

# — THE EDITORS —

P.O. Box 567, Neutral Bay New South Wales 2089

NEWSLETTER NO. 5

October 1979

## REPORT ON LAST MEETING

Kirribilli Neighbourhood Centre, Fitzroy Street, Kirribilli

Wednesday 19 September 1979

Topic: THE EDITOR AND THE AJA

The speakers were Irina Dunn, representing book editors, John Lawrence (Federal President of the Australian Journalists' Association) and Barry Porter (NSW State President of the AJA). The meeting was chaired by Jacqueline Kent.

Irina spoke first, outlining the history of the Book Editors' Award (AJA). Because she covered the editors' side of the negotiations so well, we've given a slightly abridged version of what she said:

The debate about an industrial award for book editors is at least five years old. Respondents in a 1974 EdSoc (Melbourne editors) questionnaire were asked, inter alia, whether the society should seek to establish itself officially as a trade union.

The two main points to come out of the survey were the disparity between 'commercial' and government editors and the lack of conviction on unionisation.

Even allowing for the view that all public servants are overpaid, the salaries in the commercial area did not look very impressive. Not only did they start very low, with most editors still below \$6000 after two years' experience, but the rise to around \$8000 for an editor with ten years' experience did not make the editorial career very attractive financially. By comparison, many professions paid at least \$8000 for a graduate with no experience, who could expect \$8000 within two or three years.

The Society of Editors was not convinced that publishing houses consider that editors are necessary. In the 1974 survey, the Society found that the typical commercial book publisher's editor was female, had fewer than five years' editorial experience, earned less than the national average wage (and incidentally did not benefit from National Wage Case awards), didn't get paid for overtime and was lucky to receive more than three weeks' holiday a year. In contrast, editors working for the Federal Government, State Governments or Government instrumentalities had a much easier existence, being better paid by about \$4000 per annum for equivalent responsibilities and enjoying all the advantages that flow to organised labour today.

Yet, despite the unfavourable pay and conditions, editors seemed loath to act. The 26 members who replied to the questionnaire represented less than half the paid-up membership and the fifteen

who said yes to unionisation were not even a quarter.

My involvement with the Sydney group of editors began in early 1975 when I was asked to fill a vacancy on an ad hoc committee which was canvassing the possibility of book editors being represented by the AJA. After many months of discussions amongst ourselves, with the Melbourne editors, and with AJA representatives, a log of claims, based in part on the Metropolitan Journalists' Award, was drawn up and served on the 22 book publishers who at that time employed book editor members of the AJA. The respondents to the log were:

Readers Digest Association Pty Ltd  
Addison-Wesley Publishing Co  
Cassell Australia Ltd  
Cheshire Publishing Pty Ltd  
Commerce Clearing House Aust Ltd  
Currency Methuen Drama Pty Ltd  
Grolier Society of Aust Pty Ltd  
Paul Hamlyn (Hamlyn Books Pty Ltd)  
Hicks Smith and Sons Pty Ltd  
Holt-Saunders Pty Ltd  
Jacaranda Press Pty Ltd  
Lansdowne Press Pty Ltd  
The Macmillan Co of Aust Pty Ltd  
McGraw-Hill Book Co Aust Pty Ltd  
Penguin Books Australia Ltd  
Pergamon Press (Aust) Pty Ltd  
A.H. & A.W. Reed Pty Ltd  
Science Press  
Science Research Associates Pty Ltd  
Sydney University Press  
Ure Smith Pty Ltd  
John Wiley & Sons Australia Pty Ltd

The date for the hearing before the Australian Conciliation and Arbitration Commission was set for 24 February 1976.

At the hearings, the first tactic of the publishers' legal representative, apparently quite a standard ploy, was to question whether book editors were within the rules of eligibility of the AJA and therefore whether the AJA was entitled to represent book editors in an industrial dispute.

In support of its case, the AJA called upon the evidence of one of its members who had worked with books as well as magazines and newspapers, and who stated that editorial work was very similar in both fields of publishing. She was submitted to a gruelling cross-examination on behalf of the publishers.

On 19 March, 1976, Commissioner Taylor handed down his decision in favour of the AJA, i.e., he held that he did have jurisdiction in the matter, and that 'the remaining prerequisites for the finding of an industrial dispute having been satisfied, I accordingly find a dispute within the meaning of the Act'.

The plot thickens.

About five weeks later, Syd Crosland, the Federal Secretary of the AJA, received a letter from Mallesons, the well-known legal firm which was acting on behalf of the publishers, a letter which stated that 'we wish to advise that an application has been lodged with

the High Court of Australia seeking a Writ of Prohibition directed to Mr Commissioner Taylor and to your Association prohibiting them from further proceeding in the said matters of the Commission'. (27 April 1976)

So the matter was now to go to the Full Bench of the High Court, which was to sit in late September, five months away.

At this time, in May 1976, Sydney book editors formed the Book Editors' Section of the AJA, which met regularly at the Journalists' Club specifically to discuss industrial matters. Another professional group began meeting regularly at the Hero of Waterloo hotel at the Rocks. Membership of the AJA was not a requirement of membership, as it was for the Book Editors' Section. An editors' newsletter was also initiated at this time.

The dispute between the AJA and the publishers evoked much comment and criticism in the publishing industry. One well-publicised letter was written by Lloyd O'Neil:

Dear Colleagues in the Book Industry,

I and many others in the publishing profession are greatly distressed by the present state of affairs between editors and publishers.

At present, two groups of people whose working lives are inextricably interlocked are confronting one another in the highest court in the land.

Regrettably, not face to face, because between the two groups stands firstly, a union - which no doubt understands conflict between a handful of powerful newspaper proprietors and journalists but may not understand the small-scale intimate relationships between editor and publisher - and secondly, various highly paid solicitors, barristers, Queen's Counsel and judges.

It seems that, in such a situation, regardless of the outcome, a residue of unwelcome bitterness is likely. For all of us, editors, designers, production people and publishers, who have participated in and shared the excitement of building the great industry that is now Australian publishing, this will be a sad day indeed.

As with all these things, lack of communication has played a big part, but I do not believe that the situation is irretrievable.

I think I speak for many publishers when I say they are aware that there have been many cases of underpayment, exploitation and sex discrimination in the past and indeed instances still exist. But also I think I can say that most would welcome a system of grading and payment levels. I believe, however, that this should be settled directly between the editors and publishers, with those conferring knowing the intricacies, subtleties and realities of Australian publishing. (Most editors I know do the job, and the time book at the office door is not part of their working life, but there it is, carefully prescribed in the present Log of Claims).

Would it not be possible for the editors to organise themselves into a group which could negotiate with a group of publishers, with both parties acting independently of professional and union organisations, and come up with real job descriptions, gradings and salary levels?

I am quite sure most publishers would adopt conditions laid down by such a meeting and that the feeling of confrontation, unnecessary aggression and awards being thrust on the industry from outside, would be gone. And it is hardly necessary to point out the cost to editors and publishers of allowing other people, that is, unions, solicitors and judges, to decide for us all what is good for us and our industry.

I write this letter as an individual, but feel sure that if most of the editors can organise themselves, most of the publishers would react in a similar way.

We all have too much in common, too much to lose (note well the hostility of relations between newspaper proprietors and journalists) not to make an effort to reach agreement inside our own industry.

Yours sincerely,  
Lloyd O'Neil

The editors replied:

Nobody could other than endorse Lloyd O'Neil's concern about the decline of small-scale intimate relationships between editors and publishers brought on by the current dispute in the publishing industry, but this need not be so. Provided both sides are reasonable, there is no cause for the intimacy to be jeopardised. Editors have not refused to negotiate; nor did they take the matter to the High Court.

Mr O'Neil acknowledges that editors have legitimate grievances about salaries and working conditions, but neither anxieties about profitability nor some notion of a glamorous job can justify the low salaries that most editors are at present receiving. He argues that 'outsiders' - unions, lawyers and courts - need not be involved in the resolution of what is, after all, more or less a family affair. But real family disputes sometimes necessitate the intervention of outside forces, including the law. Again it would be better if it were not so; amicable negotiation - collective bargaining if you like - is a preferable option, but the reality dictates another approach. In the past, publishers have reluctantly incurred many other costs such as national wage rises only because they have had no choice. There is no reason to think that they would voluntarily offer to pay editors higher salaries, particularly when they are not legally bound to do so.

It is true that publishing in Australia is not a large industry, but it is also true that it is dominated (as several recent studies show) by branches or subsidiaries of large overseas houses. So the cottage industry idea hardly stands up to serious examination. Perhaps, ideally, editors and publishers should be able to sit down and negotiate gradings, salaries and other working conditions. Many of us as editors have already tried this many times - and failed - and it has not proved to be a viable alternative in the past. So some officials of a union of a kindred profession and some working editors made common cause to establish something approaching parity in the negotiating situation. In all conscience, there can be nothing wrong with this. It is one of the foundations of a democratic society and part of our established legal process. Mr O'Neil seems to feel that the spectre of unionism is stalking Australian publishing, that an alien spirit is abroad. But is

publishing a special case? What about the teachers', nurses' and other professional unions and associations which have fought hard to gain employees the salaries and working conditions they would not otherwise have had, particularly when the 'idealism' was seen to be sufficient reward in itself?

Thus Mr O'Neil's seductive suggestion for a healthy sense of independence to assert itself is not on. Editors need effective backing behind their relatively small numbers and limited trade union skills. It would be better for all concerned if publishers could quickly come to terms with the conditions of modern social and economic life and co-operate in dealing with the substance of the editors' log of claims, which should not be trivialised, as Mr O'Neil does, by raising another ogre - 'the time book at the office door'.

Meanwhile, Melbourne editors who had initially been very conservative in their attitudes to the award, carried a number of motions relating to it at their AGM in July 1976. The motions carried were:

That the Society of Editors cannot remain aloof from the current industrial dispute.

That the Society of Editors endorses the aspirations of the book editor members of the AJA.

That the Society of Editors has strong reservations about particular aspects of the Log of Claims.

That the Committee of the Society of Editors form a sub-committee and co-opt other members to consult with editor members of the AJA.

That the Society of Editors recommends that members of the society become members of the AJA to have an effective voice in the negotiations.

After consultations between Sydney and Melbourne book editors, it was agreed that editors would approach publishers in an attempt to persuade them to withdraw from the High Court action. This was done, and I quote from the minutes of an interstate meeting of editors held on 19 July 1976: 'to avoid bitterness in the industry and to bring the parties quickly to the negotiating table'. Some publishers had already expressed their regret at taking the matter to the High Court.

After meeting with the AJA representatives, it was decided that it was not necessary for any publisher to withdraw from the High Court action before discussions with editors took place, and that any such discussions would be without prejudice to any subsequent court action or negotiations. Accordingly, a letter of invitation was drafted by Sydney and Melbourne editors and sent to all respondents to the log as well as a number of other publishers. As a result, several publishers agreed to meet with editors and a date was set for 24 August to coincide with the ABPA meeting in Melbourne.

Many aspects of the log of claims were discussed at this meeting, but publishers as a group were still not prepared to withdraw from the High Court proceedings.

At the High Court hearings, the AJA presented new evidence in the

form of affidavits from editors and newspaper journalists describing job responsibilities. It was also drawn to the attention of the Court that book editors are represented by journalists' associations in both New Zealand and the UK. The publishers' representatives asked for an adjournment until the next High Court sittings in early 1977 to consider the new evidence.

A second 'without prejudice' meeting between editors and publishers was held in Melbourne on 15 December, 1976 and included the representatives of both parties. At this meeting, publishers presented editors with a log of claims that they themselves had drawn up. This log was remarkable for its brevity and simplicity. While editors and publishers reached agreement at this meeting on all definitions of Editor except that for Senior Editor, there was still a significant difference in proposed salaries.

A subsequent meeting between the AJA and publishers' representatives on 26 January 1977 produced a further draft of the log which was returned to publishers and editors for comment. At about that time, the publishers ceased to press their action in the High Court.

After further discussions, a final draft was agreed upon by editors and publishers and on 26 September 1977 an award for book editors was handed down by the Australian Conciliation and Arbitration Commission. It was retrospective to 1 May 1977, and was to continue in force until 30 April 1978, after which editors could then renegotiate the award.

In early 1978, in anticipation of that date, a group of Sydney editors once more formed a committee to discuss proposed changes to the award in consultation with Melbourne editors. A list of proposed changes was then sent to Melbourne. A poor Melbourne response and various changes in the Sydney scene resulted in the matter elapsing until December 1978, when at a meeting of several Sydney editors it was agreed that a new award should be negotiated or the old award revised, and that as many companies as possible, namely, those employing AJA members, should be brought within the scope of the award.

I caught up with what Melbourne editors have been doing in regard to the award when Mark Robertson from Nelson told me recently that earlier this year, Melbourne editors had sent a list of proposed changes to the award, including those made by Sydney and Adelaide editors, to the Melbourne branch of the AJA. Subsequently, the industrial committee of the AJA in Sydney drew up an amended award.

I believe that had it not been for the award, publishers would still be paying the abysmal salaries they were in 1974-5. The effects of inflation aside, the salaries of many editorial positions have doubled since the inception of the award. A senior editor with five years' UK experience was receiving \$5000 p.a. in 1975 from one publishing company; a recent Cassell ad offered \$12000 p.a. for a copy editor, and nearly \$10 000 for a trainee.

Given the fact that an award exists, whatever one may think of it, it can only be in editors' interest to make sure it does not become a means by which editors' salaries and conditions are retarded.

John Lawrence was the next speaker. He pointed out that the AJA is both a union and a professional association. Following up Lloyd O'Neil's letter, he said that the award has not led to time books - the give and take relationship still exists in publishing houses, as it does in most newspaper offices. Unionism has historically come into force only when there is all take and no give on the part of the employer.

He said that in 1975 the average pay of a senior editor was somewhere between that of a C or D grade journalist. It was a matter of personal regret to him that the rates finally set in the award were so low. However, publishers would not have increased pay even to the present level without the award.

When the AJA served the log of claims on the publishers in 1975, they had approximately 90 - 100 members nationally, paying an annual subscription of \$14 per head. The award cost the AJA a considerable amount; in 1975, their total legal fees (including other cases) were \$12 000. Thus when the AJA knew that the book editors' award was likely to go to the High Court, they were in a 'no win' situation. They felt, however, that there was a close affinity between book editors and journalists, so something had to be done.

The award led to senior editors' pay being at a similar level to B grade journalists - a considerable improvement. Other gains were that editors' salaries were now subject to indexation - something that had not happened before.

As the award came into effect during a period of wage indexation guidelines (i.e. after January 1975), this restricted the AJA in claims on relativity and wage parity. Thus the claims had to be based on the average rate of pay at the time. Despite this, the average senior editor's wage was increased from \$160 to \$211 - an increase of \$51.

The situation at present is that the AJA can go to the Arbitration Commission now and show changes in work value since the award came in. However, changes in themselves do not necessarily lead to more money; in fact, some changes make the job easier. Thus most unions cannot hope to get increases at present on that basis. But at least there's an award now.

Barry Porter added that the dissatisfaction that book editors felt in the mid-1970s is akin to the feeling that journalists felt in 1911 ... this led to the founding of the AJA and the handing down of the first journalists' award in 1917. Today, the AJA has awards that go up to \$22 000 per annum - a considerable advance on the early days.

Following the speakers, there was an open discussion, and several people asked questions. The first question was: Does the award go to publishers who were not respondents to the previous award? John Lawrence replied that the log of claims can only be served on publishers who have AJA members in their organisations. Barry Porter added that only one member is sufficient for this to apply. Somebody asked: Can publishers get out of respondentcy if they no longer have any members? Barry Porter assured the meeting that they have to apply specifically and it's very hard for them.

To the question: What does the AJA regard as important provisions for editorial training? John Lawrence replied that trainees should be thoroughly trained in all aspects of the job; on-the-job training should be given under supervision of a senior editor. Trainees should not be regarded as cheap labour; they are an investment in our industry.

In answer to the question whether casuals were employed because they are cheaper, Barry Porter said that under the Metropolitan Dailies Award, any casual employed for more than ten days in one year gets holiday pay with loading on a B grade journalist rate. As a general policy, the employment of casuals must be made more expensive, so that it is not encouraged to be seen as a form of cheap labour. The same would be true in the publishing industry.

After questions, we all retired to read, mark and learn what we had just heard, and to inwardly digest the excellent nosh and grog.

#### TRAINING COMMITTEE REPORT

Further rumblings from the depths (please do not confuse this with previous paragraph!) ... the Editors training committee held a meeting on 4 October at Barbara Ker Wilson's flat. Present were Barbara (if people are meeting in your flat, it helps to be around), Elaine Russell, Jacqueline Kent, Jane Arms, Margaret Olds and David Ell. We discussed the formulation of a basic editing course, topics to include: The role of the editor, evaluating mss and writing mss reports and rejection letters, the development of the manuscript and dealing with the author, permissions/copyright, contracting, estimating and prelims, copy editing (big one, this!) editors and production, editors and design, proofreading, indexing picture research, selection of pictures and captioning and commissioning original illustrations, and marketing, publicity, review lists and blurb writing. We considered holding a series of half-day seminars and workshops to run through the year (but we don't know which year yet!). Further news later. Don't go away ...

#### ADDITIONS TO FREELANCE REGISTERS

##### Editors

OLIVE LAWSON, 2/68 Cremorne Road, Cremorne 2090  
Tel: 909 8185

PREVIOUS EXPERIENCE: Open University, UK (1970-72), University of New England (1973-4), Standards Association of Australia (1977-8)  
DUTIES: Writing, editing, collating, proofreading, revising and rewriting technical material, layout, pasteup, final assembly.  
OTHER RELEVANT EXPERIENCE: Ten years as teacher of English to primary, secondary and adult students.  
SPECIALITIES: University and secondary school textbooks, general non-fiction, music.  
FREELANCE EXPERIENCE: Sydney University Department of Adult Education, Angus and Robertson.

ALICE MANTEL, 161 Palmer Street, Darlinghurst 2010  
Tel: 31 8658 (evenings, weekends, messages) 33 3342 (business hours)

PREVIOUS EXPERIENCE: CCH Australia (1976-8) Bay Books (1979)  
DUTIES: Marking up copy, proofreading, copy editing, some original writing and rewriting, research.  
OTHER RELEVANT EXPERIENCE: Layout, copywriting.

SPECIALITIES: Technical, legal and academic copy editing.  
FREELANCE EXPERIENCE: Angus and Robertson

MERYL POTTER, 3/222 Alison Road, Randwick 2301  
Tel: 399 3382 (home) 217 6666 (business hours till November)

PREVIOUS EXPERIENCE: Cassell Australia.

DUTIES: Copy editing, proofreading, indexing, picture research.

OTHER RELEVANT EXPERIENCE: Teaching school, university and adult students; writing and rewriting.

SPECIALITIES: Indexing, proofreading, indication pasteup, permissions, general non-fiction and educational books. Interested in craft books.

FREELANCE EXPERIENCE: Cassell Australia, University of New South Wales.

LOUISE SWEETLAND, 4 Millicent Avenue, Toorak 3142

Tel: (03) 24 4786

PREVIOUS EXPERIENCE: Cheshire (1970-74), Penguin Books and Routledge and Kegan Paul, UK (1975-9)

DUTIES: At various times - sales representative, field editor, copy editor, researcher, worked in book promotions.

OTHER RELEVANT EXPERIENCE: Freelance research, freelance copy editor and researcher for ABC.

SPECIALITIES: General non-fiction copy editing, blurb writing, research.

FREELANCE EXPERIENCE: Has worked for a range of Melbourne publishers.

#### Artists and Designers

CHARLOTTE THODEY, 44 Raymond Road, Neutral Bay 2089

Tel: 908 1608 (home) 61 3937 (work)

PREVIOUS EXPERIENCE: Self-employed for seven years, worked for WAWF Amsterdam, Paul Hamlyn. Now freelancing for API.

DUTIES: Illustration, cartoon drawing, card design.

SPECIALITIES: Illustration of story books, designing cards, jacket design.

FREELANCE EXPERIENCE: Paul Hamlyn, John Sands.

Examples of work available.

#### CORRESPONDENCE

Members might be interested in reading the following letters we received recently:

11 September

Dear Sir,

I note a paragraph in your Newsletter (i.e. the previous one) relating to 'fair dealing' and copyright. This is a very large concept in copyright and a very important one, one that is, I am afraid, much misused by people who use copying machines.

The Copyright Act 1968 provides for 'fair dealing' exceptions to the general provisions of copyright, that is an infringement to copy without the permission of the author or owner of copyright.

'Fair dealing' is not quantifiable, since each 'fair dealing' defence in an infringement depends upon the facts.

If you wish, one of the Council's legal research officers could explain this and other copyright matters to your members.

Yours sincerely,

G.C. O'Donnell, Chairman, Australian Copyright Council

Dear Secretary,

17 September

Your publication 'The Editors' newsletter for September 1979 has been brought to our attention and we think it a fine publication.

However we are in the middle of renegotiating the ABC/AWG/ASA Contract and some of the statements in your publication need clarification.

You should be aware that the ASA has two agreements with the Australian Broadcasting Commission. One of these covers the broadcasting (radio or TV) of work that is copyright. That is, it covers the right of the ABC to take a poem or a short story that has been published, and to use that work in broadcast. That agreement is indexed annually, and the last series of indexation took the minimum fee to \$25. There is no reason, however, why the owner of a copyright might not ask the ABC for more than the stated fee. The ABC would then have to make a decision as to whether the work was worth more.

So much for that agreement, which covers work that has been published in another medium. The ABC simply has broadcast rights.

The second agreement (and the one the ASA and AWG are currently negotiating again) covers commissioned work. That is, it covers work that the ABC is buying and presumably work which has not been published in another medium.

(Although we talk of commissioned work, we also include unsolicited work in this agreement.)

The ABC is certainly going deeper into the merchandising field, but will have to pay royalties to the original copyright owners. This is critical to our current negotiations. Under the current agreement, the ABC has no rights at all in the further development of work in which they do not hold copyright. They cannot issue audio or video cassettes, books, roneoed notes, records or licence T shirts or sell overseas or supply material to schools, make cinema films, etc., without the specific permission of the copyright owners, the creators and without paying a royalty on such subsidiary rights.

You might care to draw this letter to the attention of your readers.

Compliments.

W.F. Larkins, Chairman, Australian Society of Authors

#### POSITIONS VACANT

Angus and Robertson Publishers are looking for the utterly reliable sub-editor to work at their new offices at North Ryde. Duties will include sub-editing manuscripts, checking page proofs and dyelines, indexing - almost anything, in fact. (A reminder, too, that A&R are constantly on the lookout for perfect proofreaders and super subs for their freelance lists.)

Please reply in writing, giving details of vast past experience and glowing reports from previous employers or your mum, to the Editorial Co-ordinator, Angus & Robertson Publishers, P.O. Box 290, North Ryde, N.S.W. 2113.

(If you have any jobs going, do let us know! We'll be happy to advertise for you.)

NEXT MEETING ... NEXT MEETING ... NEXT MEETING

Wednesday 24 October 6.30 p.m. Kirribilli Neighbourhood Centre  
Speaker: Robin James on 'THE EDITOR AND PRODUCTION' (we hope ... haven't confirmed yet!) RSVP by Monday 22 Oct Narelle Konte 438 1451