



Negotiating Tips

Negotiate your way to a better writing contract

by Ann Douglas

Eager to negotiate the best possible contract terms for your next writing assignment? Here are a few tips.

- **Don't feel pressured into signing the publisher's "standard contract" as presented.** Attempt to negotiate the best possible terms for yourself. Remember, a writing contract that has been prepared by the publisher is inevitably skewed in the publisher's favour. The only way to come up with a more balanced contract (a contract that is fair to you, too) is by asserting your rights as well.
- **Don't feel guilty for attempting to negotiate better terms for yourself.** Wanting to negotiate better terms doesn't mean you're a difficult or high-maintenance writer. It means you're a savvy entrepreneur who understands his/her worth in the marketplace.
- **Ensure that the contract accurately captures the details of the writing assignment as agreed upon by you and your client.** In the case of a magazine assignment, the contract

should spell out what you are being asked to write (the topic and approach), how much you are being asked to write (the word count), when you are being asked to write it (the due date), and other matters of professional practice (your responsibilities and the publication's responsibilities with regard to this piece). Make sure you clarify anything that isn't perfectly clear—to prevent miscommunications and hard feelings down the road.

- **Do your homework.** Educate yourself about standard industry practices by comparing notes with other writers. And find out as much as you can about this particular client, so that you can decide whether or not you wish to work with them.
- **Have an accurate sense of your own worth in the publishing marketplace.** Know what a writer with your background and experience can expect to be paid, given current market conditions. Accumulate as much hard data as you can so that you can make the best case for yourself during the negotiation process. You want to establish your credibility both as a skilled writer and as a savvy negotiator.
- **Be clear about your contract bottom line.** Which contract clauses are deal-breakers for you? Which contract clauses are open to negotiation (and what terms would be acceptable to you)? Do as much of this thinking as possible before you start negotiating with the other party.
- **Pay attention to what the other person is trying to tell you.** What are their negotiables versus their deal-breakers? Can you find some common ground?
- **Understand the big picture.** Be aware that outside forces can complicate the negotiation between you and your editor (for example, the legal department's insistence that all freelancers sign the publication's standard freelance contract).
- **Explore creative solutions.** If budget is a concern for your client, be willing to consider compensation other than money—but only if these extras are of genuine value to you.
- **Assume the best of the other party until proven otherwise.** It is easier to maintain a positive attitude throughout the negotiation if you adopt this mindset.

- **Take notes during the negotiation process.** Summarize what you have agreed upon and confirm everything in writing. And only agree to contract terms that you can actually live with. Agreeing to a too-tight deadline, only to have to request an extension down the road, doesn't do anyone any favours.
- **Know when it makes sense to walk away.** It doesn't make sense to try to make a bad deal work. You'll feel angry and resentful and that will undermine your relationship with your client, to say nothing of your motivation to do your best work. But try to part on good terms. Your goal should be to preserve the relationship, if at all possible.

About Ann Douglas



Ann Douglas is an author and magazine writer who specializes in writing about parenting. A popular speaker, Ann leads workshops and delivers keynote addresses on a variety of topics of interest to writers, parents, and others who share her passions for mental health, social justice, education, and civic engagement. She lives and works in Peterborough, Ontario, and volunteers her time with various projects and causes.

In June 2013, Ann became the second person ever to be awarded a Lifetime Membership by the Professional Writers Association of Canada (in recognition of her contributions to the freelance writing profession).

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