



IMPROVING THE CULTURE OF THE MUSIC INDUSTRY

APPROPRIATE BEHAVIOUR AT WORK: PROTECTING YOURSELF AND OTHERS

The Musicians' Union is here to support any member facing problems at work. Union Officials can provide confidential advice if you face inappropriate behaviour from a colleague, employer or potential employer, and advise you on your rights.

The Union's intention in publishing this guidance is to empower all members to challenge inappropriate behaviour and also to promote good practice.

The work environment

Meetings about work should take place in appropriate places. If you don't have a meeting room and you need to meet, find a public place. Don't meet in bedrooms, private studios or other small enclosed environments if you can help it. Be business like.

A workplace should always offer suitable bathroom facilities (or regular bathroom stops if you're on a tour bus, for example) and gender-appropriate changing facilities. The Union is talking to venues about this issue and aiming to agree best practice guidance for use when backstage facilities are limited due to space restrictions. If you are not provided with suitable facilities and you feel compromised or put at risk as a result, make a complaint and inform the Union.

CASE STUDY

"I was the only female member of a band and there were rarely suitable facilities for me to change privately when we were touring. One of my band mates often burst in on me when I was changing and thought it was funny. On the tour bus, I was denied stops at proper loo blocks and instead was expected to wee by the side of the road like one of the lads. I found it really humiliating."

Working with young people

If you're working with someone under 18, never meet them one-on-one unless you are in a public place or they are accompanied by a parent or guardian. If they are unaccompanied, make sure you bring at least one colleague. Make sure the young person feels comfortable and not under pressure.

The Union offers a free online child protection course as well as face-to-face training so if you're working with young people on a regular basis, get trained up. Avoid physical contact of any kind with under 18s if at all possible. Physical contact could be unwanted or your intentions misconstrued.

The power balance and maintaining control

If you're asking someone to sign a contract or release form, give them a reasonable period of time to consider the terms and take legal advice. Generally they will need at least a week.

Never sign a contract or release form when under pressure. Always seek advice through the Union.

Don't ever feel you have no other options. Your work is your work. Keep control as much as you can and don't think the deal on offer is the only deal you're ever going to get. If you're being put under pressure to sign quickly, consider why the pressure is being applied.

Being paid

The Union campaigns against musicians being approached to work unpaid. An unhealthy power imbalance can occur when you work for free and as a matter of principle we believe you are professional and should be paid appropriately to reflect that. Amateur engagements should be advertised as such and amateur performers only should be engaged. If the musicians are the only people working unpaid on a project, there is a problem.

If you are forced to work unpaid for an extended period (including where payment is promised but doesn't materialise) or you are signed exclusively to a label who don't sufficiently provide for you to be able to afford to live (pay rent, buy food etc) there is a danger of the relationship becoming overly controlling and even crossing over into modern day slavery. You should maintain a significant level of control over your day to day life, including where you live and the hours you work. If you feel out of control or under control, contact the Union for confidential advice.

CASE STUDY:

"I was signed to a label as part of a boy band. They dictated where I lived, who I shared a hotel room with, when I was able to eat and use the bathroom. They had complete control of my life. They weren't paying me but I had signed an exclusive deal so for ages I didn't feel I had a way out. I've stopped performing altogether now because I wanted my life back."

If you are the target of inappropriate behaviour

If you are the subject of sexual jokes, bullying, harassment or any other behaviour that makes you feel uncomfortable, contact the Union for confidential advice.

If you receive correspondence from a colleague, engager or employer which is inappropriate, for example Facebook messages containing unsolicited sexual content, keep copies of the messages and report the behaviour to the Union. If harassment or bullying is verbal, keep notes of dates, times and any witnesses as this will assist us in advising and representing you.

Incidents of harassment and abuse can also be reported to the police. We appreciate this isn't an easy thing to do and there are services such as Rape Crisis UK that you can contact for guidance before doing so. For a full list of support services, contact the Union.

CASE STUDY:

“I was discussing dates with someone who wanted to book me for a series of performances. Out of nowhere, he started sending me sexually explicit messages. It was totally unprovoked and unwanted. I didn’t know what to do. I was afraid if I complained then he’d rubbish me around the industry and I’d never be booked again”.

Discrimination

Discrimination can take many forms and the Union is here to support, advise and represent members who face discrimination of any nature in the workplace or industry as a whole. Discrimination laws protect individuals with Protected Characteristics. “Protected Characteristics” are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation. Any mistreatment for reasons relating to any one or more of these characteristics is likely to be considered unlawful.

The following are some examples based on issues raised with the Union in the past.

If you think the dress code you’re being asked to follow is unreasonable, contact the Union for advice. A culture change can happen as a result of many people winning minor victories such as changing the ‘little black dress, high heels’ dress code to ‘black dress or black top and trousers, black shoes’.

CASE STUDY:

“I was booked for a high-profile gig as a session musician. When I turned up to perform I was given a mask and hot pants to wear. At no point in advance were the costumes mentioned. Not only was my face covered and more of my body exposed than I was comfortable with, I was required to mime rather than actually play.”

Avoid workplace nicknames and banter that reference people’s gender, appearance or protected characteristics such as sexuality, religion and disability.

Don’t advertise for a musician of a certain gender or with a certain protected characteristic. There are certain roles where there is a genuine occupational need for an employee to be of a certain gender. On the whole, however, it is inappropriate to advertise for a musician with a particular characteristic and you run the risk of being accused of discrimination.

Age discrimination in job adverts is not limited to stipulating upper or lower age limits for job applicants, but could also involve the use of terms such as ‘youthful’, ‘dynamic’ or ‘mature’. All these terms could be seen as excluding someone from applying for a role based on their age.

Even asking for a certain level of experience from candidates might be discriminatory against someone who hasn’t had the opportunity to gain that experience as they are too young. There are plenty of ways of rephrasing your job advert, such as asking for candidates who have a proven track record, but care should be taken about expressing that in terms of years’ experience.

The MU is here if you would like to talk if you have suffered sexism, sexual harassment or abuse, or if you would like to talk about maintaining a safe working environment. You can contact the Union and all conversations will be treated as confidential. No action will be taken without your prior consent. If you have a preference as to whether you speak to a male or female member of staff, please say so when you get in touch.