AGE, WORK AND EMPLOYMENT: THINKING ABOUT THE FUTURE

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Chair: Mohamed Branine, University of Abertay

Dr Kerry Platman
ESRC post-doctoral research fellow
The Open University

STUFF AND NONSENSE? THE MEANING OF THE ‘PSYCHOLOGICAL’ CONTRACT TO FREELANCE PROFESSIONALS IN LATER LIFE
Flexible job options have been advocated as an important mechanism for extending working lives in the UK and other advanced economies. A gradual exit from the labour market, so the argument goes, solves the problem of growing fiscal burdens due to increasing longevity among populations, high economic inactivity rates among the 50 plus age group and rigid retirement practices within the workplace.

Forms of flexibility such as self-employment, consultancy work and freelancing have been seen as especially attractive due to the lack of obvious organisational barriers which might prevent such work. In theory at least, there are no age thresholds which stop managers or individuals from perpetuating an open-ended employment relationship well past the traditional marker of 50 years-of-age for early retirement schemes and 60/65 for standard retirement deals.

However, there is a dearth of research that examines the realities of such flexible employment for older workers and their managers. This paper does so by focusing on the 'psychological contract', a hypothetical construct seen as helpful in analysing the tacit understandings involved in a productive employment relationship. Three facets of the 'psychological contract' are examined in detail in order to illuminate the nature of relations between freelancers and their clients, and the consequences for sustainable self-employment in later life: recruitment and selection, job security, and pay and rewards. The research involved in-depth, face-to-face interviews with people who had experienced portfolio work first hand: line managers who commissioned such work; industry informants aware of prevailing conditions; and individual portfolio workers. It was located in a sector where portfolio working (or freelancing as it is more generally known) is common: the UK media industry.

The research found that employers wanted freelancers who could provide flexible, affordable and instant solutions to their labour and product needs. Although experience was important to managers, this was undermined by highly variable freelance employment practices. There were few incentives for managers or older freelancers to build durable relationships built on investment and commitment. Except for the star turns of the media industry, older freelancers were vulnerable to dwindling networks, abrupt work endings and capped rates of pay. This jeopardised reciprocal relations between employers and their potential pool of highly experienced workers.
The context

The impact of workplace change has been of growing concern to career, management and organisational theorists. The relationship between employers and their staff is seen as having been altered fundamentally by decades of financial and business controls leading to company restructuring, redundancies, job redesign and performance-related pay (Herriot et al., 1998). As a result, authors believe that loyalty and commitment have been eroded and job security undermined (Doeringer, 1991, Cappelli et al., 1997, Gallie et al., 1998, Cappelli, 1999, Burchell et al., 1999).

Despite scepticism over the extent of transformation within British organisations (Storey and Sisson, 1990, Taylor, 2002b), a growing number of authors have turned their attention to discussing the effects of such change on a strategically managed workforce. Corporate memory and knowledge sharing have become key themes in discussions over competitive advantage (Mabey et al., 1998). One debate which has attracted increasing attention in academic and practitioner journals, and at management conferences, is over the meaning, legitimacy and practical utility of the phrase 'the psychological contract' (see, for instance, the special issue of the Journal of Organizational Behavior on "The Psychological Contract at Work", 1998, volume 19). Authors like Guest see this not in rigid, legalistic terms but as a helpful, hypothetical construct in analysing the changing relationship between employers and employees (Guest, 1998). Sparrow and Cooper (1998, p. 360) define the term as:

... a set of unwritten reciprocal expectations, beliefs, or perceptions that characterize both mutual behaviour delivered within the employment relationship and implied obligations and promises.

Embodied in this definition, and in writings more generally, is the belief that expectations and promises between employers and employees matter. Productivity, efficiency and business survival can be influenced by the degree of harmony between what managers and staff think they have agreed and what they actually deliver. Such 'contracts' are unwritten and explicit, but nevertheless subject to violation.

The precise boundaries of the psychological contract have been explored in some detail by Herriot et al (1997). In their interviews with employers and employees, they discovered 12 obligations which staff felt they could expect of their organisations, such as:

• fairness in selection, appraisal, promotion and redundancy;
• justice and consistency in the application of rules and disciplinary procedures;
• consultation and communication over matters which affect them;
• recognition of or reward for a special contribution or long service;
• a safe and congenial work environment;
• equitable pay, consistently applied across the organisation;
• job security, where possible;
• adequate induction and training;
• time off to meet personal or family needs.

The questions which these authors fail to ask, as do the majority of other writers on the subject of the psychological contract, is the list's importance to, firstly, those workers based outside of the organisation and, secondly, to the oldest members of the labour
force. The literature has been concerned primarily with permanent, in-house employees and, with few exceptions (McLean Parks et al., 1998, Millward and Brewerton, 1999, Rubery et al., 2002), has had little to say about the expectations of the growing numbers of out-house individuals who worked for multiple clients.

A number of studies have examined the disenchantment experienced by older members of staff as a result of organisational change (Mulholland, 1998, McGovern et al., 1998, Cohen and Mallon, 1999). The Future of Work programme, funded by the Economic and Social Research Council, found that the over-50s have grown increasingly dissatisfied with the workplace (Taylor, 2002a). Yet their relationship with employers once on the outside, as self-employed contractors, consultants or freelancers, has been largely ignored.

Such issues are critical given a number of workforce trends affecting advanced economies: the growth of flexible forms of employment (Mangan, 2000), rising levels of economic inactivity among older men (Campbell, 1999) and projections of labour force ageing (Office for National Statistics, 1999). Since 1980, policy-makers and campaigners have been calling for gradual transitions into retirement for older workers (Auer and Fortuny, 1999). In the UK, flexible job opportunities for the 50+ age group have featured in policy documents about ‘the problem’ of older workers for a decade (Employment Department Group, 1994, Cabinet Office, 2000). Recent Government initiatives have been designed not only to extend working lives but also to inject choice and flexibility into the employment experience in later life (Department for Work and Pensions, 2002).

Forms of flexibility such as self-employment, consultancy work and freelancing have been seen as especially attractive for older workers due to the lack of obvious organisational barriers to such work. In theory at least, there are no age thresholds which stop managers or self-employed individuals from perpetuating an open-ended employment relationship well past the traditional marker of 50 years-of-age for early retirement schemes and 60/65 for standard retirement deals. In addition, ‘portfolios’ of work allow older people to assemble a mix of clients and a range of projects over time. According to Handy (1991, 1995), the experience, wisdom and skills of older people permit a different kind of employment relationship with organisations, one involving a greater degree of flexibility over the nature and timing of work. It is said that retirement can be delayed indefinitely, as long as health and skills are maintained, and the older ‘portfolio’ worker can inject choice, control and independence into their professional lives.

Yet there is a dearth of research that examines the way older people manage such an individualised employment relationship with their client-employers. We know little about the relative importance of the ‘psychological’ contract to the portfolio worker in later life. How might their lengthy experience in the job market, and their likelihood of having spent at least some of their working lives as members of staff, affect their attitudes to, and experiences of, the promises and obligations of the employment pact? How might a lack of fairness or parity in selection, consultation or job security affect their attitudes to clients and their commitment to the labour market? What might be the consequences of frequent or substantial violations in the employment contract for older workers approaching retirement age?
The research study

This paper reports on the findings of a three-year study into the employment relationship between portfolio workers and their client-employers. The research involved in-depth interviews with people who had experienced portfolio work first hand: line managers who commissioned such work; industry informants aware of prevailing conditions; and individual portfolio workers. It was located in a sector where portfolio working (or freelancing as it is more generally known) is common: the UK media industry.

The UK media industry

Personal accounts of media employment practices suggest that ageism is pervasive in the industry (Purcell, 1990, Neustatter, 1999, Ehrlich, 1999, Summerskill, 2002). However, Walsh (2003) recently stated that journalism was the least age stratified of professions and there are reports of media freelancers working to an advanced age (Anon, 1995/1996, Gettleman, 2000). One study of working patterns in the early 1990s found that nearly 1 in 5 freelancers were aged 50 and over in the broadcasting, film and video sectors (Woolf and Holly, 1994).

Freelance working has been an established feature of the media industry for many decades (see, for instance Hyde, 1928). This grew rapidly from the 1980s, due to legislative change, deregulation and intense competition. By the mid-1990s, freelance working was the predominant form of work in parts of the media industry (Woolf and Holly, 1994). Such an employment context suggested a pool of both established and novice freelance entrants available for this study.

In addition, the media industry has been seen as having predictive qualities. Futuristic models of the global economy, such as ‘the network society’, ‘the wired word’ and ‘the e-lance economy’, see an expanding role for the media’s creative and information services and products (respectively, Castells, 1996, Department of Trade and Industry, 1999, Malone and Laubacher, 1998). In Reich’s book on the fundamental restructuring of the economy in the 21st century, the highly-educated, problem-solving ‘symbolic analyst’ is pivotal to the needs of the newly configured corporation (Reich, 1991). The symbolic analyst, trading in data, words, visual images and ideas, is the scientist, engineer, management consultant, but also the art director, film editor, production designer, publisher, writer, editor, journalist and television producer. Such visions suggest that freelance or portfolio employment practices in the media industry may be replicated by other sectors in time.

The research methods

Face-to-face interviews were conducted with 51 individuals directly involved in freelancing on a day-to-day basis between September 1999 and December 2000. The 9 employers, 13 key informants and 29 freelancers formed a highly diverse study group. Each individual was seen as providing a contrasting perspective on the freelance employment relationship. Excluded from the study were three types: firstly, those who had ended their freelance career; secondly, employers who may have set policies but were not responsible for executing them; and thirdly, freelancers with personal agents.
The study aimed to concentrate on the more ‘ordinary’ side of freelancing, in order to gain an understanding of the employment process for the majority of individuals. More details of methods are to be found in (Platman, 2001).

The 9 client-employers interviewed for this study were directors, editors and managers of a broad range of media enterprises, including newspaper and magazine titles, publishing ventures, television strands and multimedia design projects. They had direct or overall responsibility for some aspect of managing freelance labour. They saw freelancers as representing a considerable presence within their department, unit or enterprise. The 13 key informants included recruitment consultants and union officials with an overview of freelance employment practices.

Of the 29 freelancer interviewees, 14 were aged 50 and over, 8 were aged 40 to 49 years and 7 were aged 25 to 39. The gender balance was broadly equal. The freelancers were involved in a variety of occupations, projects and sectors. Several were working for client-employers in non-media enterprises, such as the health service and higher education. The length of time spent freelancing varied widely, with 11 individuals having spent between 10 and 30 years freelancing; 10 individuals spending between 5 and 10 years as freelancers and the remainder for less than five years.

In-depth interviews with freelancers were then supplemented in the subsequent 12 months by formal and informal exchanges - either through face-to-face meetings, conversations over the telephone and messages by email or post. Transcripts, field notes and correspondence were imported into Atlas.ti, a software package for data storage, retrieval and analysis. Atlas.ti is designed with the grounded theorist in mind and analysis progressed broadly according to such principles.

**Negotiating the freelance employment relationship**

The following sections examine three core elements of the ‘psychological’ contract as envisaged by Sparrow and Cooper (1998): selection, job security and rates of pay. The research examined many other facets of the employment relationship between portfolio workers and their client-employers, such as training, consultation and communication. However, the three issues chosen here, involving recruitment, retention and rewards, are seen as the most fundamental components of a strategically-managed ‘contingent’ labour force.

First, though, it is important to understand the appeal of freelance labour for media employers. Organisations or units which relied on freelancers for a substantial portion of their output were operating under formidable financial pressures. They needed to offer cost-effective products and services in a highly competitive global market. At a line manager level, where the bulk of freelance recruitment took place, this meant unpredictable schedules and limited budgets. The freelance labour supply, as Figure 1 illustrates, allowed the employer to tap into a pool of flexible labour as and when required. Managers were spared the expense of permanent, full-time salaried positions. Freelancers could be hired for the duration of a specific project or service and then relinquished once the work was complete. Where specific expertise was required, this could be purchased for only as long as necessary, thus sparing the employer the costs and time involved in training in-house staff.
Figure 1. The Appeal of Freelance Labour for Employers

Domestic & global competitors
Limited budgets
Boards of management
Tight deadlines
Paying clients
Unpredictable schedules
Users & consumers
Cutting edge products/services
Niche markets
Heavy workloads
New technologies
Internal reorganisation

ORGANISATIONAL PRESSURES

FREELANCE LABOUR SUPPLY

Flexibility
Affordability
Instant knowledge
The selection process

However, finding reliable and suitable freelancers at precisely the right time was a formidable challenge for employers. They needed people for a limited time, sometimes for only a day or a week. Formal recruitment methods were seen as costly and cumbersome for these short projects, especially where deadlines and budgets were tight. By far the preferred method for selecting freelancers for assignments among the client-employers interviewed for this study was to rely on their own informal networks. The importance of such networks is confirmed by other studies of freelance employment in the media industry (e.g. Woof and Holly, 1994, Jones, 1996, BFI Centre for Audience and Industry Research, 1999, Gill and Dodd, 2000).

The informal network, as perceived by employer interviewees, appeared to have four distinct advantages over formal recruitment methods. Firstly, this was an 'elastic' mechanism for finding freelances, stretching beyond immediate contacts and tapping labour pools unknown to the employer. Secondly, the informal network could produce near instantaneous results. It was a direct, speedy and manageable way of finding talent. The employer had been spared a possible avalanche of applicants or a costly recruitment agency.

Thirdly, the system delivered 'known' quantities. These freelancers were either familiar to the employer or to the contacts which the employer had approached. They had been recommended and, thus, were deemed of proven worth. The informal network was also useful in checking out unfamiliar names. These instant checks acted as safeguards against candidates who appeared promising on paper, so to speak, but who were 'difficult' in reality. The network acted as an early warning system to steer the client-employer clear of freelancers who were problematic, possibly due to their attitudes, abilities or personalities.

Fourthly, the informal network was seen as harbouring the most sought-after talent. Experienced freelancers with a proven track record and a steady stream of work were seen as being less likely to register with recruitment agents or to feature in data banks of freelancers published on the web or in book form. This was especially so for freelance talent in short supply. It was more likely that such individuals would be known already to the employer, either as a tried and tested freelancer or as a name with some visibility in the industry.

In theory, the informal network was an infinite resource. In practice, however, it tended to radiate around a number of close and trusted colleagues and friends. In addition, it was a random mechanism. Recruitment was open in one sense, in that any freelance individual could find themselves at the end of a line of networked connections. Equally, it could be an insidious and unfair mechanism for work allocation. There was no guarantee that openings would reach the most suitable or committed of freelancers. Unjust or inappropriate choices could be difficult for individuals to expose and challenge, since they were often made without their knowledge.

The over-riding mechanism for selection, then, was neither transparent nor fair. Nor were client-employers obliged to discuss, explain or justify their reasons for hiring one freelancer rather than another. Although client-employers used other recruitment
channels on occasions, such as recruitment agents, freelance databases and registers, these tended to be less popular than their network of established contacts.

In theory, older freelancers were well placed to take advantage of the informal network. They had been operating in the industry for many years and had usually established a range of contacts leading to commissions. However, their advancing years could also prove a handicap in the search for work. Client-employers changed markets, organisations restructured and key contacts moved on. Older freelancers in the newspaper, magazine and publishing sector reported a regular turnover of people who had once had the power to hire them. Where replacements were much younger than their predecessors, this led to tensions on both sides. Client-employers were looking for freelancers who shared their vision and understood the pressures under which they were operating. They were wary of seasoned professionals with dated attitudes, ideas and skills. Equally, older freelancers were dispirited by inexperienced client-employers who failed to appreciate the skills they brought to assignments.

This is best illustrated by the case of a 54-year-old freelance producer-director who had previously worked as an employee for a major broadcaster. Since pursuing his freelance career, he had found it progressively more difficult to win independent programme contracts from commissioners. On one occasion, his name had been put forward for a new television series, but then rejected on the grounds that he would fail to bring the right kind of approach to the creative project.

And I’ve got (the) letter somewhere. It’s only about three lines, you know. It says something like, ‘Of course I respect your ability, etc, but I didn’t think you’d deliver the visual style that I was looking for.’ And, I mean, this was before anyone had worked out what the series was about. What was in it. You know, you don’t work out the visual style before you begin, anyway, so it was load of old nonsense.

This individual felt he had been handicapped by his reputation, despite many years as a highly respected programme-maker with many credits to his name. His skills were seen as dated and part of an earlier creative time period.

Freelancers who took breaks from employment could find themselves increasingly detached from networks, organisations and working practices. The oldest freelancer in the study, a 67-year-old newspaper photographer, had fallen seriously ill 14 months into his freelance career. During his convalescence, he had gradually lost touch with his two main client-employers. At the time of the research interview, he was uncertain how he would resume his career.

I’ve now got to a stage when I’m rather nervous of walking into the (daily newspaper) and say: ‘Hi, do you remember me?’ ... I’ve a lot of nightmares of ... the kind: ... I phone them up and ... they say ... ‘Who are you?’ You know. ‘Never heard of you.’

It could be difficult for freelancers to maintain and expand their networks. Freelancers who were home-based tended to rely on email, telephone and fax communication, and it could be hard to set up face-to-face meetings with unknown or unfamiliar clients in order to establish trust and rapport.
Job security

Freelance employment tended to involve discrete and distinctive pieces of work. The freelancer offered a professional service and set of skills which supplemented the resources of the employer for a prescribed amount of time. ‘Termination’, then, was an intrinsic property of the freelance employment relationship. Broadly, there were two reasons for contracts to end. The first involved organisational factors largely beyond the individual’s control, such as re-organisations, the restructuring of operations, the revamping of products or services, and changes in commissioning staff. The second reason for termination was connected to individuals, their reputations and the quality of their working relationships with clients.

Although contract endings were inevitable, they were often difficult to anticipate. Interviews with individual freelancers revealed many instances where work had ceased without notification or reason. The uncertainty over whether it was due to organisational or personal factors fuelled a self-doubt which undermined confidence and trust in employers. This sense of uncertainty was captured by a freelance journalist and training consultant who was on the brink of ending his career:

What I think me, and likewise pals, try and do is keep morale up, and one way of doing that is to delude ourselves that everything is more rosy than it is. What we all realise is that, of course, we are merely at the whim of these casual employers who can drop us without even saying anything.

Likewise, a client-employer who had been a freelancer herself a year earlier was candid about the lack of notice given to freelancers. At the time of the research interview, senior managers at her weekly magazine were discussing major organisational changes that would affect the type of freelance work she would be commissioning in the future. She recognised that her regular freelancers would neither be consulted over the changes nor given advance warning as to the likely consequences.

...having been freelancing, I mean, I know... you wouldn’t be consulted even if your livelihood depended on it. And nobody would bother to ask you about it. The work would just be there or not be there.

Features editor, weekly magazine.

If work ended abruptly, there were neither redundancy packages nor redeployment costs to cushion the effects. Freelance fees tended to include a premium to cover such insecurities and overheads. But rarely did it provide adequate compensation when gaps appeared between contracts.

Such insecurities were particularly hard to bear for the longest serving and most experienced freelancers. Abrupt work endings made it difficult for them to control their work schedules, plan ahead and negotiate a gradual transition into retirement. Rejecting sources of work could be a risky affair, since freelancers could never be sure how long their other commitments would last. One freelance broadcaster, writer and communications consultant aged 59 had lost three major clients inside a week. Such insecurities made it difficult for him to turn down new work, despite wanting to reduce his output over the coming years.
The stark uncertainties of freelance employment, coupled with the opaque recruitment system, led to concern among freelancers over how to manage their careers over time and in later life. The following quote from one of the younger freelancers, a feature writer, captures this:

I know of freelance journalists who are in their fifties and sixties and they’re still wondering where the next commission is coming from. And I think: 'God, you know. I wouldn't like to be in that situation.'

It will be interesting to see whether the Fixed-term Employees (prevention of less favourable treatment) Regulations will deliver improved working conditions for freelancers. The research interviews for this study took place some time before the new regulations came into force (October 1, 2002), although the legislation is targeted primarily at contingent workers on fixed-term contracts, rather than self-employed workers serving a number of clients simultaneously or in swift succession. Redundancy payments become a right only after continuous contracts with the same employer for two years or more. Notice periods for employees on short projects (three months or less) become a right only if the contract ends before the agreed date of expiry. This amounts to a minimal advance in levels of protection for self-employed freelancers.

**Pay and rewards**

In the main, client-employers felt in a strong position to dictate terms and conditions. Key informants reported an over-supply of creative, technical and editorial professionals in much of the media industry. Estimates of numbers of media graduates leaving UK universities each year during the 1990s varied from 10,000 (Spence, 1999) to 30,000 (Ursell, 2000). The effect, according to McKinlay and Quinn, was ‘an overstocked and constantly replenished’ pool of media workers (McKinlay and Quinn, 1999, p. 15). In the television production industry, one author described the system as acting, metaphorically, as the insatiable:

... vampire, ingesting youngsters at low prices from a large pool provided by the education system, working newcomers and established hands remorselessly, and discarding the older and less accommodating at will.

(Ursell, 2000, p. 816)

Certain freelancers were in short supply, however, and here client-employers had to pay a premium. Interviews with the employers and key informants involved in this study revealed two main categories of well-paid freelancers. Firstly, there were the ‘star turns’, those freelancers who could enhance the marketability, branding and appeal of the media product or service. The employer believed they could draw in readers or viewers by offering something unique, setting them apart from their competitors. Examples were high profile, possibly controversial, columnists for magazines or newspapers, or popular, witty or challenging ‘celebrity’ presenters for television or radio shows.

A second type of valued freelancer was the specialist in short supply. S/he had skills that were seen as essential to the successful running or output of the media operation. Examples found during the research fieldwork were computer software designers who
were able to adapt new technology to the needs of a particular client, or producer-directors with extensive studio or location filming credits on broadcast productions. These technically proficient specialists were engaged in project work where demand had outstripped supply. They were indispensable to media employers and could thus command a higher rate. The reasons for lack of supply ranged from a technological advance which employers wanted but which was known, at that particular moment, to only a very few individuals in the industry, to a traditional skill known to a dwindling number of individuals.

Experience did not appear to have value on its own, measured strictly in financial terms. Unless a freelancer fell into the ‘star turn’ or ‘specialist-in-short supply’ categories, they were likely to have seen a drop in the value of their earnings over time. In fact, the longer the individual had freelanced, the more their rates had declined in real terms. This was due to a number of factors:

- deregulation of the industry, leading to growing competition from an increasing range of domestic and international media organisations;
- greater expectations among client companies for lean and accountable financial operations from their commissioned suppliers;
- competitive tendering for project work, forcing media suppliers to offer the lowest or most cost-effective bids;
- the lifting of blocks, such as union closed shops, to entry for new freelancers, leading to a surge in newcomers, especially straight from higher education colleges;
- the decline in union density and union bargaining power within the industry; and
- the lack of agreed and enforceable industry-wide or sub-sector-wide minimum freelance rates.

These factors had depressed the level and value of fees available to most freelancers. Hourly, weekly and piece rates for jobs had been frozen, or increased only marginally, over time. Operations had intensified, deadlines had shortened and pay differentials between specialist grades had narrowed. Client-employers felt they had only limited discretion in setting rates for freelancers. They had to be seen to be prudent with money and to get the most out of their limited resources. Where freelance rate cards or fee scales existed, employers were prepared go above them, but generally not by much. More money for one freelancer tended to mean either less for others or the need for savings to be found from other quarters.

Older and more experienced freelancers had to be careful not to price their services too high. In broadcasting, newspapers, magazines and book publishing, rates for most freelance work had been declining in real terms. Many individuals had seen a relative drop in pay, as budgets became tighter and capped project fees more common. Whilst fees had dropped generally, the pressures had intensified. Freelancing for older workers, then, could seem like an increasingly exhausting pursuit, completed for dwindling rewards.

Less specific to the media industry were difficulties in setting fees which provided sufficient compensation for the risks of being freelance. Freelancers needed to charge out not only their overheads, but also the time involved in preparation, travel, meetings and delivery. It was often difficult to predict this until the project was well underway or, in some cases, completed. Renegotiating fees once the commission had been secured was
an equally delicate operation, especially with new clients. A freelance publishing consultant, writer and editor said it was common for his assignments to require more work than he had been led to believe, or he had expected from discussions with the client. But he was reticent to renegotiate when it involved a first assignment for an individual or organisation. This freelancer felt there were a number of occasions when the price was fixed, irrespective of the time involved. To have demanded more money might have jeopardised future work and undermined his long-term viability as a freelancer.

A number of older freelancers expressed disappointment at their limited earnings after so many years in the industry. They felt they had deserved a higher standard of living given the expertise they had brought to bear and the projects they had undertaken. Any notion of success as a freelancer had to be qualified:

Interviewer: ...looking back at the ten years, would you say that you were a successful freelancer?

Freelancer: (Pause) Well, I suppose all I can say is that... what a friend of mine said, ‘Well, you kept afloat.’ (Laughs) ... For the hours we’ve put in ... the experience that we’ve been able to bring to bear on what we do, in that sense, I don’t feel that I’ve been successful, really. No. I feel I should have, in financial terms anyway, been more successful.

Freelance feature writer & publisher’s reader, editor and copywriter.

To recap, client-employers preferred to recruit freelancers via informal networks. This allowed them to ‘screen out’ undesirables whilst tapping into a flexible, affordable and ‘instant’ supply of labour. Assignments were, by definition, limited in time and dependant on a range of organisational and individual factors. Freelancers were free to reject new or repeat sources of work but did so with caution due to the prevailing uncertainties of the market place.

In the absence of secure, well-paid and continuous flows of work from client-employers, what mechanisms were available to protect freelancers from the vagaries of the market?

Sources of protection in the freelance labour market

This research identified a number of formal and informal systems of support available to freelancers. At the more formal level, this included recruitment agencies, professional societies and trade unions. Less formal were the electronic databases, search engines and discussion groups on the Internet. Together, they provided

- job-matching and placement services;
- legal and employment information and advice;
- representation and mediation;
- voluntary codes of practice and industry standards;
- subsidised training;
- careers guidance;
- networking and discussion forums.
However, there were limits to the amount of protection these formal and semi-formal agencies could provide. Although such services could be helpful, none could prevent periods of inactivity or under-activity. Nor could they guarantee repeat custom or regular work, or impose or enforce set rates of pay for specific tasks or projects. In addition, there were problems associated with relying on such services. Recruitment agencies registered only those freelancers for whom there was a known demand. They could also impose terms and conditions which undermined the freelancer’s autonomy and long-term viability. Agencies needed to be sure that freelancers were available for placement, otherwise there was no point in having them on their books. Freelancers had to be flexible in their approach and attitudes: prepared to blend into the employing organisation, observing standard codes, including dress and working hours. The standard mode of working for freelancers placed by the two recruitment agencies whose managing directors were interviewed for this study was ‘full-time for a set period’. This left freelancers with little leeway to work for other clients simultaneously.

The intervention of a third party, such as a professional society or trade union, was unlikely to endear the freelancer to the client-employer. Freelancers had to be careful how they sought help if they wanted to retain the client in the future. One freelancer had heard of union members asking for anonymity when their cases were being handled by union officials:

... one of the field officers for the union, I know him really well and a lot of the time he’s ... chasing after either money owed, or holiday pay, or one thing and another and he has to be very, very careful in the way he does it. ‘Cause often people will come to him and say, ‘Can you help me? But can you do it without naming me?’

Unions also had to be wary of devoting too many resources to individual cases. These often involved issues of non-payment, incorrect payment, copyright infringement or contractual breaches. In the words of a union official: ‘...and all of that, usually, by the time it comes to the trade union’s attention, has ... reached a stage where, quite frankly, there is very little that can be done other than to reach for a solicitor.’ This was an expensive process and not one which usually helped that particular individual secure more work from the wayward employer.

In summary, then, whilst these agencies could be helpful to freelancers, none could act as ongoing personal guardians. It is perhaps unsurprising, then, that they played a relatively small part in the day-to-day lives of most freelancers. In response to questions about individual support systems, freelancers were far more likely to cite an informal, ad hoc networks of peers, friends and family members. The most informal support networks appeared to be the most effective in maintaining morale: a sympathetic partner, a friendship group or an e-mail network of professional freelance peers. These support mechanisms were close to hand, cost-neutral, time efficient and usually divorced from the client-employer’s work setting.

Collective or collaborative working appeared to be rare in the newspaper, magazine and book publishing sub-sector. The majority of freelancers in this sector were one-person businesses, often working in competition with each other. The effect was to isolate them from sources of support. Team working was more common in the broadcasting and new media sectors but this rarely took the form of protective and powerful bargaining units.
None of the freelancers in this study were using personal talent agents at the time of the interviews, although it would be interesting to explore the nature and impact of such relationships on employment viability and status.

Discussion and concluding remarks

This paper has examined the nature of the employment ‘contract’ between organisations and their older contingent workers. It has done so by focusing on one type of flexibility regarded as especially promising for professionals wishing to inject more choice and control into their retirement transition. The portfolio career has been promoted as providing the means by which older individuals can construct a fluid, open-ended relationship with employers. Three fundamental components of the so-called ‘psychological’ contract were discussed: selection, job security and rates of pay.

The research found that freelancing held many attractions for client-employers. This was a cost-effective, flexible and ready supply of talent which could be drawn upon on demand. Equally, freelancing held out the promise of continued paid employment for older workers wishing to retain a labour market foothold past the traditional age markers for early and standard retirement. Those who fell into the ‘star turn’ or ‘specialist-in-short-supply’ categories enjoyed regular assignments and good rates of pay. For the remainder, freelancing was a highly volatile and relentless form of work.

In terms of the day-to-day supervision of freelancers, there seemed to be a lack of formal policies, codes of good practice or systematic management tools within organisations. Coupled with the absence of widely-accepted and enforceable industry standards, this led to highly variable practices. The ad hoc nature of freelance employment was, to some extent, an important facet for employers: they needed to have maximum flexibility and discretion over the terms and conditions of labour. But this also led to the inadequate, and more usually non-existent, strategic management of such human resources. Where agreed procedures existed, they were often poorly designed and evaluated. Client-employers often lacked basic management skills in how to supervise freelancers, evaluate their work and maintain productive relations over time. This lack of the most basic skills was keenly felt by freelancers of all ages, but for those with the most experience and longest memories in the industry, this ineptitude was particularly hard to bear.

Those who commissioned freelance work were operating under formidable pressures and had little time to nurture good relations with their freelancers. Their chief concern was to meet current deadlines and deliver the services expected of them. It was difficult for line managers to think strategically about long-term freelance requirements. As a result, freelancers were often at the receiving end of a range of dubious management practices, including unfair recruitment decisions, sudden and unexplained gaps in work, and inadequate compensation. There was an overall lack of transparent systems for locating and retaining freelancers or for making employers accountable to their freelance professionals.

Of far greater significance for organisations and individuals was the way freelance employment destabilised long-term partnerships. There were fewer incentives to build durable relationships built on trust, investment and commitment. Neither managers nor
freelancers could be certain that there was a relationship beyond the present one. Managers might leave, change roles, revamp products and try out new freelancers. Equally, freelancers might find alternative clients, switch to different kinds of work or pursue other interests. This created an unstable, uncertain and tenuous ‘psychological contract’ between freelancers and their employers.

The resulting loss to organisations was potentially vast. Freelance labour contained valuable knowledge - of processes, crafts, ideas, contacts, approaches, techniques - which could not be accessed by the employer beyond the agreed time frame of the project or contract. This was especially relevant among the most experienced - and usually oldest - freelancers. As members of staff, their knowledge would have informed and influenced superiors, colleagues and customers. They would have acted as informal mentors, trainers and guides of younger and less experienced workers. Their experience was part of ‘the social reproduction of the workforce’ (Roberts, 2001), by acting as conduits for institutional memory and professional skills. As freelancers, these older professionals had far less opportunity to disseminate their extensive knowledge to others who lay beyond their immediate project team. They were free, and often forced in their search for income, to take their skills elsewhere, including to competitors. Given the way experience was devalued by the industry, it is likely that substantial numbers of experienced workers left the industry altogether, resulting in a waste of expertise that had been built up over many decades. Thus, short-term gains in the way careers and projects were shaped led to losses in long-term reciprocal employment arrangements.

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