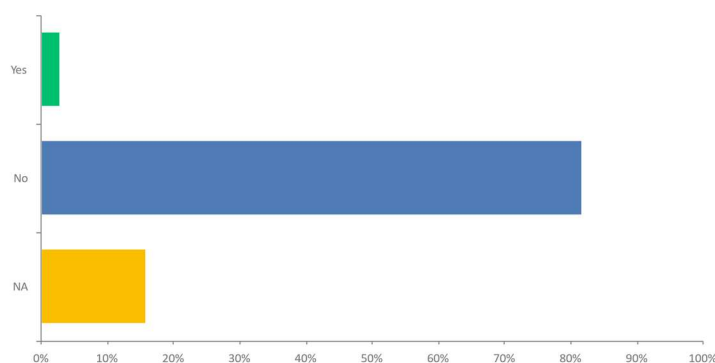
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Health and safety – physical working environments supporting worker health

The question on whether WorkSafe-recommended hearing / audiometry tests were offered by employers to measure any hearing loss of workers in noisy environments showed that most (81%) had not.

Q39: Have your employers offered you a hearing / audiometry test in the last 12 months?

Answered: 38 Skipped: 26



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Featured comments – measures employers have taken to mitigate health and safety risks for sound workers in the last 12 months

- “Health and safety briefings mainly. “
- “None” / “NOTHING. Useless.”
- “Morning briefings and health and safety personnel on set.”
- “Road lock offs when shooting on public roadways. Hearing protection for gunshots and explosions. The occasional H & S briefing in the morning at unit call, but only for whoever happens to be in the vicinity.”
- “Where I answered yes, that’s dealing with the union contract. (Answering)’ No’, that would be for my own personal work at the studio I’m employed with. In the US it would be better to have a questionnaire that first asks the question ‘is the person part of a union’ because the union contract governs most of what you’re describing.”
- “A general health and safety tour of the building.”
- “Shorter working hours, air conditioned and airflow studios.”
- “Online H & S course.”
- “Company memos and other forms of comms.”
- “To the extent legally required and no more.”

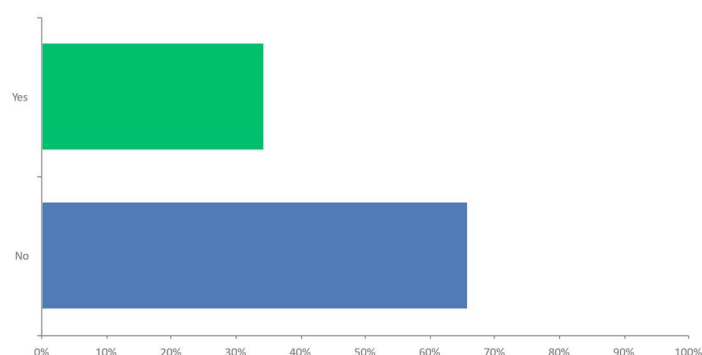
Health and safety - long hours and high stress

An alarming 30% of respondents reported that their work is causing ill health.

This response reinforces the importance of the SMSGNZ survey. SMSGNZ has been given a mandate to make recommendations for improving working conditions and hours, and providing legal protections for these.

Q41: Have you suffered ill health at work in the last 12 months, because of prolonged hours / high stress?

Answered: 38 Skipped: 26



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In post-production, a lack of communication and late changes at the production end can increase time pressures for sound editors and post-production sound workers. This can create stress and unhealthy working conditions.

This was illustrated by one respondent, who said that, especially at the end of the production process, there is often less time and money to complete post-production audio because of schedule and budget overruns. Post-production workers are often asked to do 'more for less' to make the production's ends meet, by sacrificing their own time to ensure high-quality completion.

This creates a power imbalance and puts pressure on sound editors, (especially freelancers), where pushing back can earn them the label of 'difficult to work with' potentially affecting future employability.

One respondent noted that sound and music seem to be an afterthought for producers in the budgeting and post-production process.

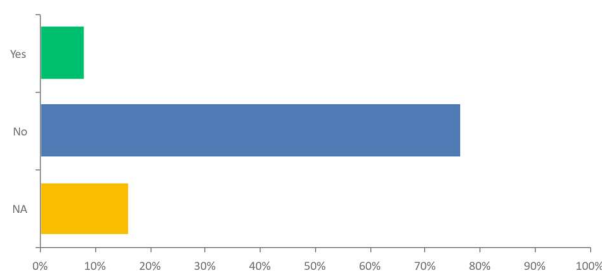
Complaints about adverse working conditions causing ill health

Even though respondents may not have made complaints in many cases, they may still have experienced adverse working conditions.

For those that did complain to their employer about adverse working conditions (almost 8%), they did so directly and without an anonymous hotline or reporting system, running the risk of putting their employment in jeopardy.

Q42: Have you complained to your employers about adverse working conditions resulting in eyestrain, hearing loss, physical pain or mental health issues in the last 12 months?

Answered: 38 Skipped: 26



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Survey comments suggested that contracts should outline standard operating procedures, and give legal weight to complaints about adverse working conditions that cause ill health and burnout.

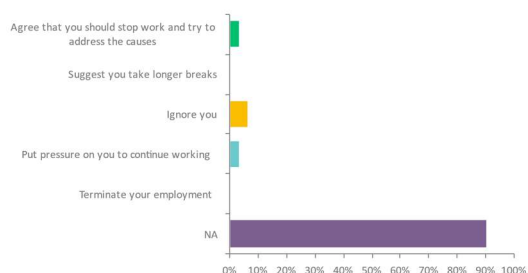
Early-warning mechanisms alerting producers to potential worker burnout or dangerous situations arising from overwork, and when to hire extra workers or provide additional support, should be instituted and adhered to.

How did the employer handle the health and safety complaint?

Ten percent of respondents who complained about adverse working conditions said they were either ignored or pressured to continue working. These people need support from their guild, union or association.

Q48: If you've complained to your employer about working conditions affecting your health such as eyestrain, hearing loss, physical pain or mental health issues in the last 12 months, did they:

Answered: 31 Skipped: 33



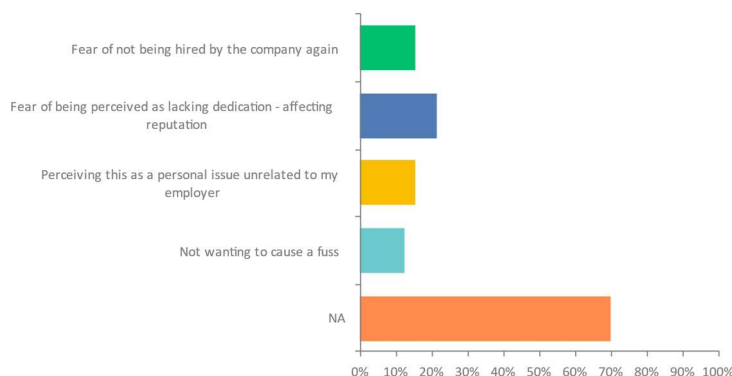
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Health and safety – suffering ill health, but deciding not to complain

These results show that Screen Audio Workers experience anxiety related to losing future work if they consider complaining about health, safety and working conditions.

Q49: If you have suffered eyestrain, hearing loss, physical pain or mental health issues due to adverse working conditions, but you've decided against complaining, what prevented you from doing so?

Answered: 33 Skipped: 31



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While notably some Screen Audio Workers felt well-equipped to advocate for themselves when raising adverse working conditions, collective contracts outlining minimum standards, working conditions and pay rates would give *legal* strength to complaints and dispute resolution.

Featured comments – making complaints about adverse working conditions

- “I have not really complained about it, I probably should. But also, they probably would take (employ) another sound recordist that doesn’t complain.”
- “We’ve discussed mental health issues, after successive overly demanding, stressful, problematic projects and lack of support. I’ve negotiated better conditions since, and they have accommodated well so far.”
- “I alerted them of burnout and they finally recognised it and offered me a three-day working week for the next three weeks, but I’m unsure I will even get to have that time in the end.”

Health and safety – respondent suggestions for improving workplace conditions

- “Realistic time frames for turning around work. Because being post-sound, (even if) there have been hold ups throughout production, the deadlines don’t change.”
- “Shorter hours, sick leave.”
- “People being paid reasonable wages and treated with dignity and respect.”
- “An element of the budget being allocated to crew health and wellbeing. A focus on us rather than saving as much as possible.”
- “Shorter days. Eight hours instead of ten.”
- “A 40-hour week would be a huge improvement.”
- “Less expectation around overtime being free and actively trying avoid these situations.”



- “More isolation from outside noise.”
- “Ideally, if it was more acceptable to sit on set when tired. Hair and Makeup do and still perform their job just fine.”
- “More budget and less time pressure.”
- “Sit/stand desks where feasible.”
- “More scheduled breaks.”
- “A bit more consideration for the well-being and mental health I would say. Also injury prevention.”
- “Shorter days.”
- “Awareness of my needs as an audio professional.”

What other health and safety issues do you think your employers should address for your particular role?

- “I have been an audio engineer for 12 years, some shoot days are harder on my ears than others. I try to monitor my mix lower than I used to do to keep a threshold of safety, but some days actors can go from super quiet to painfully loud. What can you do about that except putting a limiter on and being ready to turn the volume down.”
- “Hearing tests, physiotherapist sessions?”
- “Definitely ear health and eye strain.”
- “Shorter hours, sick leave. Also driving after long days of work. There have been times when we’ve gone well above 60 - 70 hours in a five-day week but still need to self-drive over an hour each way to work. Infrequent but surprisingly common.”
- “I hold a pole above my head for ten hours a day. There should be subsidies for physical therapies both during and after a production. And training provided in ergonomics and manual handling.”
- “Stressful turnaround caused by last-minute changes. Directors being unaware of the chaos caused (by last minute changes), and surrounded by yes-men so this can never be properly communicated to them.”
- “Health and safety audit.”

- “Physical strain of booming and being on your feet all day etc. Encourage some physical therapy either gym or yoga?”

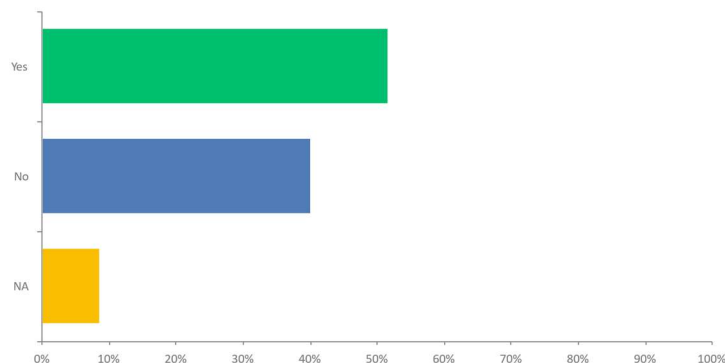
Health and safety – pressure to work through breaks

Fifty one percent of respondents said they were pressured or expected to work through their breaks in the last 12 months.

Screen Audio Workers may be put under a lot of pressure to work through their breaks when production schedules fall behind. This is especially concerning for boom operators who need time to physically recover, and post-production workers who are usually last in line for delivering the final product to deadline.

Q46: Have you been pressured or expected to work throughout your breaks in the last 12 months?

Answered: 35 Skipped: 29



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The fact that sound workers are pressured to work through their breaks deserves legal attention and / or a contractual remedy.

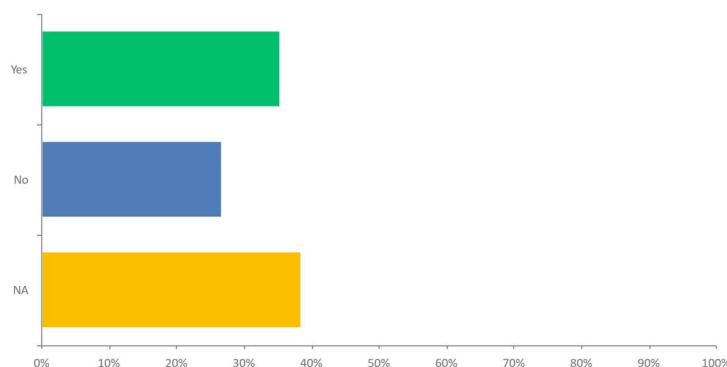
Health and safety - compensation for working through breaks

While everyone pulling together as a team in tight situations to work extra hard to achieve a common goal can feel rewarding, there should also be practical and financial acknowledgement from those who benefit most from workers sacrificing their personal time (which is legally protected in other industries) to achieve this.

Twenty six percent of respondents said that no extra pay, and no earlier finish time was offered as recompense for working through breaks.

Q47: If so, did your employer(s) offer anything to make up for it, such as extra pay or an earlier finish time?

Answered: 34 Skipped: 30



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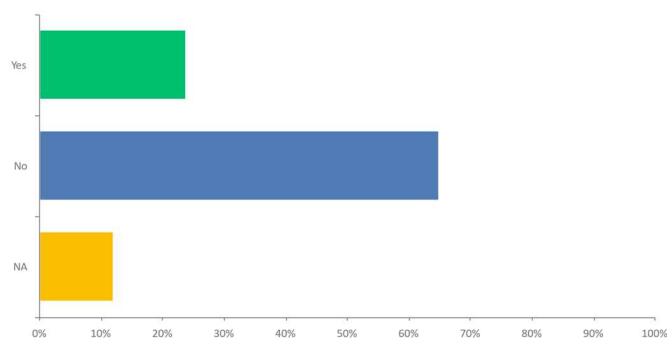
Health and safety – bullying and harassment

Twenty four percent of respondents reported seeing or experiencing bullying or harassment while working in the last 12 months, pointing to a problematic work culture in the industry.

Sadly, this appears to be commonplace in the industry, especially on set where time pressure is a major factor and stakes are high.

Q50: Have you seen or experienced bullying or harassment in your employment situation in the last 12 months?(All responses are kept confidential)

Answered: 34 Skipped: 30



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Featured comments on bullying and harassment in the workplace

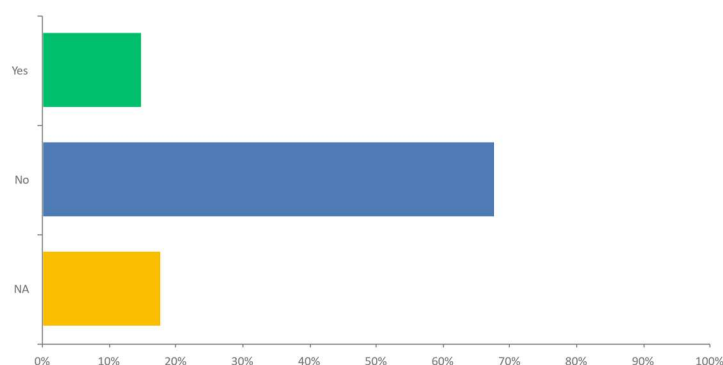
- “Verbal.”
- “Verbal abuse. (To be honest) the producers just avoided talking about it. Along with avoiding being in the room to witness any of it. I don’t recall ever hearing an actual apology.”
- “No employer support, not able to report as (the bullying) was from the director and person who employed me.”
- “Bullying, verbal.”
- “I’ve seen bullying for sure. Mostly passive aggressive behaviour, with non-renewal of contracts being the unspoken leverage. I’ve also seen bullying behaviour by directors that is just accepted as part of the industry and tolerated.”

Discrimination in the workplace

Fourteen percent of respondents said they had seen or experienced discrimination while working in the last 12 months.

Q51: Have you seen or experienced discrimination in your employment situation over the last 12 months? (All responses are kept confidential)

Answered: 34 Skipped: 30



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Notably, some of the male commenters felt that women were being unfairly hired over them because of their gender.



However, even if pro-female hiring strategies were consciously or unconsciously being implemented, the data presented continues to confirm a screen audio workforce that is 80% male.

Employment strategies to redress the 80/20 imbalance are creating longer-term, positive outcomes, contributing to a more balanced and inclusive on-set and workplace atmosphere, and a diversity of voices.

Featured comments – discrimination

- “I have been told (not asked) that I won’t want a role with a particular level of responsibility because I have children. The role was ultimately given to a less-experienced male who also has children.”
- “A sex being employed over another - for equal employment over ability.”
- “I have missed out on work due to my gender.”
- The discrimination I feel happens to do with race, the people you know and your level of experience.”
- “Not picking token hires if they’re running a(n) inclusivity drive or pushing for diverse hires.”

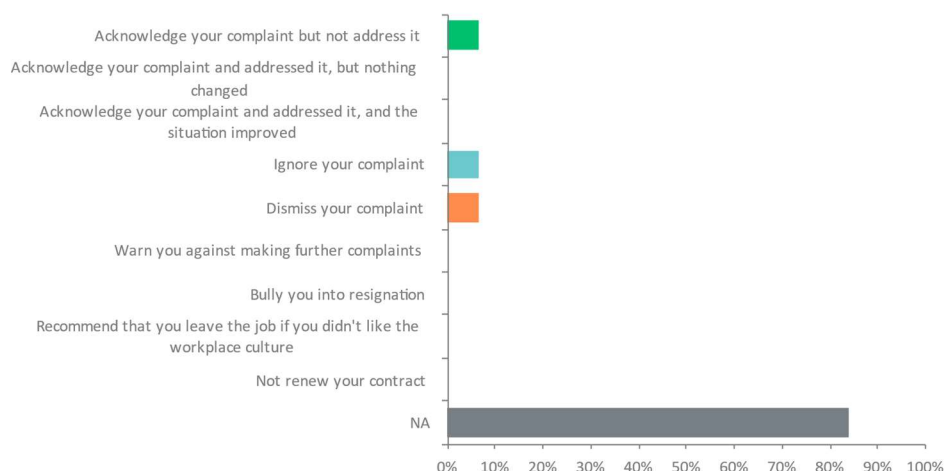
Employer actions in response to complaints about bullying, harassment and discrimination

Survey data shows a workplace culture of dismissiveness within the industry of complaints about problematic behaviour. However, survey data does not show that there were any *overt* negative repercussions for making complaints.

Easily overlooked is that repercussions for making complaints may be subtle. The culture of freelance and contract hiring allows production companies to simply not rehire anyone who complains about adverse working conditions, as referenced in earlier respondent comments.

Q52: If you've complained to your employer(s) about bullying, harassment or discrimination in the workplace in the last 12 months, did they:

Answered: 31 Skipped: 33



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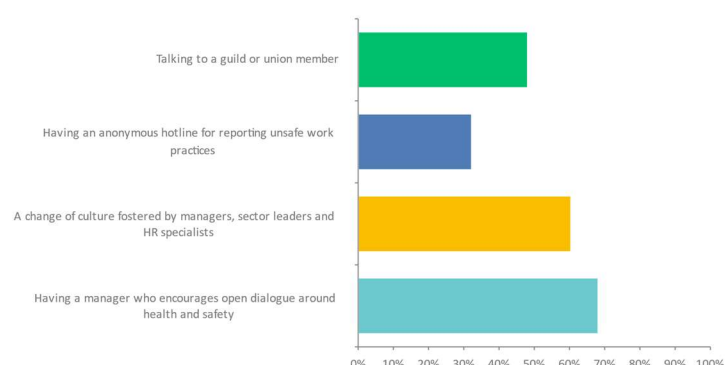
Speaking up about adverse working conditions, bullying and harassment

Support for suggested solutions to improve workplace culture in the survey were fairly evenly split.

However, talking to a guild or union member, and having an anonymous hotline for reporting unsafe work practices, appear to be the most practical solutions.

Q53: What would encourage you to speak up about adverse working conditions or bullying and harassment?

Answered: 25 Skipped: 39



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While some respondents felt producers and sector leaders were responsible for creating a culture change which encourages mutual respect among workers, clients and employers, others suggested an advocacy organisation like a guild would be beneficial.

This was evidenced by 48% saying that they would appreciate ‘talking to a guild or union member’ and 32% saying that they would appreciate having an anonymous hotline or form to report unsafe work practices.

Inclusivity

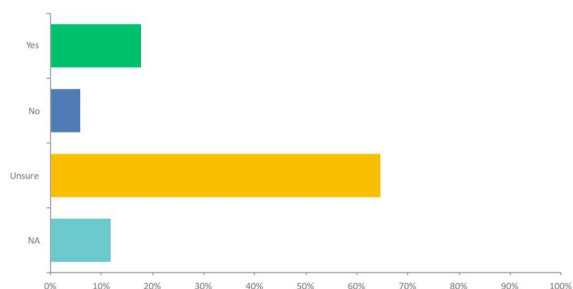
Survey results indicate that workplace inclusivity programmes are becoming more commonplace. However, even though employers are making an effort to employ more under-represented people, there is still a long way to go.

Having ‘attachments’ (the mandatory or incentivised hiring of historically marginalised groups) as a condition of international productions shooting in New Zealand appears to be a reasonable interim solution for promoting a culture change within the industry.

While growth and awareness about balancing crew gender and ethnicity is needed, there needs to be an overall inclusive push to grow crew capacity in general, by making screen career options attractive to ALL young people.

Q54: Does your workplace have an inclusivity programme?

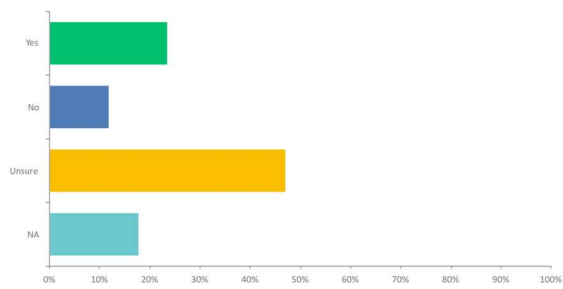
Answered: 34 Skipped: 30



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Q55: Does your employer make efforts to employ under-represented people?

Answered: 34 Skipped: 30

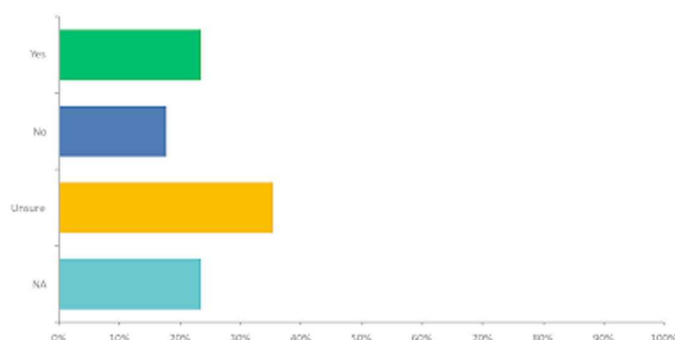


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Q56: Have you seen your workplace promote under-represented people?

Answered: 34 Skipped: 0



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Featured comment – inclusivity

- “We have few women and are fairly monocultural. I’ve suggested we try to address this, but am usually met with a response like ‘we find it hard enough to find anyone, let alone be selective’.”

Respondent recommendations for improving workplace culture

- “More women.”
- “Producers being physically present and approachable on set when possible.”
- “Less hours ...”
- “The industry has been cliquey for a long time. I don’t live that, but (I’m) unsure how to get rid of that.”
- “Bigger emphasis on mental health and awareness of the stress on set.”
- “Less hours and more breaks to reduce stress and fatigue and thereby improving morale.”
- “Transparent pay, regular pay reviews.”

Working conditions - recommendations

Health and safety

Industry changes - recommendations

SMSGNZ should lobby NZFC / NZOA to ensure that any publicly-funded production over a certain budget, must account for the provision of a health and safety monitor.

If any Screen Audio Worker feels that working conditions are negatively affecting their health or safety, this H & S monitor would be obliged to work with them to mitigate the adverse working conditions, through pre-agreed processes. A Health & Safety Monitor could also register, with the workers' cooperation, requests to work through their breaks.

A Health & Safety Monitor needs to be apprised of any special circumstances agreed to related to more frequent breaks for boom operators. One respondent's suggestion was that (by negotiation), there could be two boom operators employed for a half day each to prevent fatigue, occupational overuse or injury.

Collective contracts could also require health and safety briefings undertaken by the Head of Audio and the Health and Safety Monitor, when audio conditions (such as gunshots and explosions) are likely to be injurious to workers. These conditions should be highlighted, and risks mitigated with the provision of hearing protection. If such events are scheduled to take place, all crew should be notified at least 12 hours in advance.

If there is no budget for a Health & Safety Monitor, but sound levels are likely to exceed maximum recommended levels, the producers should have a legal responsibility to explain the risks and required mitigations associated with the planned excessive sound event.



SMGNZ should lobby NZFC / NZOA / SPADA to institute processes that discourage last-minute script changes which cause re-sets requiring more than one hour. It could be a requirement that Health & Safety Monitors are alerted or consulted about managing set up changes.

SMGNZ should lobby SPADA and other guilds to ensure provision for a health and safety clause in collective contracts for shoots that go over ten hours, where fresh drivers are used to drop workers off and pick them up again in the morning to prevent the health and safety risk of workers driving while tired. An acceptable alternative would be to accommodate the crew near the shooting location.

SMSGNZ should lobby SPADA and the Government to make it mandatory for production companies to include the equivalent of a digital health and safety suggestion box on their websites (accessible only by workers employed by the production company), which is checked regularly by the designated Health & Safety Monitor.

SMSGNZ should lobby SPADA and the Government to have mandatory annual WorkSafe noise assessments and complete an audit of production companies (in the office and in the field), ensuring they are compliant with WorkSafe regulations.

Health and safety – SMSGNZ website updates

SMSGNZ could also develop a health and safety section for their website.

On this page, SMSGNZ could specify best practices for production and post-production workers, such as maximum safe audio levels and exposure durations, best boom handling practices, targeted exercises and stretches, and durations before a break is required.

SMSGNZ could also feature a section relating to the prevention of hearing loss, and information on where members can get their hearing checked – possibly at a discount.

The SMSGNZ website could specify an ideal studio set up in terms of ergonomics, such as electric standing desks; sound proofing, equipment settings etc; and draw up a health and safety checklist for Screen Audio Workers to check compliance.

Health and safety – stress levels causing illness or pain – recommendations

SMSGNZ could partner with massage, chiropractic, physio and physical training providers, as well as ear and eye health check providers (increasing guild revenue for advertising these services to members) where SMSGNZ provides their members with discounts when using these partnered services - another incentive for potential members to join the guild.

It could be written into SMSGNZ contracts that studios / productions must provide SMSGNZ members with vouchers for hearing tests and physiotherapist sessions, or make a contribution to SMSGNZ so they can distribute these vouchers directly to their members at a ‘bulk buy’ discount. These provider organisations would eventually become specialists in the care of Screen Audio Workers, meeting a need in the market.

The SMSGNZ website’s health and safety section could include recommendations for duration and frequency of breaks, micropauses, time spent outside, stretches, physical exercises, breathing exercises and other ways to deal with stress such as mindfulness and meditation.

This page would include tips such as setting alarm reminders to have regular breaks.

Health and safety

Complaints processes – recommendations

As mentioned in the ‘Contracts’ section, there should be clauses in the standard template contract outlining standard operating procedures if health and safety or bullying and harassment issues are raised by Screen Audio Workers.



SMSGNZ can also partner with counselling and legal services, (increasing revenue for advertising these services directly to members) where SMSGNZ offers members discounts when using these partnered services - another incentive for potential members to join the guild.

Because most Screen Audio Workers are freelancers, there is a justified fear of not being hired again if they directly raise legitimate concerns about stress levels, health and safety, bullying, harassment or unfair termination.

It is recommended that SMSGNZ sets up an anonymous hotline or online form allowing Screen Audio Workers to report unfair work situations, unreasonable pressure, and breaches of contracts to SMSGNZ. SMSGNZ can then either give advice directly to the member, or direct them to the guild's preferred legal service.

Health and safety – hours and pay rates (respondent suggestions)

Respondents frequently recommended that minimum rates be increased, and the number of hours in a day (before overtime) is reduced from ten to eight. This was amplified by on-set production workers who don't have as much flexibility with their work / life balance as office workers do.

The sentiment was that changing to eight-hour days may reduce sickness, because workers aren't regularly exhausted by their work.

Another recommendation was for producers and studios to extend their turnaround times, to allow for less pressurised and more realistic delivery deadlines - especially with regards to sound post-production. This would reduce stress and tiredness which can lead to toxic work environments on set.

Inclusivity vs discrimination - recommendations:

Diversity in the screen industry provides better outcomes for productions, and empowers those who have been previously marginalised, improving experiences and relationships.



Having ‘attachments’ (the mandatory or incentivised hiring of historically marginalised groups) as a condition of international productions shooting in New Zealand appears to be a reasonable interim solution for promoting a culture change within the industry.

Following contact with Australian film offices, SMSGNZ should recommend an official scale of gender, racial and disability disparities in hiring practices. SMSGNZ should use this data to recommend to NZFC and NZOA how such attachments could similarly be made as part of their rebate incentives contracts.

SMSGNZ (in collaboration with other guilds) should also participate in an inclusivity campaign to highlight inclusive employment practices.

Bullying / harassment recommendations:

As previously mentioned, adding relevant health and safety clauses relating to bullying and harassment to collective contracts would be a useful way to deter these behaviours.

If workers are experiencing bullying or harassment or feel discriminated against, SMSGNZ could have a hotline or online form, so that workers can discreetly and anonymously get in touch, and SMSGNZ can point them to appropriate partnered (and possibly discounted) legal and counselling services.

SMSGNZ could also lobby SPADA to acknowledge that by extending time frames for more realistic delivery schedules, (especially for post-production sound workers), some of the high stress levels associated with post-production, which often lead to bullying, may be mitigated.

Health and safety - discrimination recommendations

SMSGNZ could work towards providing member discounts for childcare (in partnership with childcare providers) to assist with the career longevity for women, so they are not ‘left behind’ in a fast-paced freelance world.



Executive summary

It should be noted that many of the recommendations made in this report, have been made with ‘Blue Sky Thinking’.

Many of these recommendations may not suit the SMSGNZ in terms of practicality, budget, time availability and priority, however they are designed to comprehensively reflect responses to the comments and data collected from the survey participants.

With that said, a set of overall recommendations follow:

In collaboration with other New Zealand industry guilds, SMSGNZ should develop a set of minimum pay standards and working conditions in relation to different screen formats and production budgets, to be incorporated in standard collective contracts.

After a legal review, SMSGNZ should make these standard contracts available to SMSGNZ members to download from their website. These would be aspirational contracts (endorsed by SMSGNZ).

SMSGNZ should also design and deliver a ‘best practice’ guide for how producers engage with and deal with Screen Audio Workers to avoid and/or mitigate high-pressure situations, especially low pay, unrealistic deadlines, and late changes.

Engaging with government and the screen sector to lobby for collective contracts that protect fair minimum pay standards and working conditions for screen music and sound workers

Even though the current Government has decided to repeal the Fair Pay Agreements Act (FPA), and the Screen Industry Workers Act (SIWA) is likely to be replaced, the aspirational elements of these Acts in terms of minimum pay rates and conditions should still be considered the benchmark when it comes to recommendations for instituting collective contracts.



SMSGNZ should work in good faith with SPADA and other guilds (supported by NZFC, NZOA and TMP) to present a campaign to the New Zealand Government reaffirming the importance of Government investment in the local screen industry to the wider New Zealand economy.

In this presentation it should be emphasised how important it is that New Zealand can provide quality assurance to international film productions in terms of the experience and capacity of local crews, where these crews are supported by minimum pay standards and conditions through collective contracts.

SMSGNZ can demonstrate that by establishing minimum pay rates and working conditions for screen industry workers with the same legal protections that other industries require. Ultimately, this will create a more experienced and stable workforce - an important part of a national production attraction strategy.

Instituting collective contracts with appropriate minimum pay standards and conditions will also help to restore the work / life balance of Screen Audio Workers, reducing their likelihood of encountering physical or mental harm in the workplace.

While it is positive news that the new Government is not planning to remove current incentive schemes, it is unfortunate that funding levels will likely remain frozen for the foreseeable future.

With this in mind, it is important that NZFC, RFONZ, NZOA and TMP work with SMSGNZ to investigate ways to maximise existing rebate opportunities, thereby incentivising international and local productions to use local screen music and sound workers.



Presenting to producers emphasising that more time and money needs to be allocated to budget and schedule considerations – recommendations

SMSGNZ would work with SPADA to produce an information resource and deliver an information evening relating to:

1. Discussing any recent proposed changes to minimum rates, standards and working conditions.
2. Discussing what reasonable budgets and timeliness that allow Screen Audio Workers to be paid minimum rates and not be overworked in situations of high pressure and, from a producer's perspective.
3. Discussing the likely impacts of AI on the industry, and its potential impacts on producers as well as screen music and sound workers.

Additional action points - recommendations

SMSGNZ should also reach out to potential partners that can support the guild with revenue and benefits for members.

SMSGNZ should compile a fresh list of selling points outlining new benefits available to members who join the guild.

SMSGNZ should begin a recruitment drive for screen music and sound workers in New Zealand.