

**APDG**

**LIVE PERFORMANCE**

**DESIGN**

**GUIDELINES**

**APDG**

AUSTRALIAN PRODUCTION DESIGN GUILD

# APDG LIVE PERFORMANCE DESIGN GUIDELINES

2014 / 2018 / 2019 / 2023

The APDG represents the community of designers in screen, live performance, events and digital production across Australia.

The following policy objectives and accompanying sets of recommendations were ratified by the full APDG membership on August 11, 2014, were revised in 2018, and revised again in 2023 to include Lighting and Video Designers. These Guidelines constitute the 'appropriate industry standard' as defined by the Australia Council, and which affirms: "industry benchmarks exist to guide rates of remuneration for work and copyright". While these Guidelines are intended to guide best practice, any agreement between the designer and the company will be subject to individual negotiation.

For more information or to make an appointment to discuss the Guidelines please contact: [admin@apdg.org.au](mailto:admin@apdg.org.au)

# CONTENTS

**EXECUTIVE SUMMARY** 01

- 1 THE PIVOTAL ROLE OF THE DESIGNER, AND THEIR VALUE TO THE COMPANY** 05
- 2 ACKNOWLEDGING DESIGNERS' EXPERIENCE IN THE FEE STRUCTURE** 13
- 3 GUIDELINES FOR FAIR MINIMUM FEES** 14
- 4 REMUNERATING THE DESIGNER WITH APPROPRIATE ROYALTY PAYMENTS** 22
- 5 PROMOTING EQUALITY FOR ALL DESIGNERS** 24
- 6 PROVIDING SUPPORT FOR YOUNG & EMERGING DESIGNERS THROUGH CLEAR DEVELOPMENT PATHWAYS WITHIN THE INDUSTRY** 26
- 7 PROVIDING FAIR AND ACHIEVABLE WORKPLACE CONDITIONS AND WORK-RELATED EXPENSES** 29
- 8 ENCOURAGING BUDGET TRANSPARENCY AT ALL STAGES OF THE DESIGN PROCESS** 30
- 9 DESIGNERS ARE RE-ENGAGED WHEN A PRODUCTION THEY HAVE DESIGNED IS REMOUNTED** 31

# EXECUTIVE SUMMARY

The Australian Production Design Guild (APDG) formed in 2009 to represent the concerns of designers in film and live performance. This document addresses issues common to set, costume, lighting and video designers working across all modes of live performance, working freelance or resident in small and large companies, both commercial and subsidised. Live performance designers generally agree that they are appreciated as respected creative contributors, nevertheless they maintain that there is room for greater support and deeper understanding.

The following Guidelines have been formulated and ratified by APDG live performance designers to improve awareness of design for live performance philosophies, standards and practices, and to nurture effective working relationships between designers and live performance managements.

## **1.1 PROMOTING A CLEAR UNDERSTANDING OF WHAT DESIGNERS DO, THEIR VALUE TO THE COMPANY, AND THEIR PIVOTAL ROLE IN THE SUCCESSFUL REALISATION OF THE PRODUCTION.**

Much of the designer's process happens outside of the contracting company and is to a considerable extent invisible to management. This document aims to develop in management a deeper understanding and appreciation of the complexity of the designer's role, the many hours worked by the designer in design development, and in particular the designers' pivotal role in working side by side with the director or choreographer to initiate, develop, resolve and realise the production concept.

The designer is usually engaged as a guest artist working within the company structure but not as part of it. Our role is creative, technical, and managerial. Our ultimate creative responsibility is to the producer and/or director or choreographer and we work in partnership with them and at their creative level. Our technical role is to find practical solutions to creative challenges and as technicians we will often be required to work at the level of a technical director. Our managerial role is to realise the design within the company's allocated resources, and as managers we work in partnership and at a comparable level to the production manager or senior manager.

The production company relies on the designer to develop a unique design concept that will engage the audience, to satisfy the design brief, to work within budget, schedule and resource guidelines, to provide clear documentation and instruction for the realisation of the design, to drive the design realisation process by providing creative leadership to the production team and shepherding them to bring their best endeavour to the needs of the production.

The designer relies on the company management to support the designer by working to the agreed design priorities established by the 'creative collective', To this end management is relied on to provide clear and timely budget and resource updates, to manage the production team, to allocate resources to effectively realise the design, and to support and nurture the designer as a guest artist in the company in a safe and productive work environment.

## 1.2

### DEFINING KEY TERMS IN THE DESIGN PROCESS AND THE DESIGNER'S ROLE.

The design process is defined by the following phases:

**Commencement Phase** - Engagement - initial offer and brief; Design Initiation - the designer begins designing; Design Strategy - the designer together with the director/choreographer and management plan the entire design process and collaborative framework including design delivery dates, production team and processes.

**Design Development** - Resourcing/Research; Design Concept - together with the director/choreographer the designer arrives at and communicates an agreed visual interpretation and approach to the production; Preliminary Design - a draft of the design is presented for costing and planning; Design Documentation - all aspects of the final design are documented in preparation for rehearsal and manufacture.

**Design Implementation** - Design Presentation - the designs are presented to the production team, management and cast; Design Implementation - the designer supervises all aspects of the realisation of the design in collaboration with the rehearsal team and the production, construction and technical teams led by the production manager; Design Completion and Review - the designer co-manages design realisation of the production up to opening night, and may be available for formal post-production review of production processes.

## 1.3

### INDICATIVE AVERAGE HOURS WORKED BY DESIGNERS.

Overall set and costume designers work hours corresponding to from 7 weeks full-time on a production of simple complexity to 28 weeks on a complex production, with a designer designing sets and costumes working from 10 (simple complexity) to 36 weeks (complex).

The range of weeks worked by lighting designers is from 2 to 3 weeks (basic complexity) up to 8 to 12 weeks for productions of considerable complexity, with a higher proportion of hours worked in the final week/s of rehearsal up to opening night.

Video designers would typically work 2 to 3 weeks (basic complexity) up to 28 weeks (complex) when the video designer is both creative and technical designer, and this work may be spread over the entire preproduction and/or production period.

## 2

### ACKNOWLEDGING DESIGNERS' EXPERIENCE IN THE FEE STRUCTURES.

The APDG believes that fees should reward designers for their seniority and proven expertise, as other professions do. By employing more experienced designers, companies are securing greater certainty in the design process, a higher level of design management and supervision, increased technical skill and experience, and greater maturity of perspective. More experienced designers are often also called upon to support and mentor less experienced co-designers or production crew.

APDG adopts the following 3 tiers of experience: Emerging Designer (up to 5 years' professional practice), Proven Designer (5 – 15 years'), and Accredited or Established Designer (accredited by the APDG or more than 15 years professional practice as a designer).

**3 PROMOTING A STRUCTURE OF PAYMENT THAT REFLECTS THE HIGH LEVEL OF RESPONSIBILITY BORN BY THE DESIGNER IN THE REALISATION OF A SUCCESSFUL PRODUCTION, WHILE ALSO ACKNOWLEDGING THE RANGE OF VARIABLES THAT NEED TO BE CONSIDERED IN ESTABLISHING A FAIR FEE.**

Considerable consultation and research have been undertaken to formulate fair and realistic scales of minimum fees for set and costume designers, for designers designing both sets and costumes and for lighting designers and video designers. These fee scales are laid out in Tables 3.1 - 3.4. These tables are intended as a tool for managements and designers and their agents to identify appropriate fee levels for the designer.

Tables 3.1 - 3.4 employ a combination of two scales: minimum weekly rates corresponding to the three tiers of designers' experience and levels of production complexity. These levels of complexity are defined in terms of budget, cast size, set changes, venue size, technical complexity, size of crew being managed and other factors in Section 3.5. When the two scales are used together as proposed they outline a transparent, coherent, and logical range of fees, as the basis for negotiating a fair fee for any production.

**4 GUIDELINES FOR REWARDING THE DESIGNER FOR THEIR ROLE IN THE PRODUCTION WITH ROYALTY PAYMENTS, INCLUDING BROADCAST, STREAMING AND FILMING ROYALTIES, AND ROYALTIES FOR THE USE OF A DESIGNER'S WORK IN REMOUNTS OF THE PRODUCTION IN REPERTORY COMPANIES.**

In this section APDG guidelines are established for: minimum royalty payments (1% of gross box office for set, costume, lighting or video designers and 2% for a designer designing in multiple roles, for example both sets and costumes, or lighting and video, or video and set designer; the APDG defines the initial season as: the advertised first season in the venue in which the production first opens, and does not include transfers or remounts into the same venue at a later date to protect the designers' rights in programmed or future transfers of the production; the payment to designers of broadcast, streaming and filming royalties; royalty rights for designers when a production is remounted by a repertory company, and the retention of copyright and royalty rates when a production is sold to another company.

**5 PROMOTING EQUALITY FOR ALL DESIGNERS.**

APDG affirms the principles of diversity and ungendered and non-discriminatory equality of all designers at all levels of the live performance industries as their work and contribution are equally valued. The APDG calls out the historic gendered discriminatory nature of some industry sectors which has led to entrenched practices of unequal pay, unequal recognition and unequal employment conditions. Various measures in support of this principle are defined, including equal pay, recognition and workplace conditions for designers of the same level of experience when working at a production of the same level of complexity.

**6 PROVIDING SUPPORT FOR YOUNG AND EMERGING DESIGNERS THROUGH CLEAR DEVELOPMENT PATHWAYS WITHIN THE INDUSTRY.**

APDG defines the roles of Design Assistant, Assistant Designer/Technical Design Assistant, Associate Designer and Resident Designer and outlines how these roles can be coordinated and nurtured to provide training and professional pathways that benefit both emerging designers and live performance companies. Pathways include provision for the automatic employment of Design Assistants on productions of substantial complexity or higher, and on productions where an international designer is employed, insurance cover for Assistants, mentoring and collaboration with training institutions.

**7 PROVIDING FAIR AND ACHIEVABLE WORKPLACE CONDITIONS AND WORK-RELATED EXPENSES.**

Measures for the provision by management of production support for the designer working with the company include provision by the company of workplace insurances, company induction, access to a locker, desk, computer with internet and printer, and production desk in tech week, and design expenses to legitimately include both materials and labour, for employment of an assistant when this is agreed as necessary.

**8 ESTABLISHING A CULTURE OF BUDGET TRANSPARENCY AT ALL STAGES OF THE DESIGN PROCESS TO ENSURE THE ECONOMIC VIABILITY OF THE PRODUCTION.**

These Guidelines promote budget transparency, including weekly budget updates or as needed by the designer, the inclusion of the director in budget discussions to affirm their joint responsibility, and the development of budgeting standards to clarify and regularise budgeting methodologies.

**9 MAINTAINING THE INTEGRITY OF THE DESIGN BY RE-ENGAGING DESIGNERS WHEN A PRODUCTION THEY HAVE DESIGNED IS REMOUNTED.**

Designers retain an interest in the productions they have designed for the production's entire life and are committed to maintain the integrity of the design so that every audience sees the production as designed. APDG advocates a set of triggers that will automatically signal to management the need for the designer to be re-engaged for a remount. These triggers include cast and venue changes when the production is to be re-rehearsed or when 6 months has elapsed since the initial season.

# 1

# THE PIVOTAL ROLE OF THE DESIGNER, AND THEIR VALUE TO THE COMPANY

## BACKGROUND

Designers acknowledge that our role is not always clearly understood. We acknowledge that we have a responsibility to educate managements and management teams, production personnel, and directors in key factors of our work: such as our level of responsibility, our prime creative role as interpreters and creative collaborators in the process of 'making meaning' - of transforming a script or idea into a concrete reality, developing the production concept with the director and other members of the creative team and realising the design with the production team. The complexity of the designer's role, and the time required to perform it effectively across all phases of the design - from engagement through to opening night - needs to be better understood and given full recognition in the management of designers as guest artists within the company.

### 1.1 THE DESIGNER'S ROLE

We are collaborative artists. We provide a vital creative link between the developing production in the rehearsal room and the shaping of the production in the production workshops and workrooms.

As designers we understand our role to be creative, technical and managerial. Our pre-eminent role as a collaborative artist is to realise the creative potential of the production.

Our ultimate creative responsibility is to the producer and/or director/choreographer. We work as key players in the creative team led by the director/choreographer, in partnership with other members of the creative team. We work in partnership with the director/choreographer and at their creative level of responsibility to initiate, develop, resolve and realise the visual concept and every visual aspect of the production – what every part of the production means, how it looks, how it works, and how it integrates with every other element. Unless we are resident within the company, we are guest artists working creatively within the company structure, but not as part of it. Our relationship to the company is co-dependent - each party is dependent on the other for the success of the enterprise, however this relationship is rarely clearly defined.

Our technical role supports our creative role, working in close partnership with the production manager, and effectively at their level of responsibility or of that of a technical director – finding practical solutions to creative challenges, providing clear and explicit design direction to the production team through consultation and a range of design documentation, and technically resolving all aspects of the visual and physical production.



Our parallel managerial role and professional and ethical responsibility is to realise the design concept within the production company's allocated resources, on time and within budget. In our management role we operate at the level of responsibility of a senior manager. As managers we work in close partnership with the technical and workshop managers and/or the production manager.

The production company relies on the designer to develop a unique design concept that will engage the audience, to satisfy the design brief, to work within budget, schedule and resource guidelines, to provide clear documentation and instruction for the realisation of the design, to drive the design realisation process by providing creative leadership to the production team and by shepherding them to bring their best endeavour to the needs of the production.

The designer relies on the company management to work to the design priorities set by the director/choreographer, to provide clear and timely budget and resource updates, to manage the production team and allocation of resources to effectively realise the design, to support the designer with appropriate cultural consultancy when the production requires it, and to support the designer as an artist in the company in a safe and productive work environment.

Individual designers work in different ways and work differently in response to different directors, productions and production models, however in general the phases of design process can be described using the following APDG terms:

## KEY TERMS IN THE DESIGNER'S PROCESS

While listed in chronological order these steps frequently overlap, and the timing and length of these steps may differ considerably across the different design disciplines.

### COMMENCEMENT PHASE

**Engagement:** The designer is provided with key production information (script/score, schedule and budget) and, by agreement with the management/client, is attached to the production. This will coincide with issuing of a contract, deal memo or letter of agreement and first payment by management. As part of their engagement, management will brief the designer on the fundamental parameters for the design of the production and the designer will outline any of their special design requirements. Management and design deadlines, deliverables, special support needs such as cultural consultancy or design assistant will be agreed.

**Design Brief:** The essential requirements and basic outline for the design work as provided by the company, client, producer or director is established. The brief may be verbally communicated, or more formally communicated through the design contract, parameters document or other written document.

**Design Initiation:** After Engagement, and in response to the design brief, the designer begins designing the production by developing an initial response to, and analysis of the script/score/libretto or development material and participating creatively in meetings with other members of the creative team to initiate and develop the design interpretation.

**Design Strategy:** Management ensures that the designer has all of the essential documentation and resources required for design development; cast lists, budget, build schedule and draft production schedule, script (or script material), venue plans, production staffing, tour plans, venue model box, stock lists for set and costume stock and lighting and video equipment, petty cash and other management policies such as tendering processes. In addition, management will undertake to ensure that the designer has appropriate access to the director throughout the design process. If they have not already done so the designer will outline their anticipated needs (such as special build or crew staffing, cultural consultancy, specialist materials that may need sourcing, and costing deadlines that support the design or rehearsal process). Together with management and the director, the designer plans the entire design process and collaborative framework around agreed key deadlines (eg preliminary design delivery, design documentation/final design delivery, bump-in and plotting, design completion/opening performance), director's availability, the designer's other commitments, tendering of the build and other variables.

### DESIGN DEVELOPMENT PHASE

Through on-going analysis, experimentation, innovation and collaboration with other members of the creative team the designer develops design ideas and concepts, while testing their production viability and sharing progress of the developing design with the creative team and production manager.

**Design Resourcing/Research:** The designer gathers resource material from a wide range of sources (such as libraries, internet, museums, films, casting documentation, venue site visits, materials catalogues and swatches) for inspiration, cultural background and reference to aid development and communication of design options with the creative team, and to later to communicate design detail with the production team.

**Design Concept:** Through experimentation, research and design development the designer and director/choreographer arrive at an agreed visual interpretation and approach to the production, encompassing a complex of factors including scripted ideas and themes, production form and style, mood and genre, period, setting, character and character development, action, pace and rhythm, dramatic structure, focus, the performance venue, actor-audience relationship and the audience. The design concept is often central to the whole production and will inform production choices in costumes, sets, lighting, properties, video, choreography, sound, marketing and many other areas.

**Preliminary Design:** A draft of the agreed design concept is presented to the company/client in a form that is sufficiently developed for costing and scheduling by production departments, but not yet approved for manufacture. The preliminary design will be communicated by the designer using various hand or digital methods including: sketches, preliminary models, storyboards, costume roughs, props lists, set and costume breakdown, plans and other measured drawings, draft lighting and video equipment lists, draft video content, shared references and other preliminary design material. The preliminary design documentation will be delivered to the company at the Preliminary Design Delivery.

**Design Documentation:** After timely feedback followed by acceptance by the company of the preliminary design the designer prepares the final design package. The final design delivery may include but is not limited to finished and detailed hand or digital design documentation such as full colour scale model, costume drawings, measured drawings (scenery elevations, plan, section) paint charts, costume breakdowns, props drawings and lists, references, material samples, prototypes, storyboards, virtual models, lighting plans, cue sheets and equipment lists, video systems plans, equipment lists, cue sheets and initial video content, and other material to communicate the design intention in detail and in full. The full design documentation will be delivered to the company at the Final Design Delivery. While there may be subsequent changes to set and costume design details due to rehearsal and/or production requirements it is expected that this part of the design is essentially resolved and complete. For work developed through the rehearsal process and for lighting and video design the design will continue to evolve significantly through the design implementation phase.

#### **DESIGN IMPLEMENTATION PHASE**

**Design Presentations:** The delivery, presentation and demonstration of the complete design by the designer to the client/production company, heads of department, production team, cast and others such as marketing and publicity using finished design documentation to communicate the design intention and production concept.

**Design Approval:** The complete design package is fully costed by the technical or production manager and production department supervisors in collaboration with the designer, and the designs are formally approved for production. If redesign work is required for the designs to meet allocated resources this work is undertaken by the designer within a negotiated timeframe.

**Design Implementation:** Together with the production manager the designer manages the realisation of the design through manufacture in costume, set, scenic art and prop-making workshops (including tendering, if required), through sourcing of materials and properties, through video content creation, through rehearsals and technical rehearsals up to completion of the design. The designer maintains the design vision of the production while facilitating the development of the design in response to rehearsals, budget, schedule, the production and creative teams, specialists and other variables. The designer actively participates and guides decisions relating to the design realisation in production meetings and

meetings with the creative team, producers, production manager, technical director workshop and technical supervisors, cast (in rehearsal and in fittings), stage management, heads of department, production personnel, technical specialists (such as riggers, milliners, armourers, art finishers, lighting and video technicians) and many others. Additionally, within this phase the designer may advise on publicity to facilitate a coherent visual identity for the production.

**Design Completion & Review:** The completion of the design on or before opening night by which time all elements of the design are fully resolved. Planning for subsequent seasons or touring and a review of the effectiveness of the design and production process may be undertaken. If a production review is scheduled, then it is expected that the designer will be invited to contribute to feedback and to attend in person if possible.

## 1.3

# INDICATIVE AVERAGE HOURS WORKED BY DESIGNERS

Because so much of the designer's work is done away from the company and outside its structure the APDG maintains that management is too often not fully or accurately aware of the timeframe required to design a production, or of how many hours are required to design a particular production. When designers keep track of their hours, managers are frequently surprised and chastened to learn how substantial are the hours worked by the designer in developing the designs for one of their company's productions.

In Tables 1.4 – 1.8 the APDG proposes the well-researched indicative average hours for set, costume, lighting and video designers on productions of various scales and complexities.

Set and costume designers typically work approximately equivalent hours ranging from 7 weeks full time on a production of simple scope to 28 weeks on a complex production. A designer designing both sets and costumes on a production will typically work from 10 weeks (simple) to 36 weeks (complex). Costume designers work a higher proportion of their time (approx. two thirds) in the Design Implementation Phase, while set designers work a higher proportion of their time (approx. two thirds) in the Design Development Phase.

The range of weeks worked by lighting designers is from 2 to 3 weeks (basic complexity) up to 8 to 12 weeks for productions of considerable complexity, with a higher proportion of hours worked in the final week/s of rehearsal up to opening night.

Video designers may work as content creators, video systems designer and/or video programmer, and/or live video director, and will often perform more than one of these roles. A video designer would typically work 2 to 3 weeks (basic complexity) up to 28 weeks (complex) when the video designer is both creative and technical designer, and this work may be spread over the entire preproduction and/or production period.

For all designers these hours may be worked over an extended or very condensed time frame, with the 'production week' period usually worked as 14-to-16-hour days.

Contrary to industry assumptions, costume designers generally work as long or longer hours than set designers and significantly costume and set designers work longer hours in different phases of their design process: set designers typically will dedicate many hours making a scale model and documenting their design in the Design Development Phase, while costume designers typically will dedicate many hours to the very labour-intensive costume fitting process in the Design Management Phase.

Similarly for Lighting or Video Designers, and contrary to industry assumptions, a substantial part of their work happens well before their more-visible processes in the venue - on tasks such as preparing the lighting and video plans, research, content creation, reviewing rehearsal videos and design development.

**THE NUMBER OF HOURS WORKED AND THE TIMING OF HOURS WORKED BY THE DESIGNER IS SUBSTANTIALLY DETERMINED BY THE SCALE AND COMPLEXITY OF THE PRODUCTION.**

**SECTION 3.5 PROVIDES DETAILED ANALYSIS OF FACTORS THAT DETERMINE THE LEVEL OF COMPLEXITY FOR SET, COSTUME LIGHTING AND VIDEO DESIGNERS.**

## INDICATIVE AVERAGE HOURS WORKED BY DESIGNERS ON PRODUCTIONS OF VARYING LEVELS OF COMPLEXITY

These tables should be read in light of complexity variables discussed in sections 3.5 and 3.6

NOTE: In these tables a week was taken to be equivalent to 37.5 hours. Hours worked intensively over the production week period have been shown as equivalent weeks.

### 1.4 INDICATIVE HOURS WORKED BY DESIGNERS DESIGNING SETS AND COSTUMES

DESIGN PHASE	SIMPLE COMPLEXITY	MEDIUM COMPLEXITY	COMPLEX
ENGAGEMENT	½ week	½ week	½ week
DEVELOPMENT	6 weeks	7 - 10 weeks	24 weeks
IMPLEMENTATION	3 ½ weeks	10 weeks	12 weeks
<b>TOTAL HOURS</b>	<b>10 weeks</b>	<b>17 - 20 weeks</b>	<b>36 weeks</b>

### 1.5 INDICATIVE HOURS WORKED BY COSTUME DESIGNERS

DESIGN PHASE	SIMPLE COMPLEXITY	MEDIUM COMPLEXITY	COMPLEX
ENGAGEMENT	½ week	½ week	½ week
DEVELOPMENT	3 weeks	5 - 7 weeks	11.5
IMPLEMENTATION	3 ½ weeks	8.5 weeks	16 weeks
<b>TOTAL HOURS</b>	<b>7 weeks</b>	<b>12 - 14 weeks</b>	<b>28 weeks</b>

## 1.6

### INDICATIVE HOURS WORKED BY SET DESIGNERS

DESIGN PHASE	SIMPLE COMPLEXITY	MEDIUM COMPLEXITY	COMPLEX
ENGAGEMENT	½ week	½ week	½ week
DEVELOPMENT	3 weeks	6 - 8 weeks	20.5 weeks
IMPLEMENTATION	3 ½ weeks	6 weeks	7 weeks
TOTAL HOURS	7 weeks	12 - 14 weeks	28 weeks

## 1.7

### INDICATIVE HOURS WORKED BY LIGHTING DESIGNERS

DESIGN PHASE	SIMPLE COMPLEXITY	MEDIUM COMPLEXITY	COMPLEX
ENGAGEMENT	½ week	1 day	½ week
DEVELOPMENT	2 weeks	3 weeks	4 - 8 weeks
IMPLEMENTATION	1 week	2 weeks	4 weeks
TOTAL HOURS	3 weeks	5 - 6 weeks	8 - 12 weeks

## 1.8

### INDICATIVE HOURS WORKED BY VIDEO DESIGNERS

DESIGN PHASE	SIMPLE COMPLEXITY	MEDIUM COMPLEXITY	COMPLEX
ENGAGEMENT	½ week	½ WEEK	½ week
DEVELOPMENT	2 weeks	4.5 - 9.5 weeks	20.5 weeks
IMPLEMENTATION	1 week	3 - 5 weeks	7 weeks
TOTAL HOURS	3 weeks	8 -- 15 weeks	28 weeks

# 2

## ACKNOWLEDGING DESIGNERS' EXPERIENCE IN THE FEE STRUCTURE

### 2.1 APDG TIERS OF DESIGNERS' EXPERIENCE

The APDG believe that fees should reward designers for their seniority and proven expertise, as other professions do. By employing more experienced designers, companies are securing greater certainty in the design process, a higher level of design management and supervision, increased technical skill and experience and greater maturity of perspective. More experienced designers are often also called upon to support and mentor less experienced co-designers or production crew.

The APDG adopts the following 3 tiers of experience in establishing our Guidelines for Fair Fees (see section 3):

**EMERGING DESIGNER** Up to 5 years of professional practice as a designer OR equivalent experience in a related design role/related industry.

**PROVEN DESIGNER** 5 to 15 years of professional practice as a designer OR a designer who has established themselves in the industry with a respected body of work.

**ACCREDITED OR ESTABLISHED DESIGNER** A designer accredited by their professional body (APDG or international equivalent), OR with more than 15 years of professional practice as a designer OR a designer who has demonstrated consistently high creativity and innovation OR a designer who enters the industry from another related profession such as fashion, architecture or graphic design who has achieved similar standing and contribution in their primary industry.



# 3

## GUIDELINES FOR FAIR MINIMUM FEES

### BACKGROUND

Designers are usually paid a fee for their work, however, there has been little transparency around what constitutes a fair rate of pay.

In the tables of minimum fees below we set out guidelines for fair minimum rates of pay that acknowledge levels of experience (as in most other industries, and in live performance as with the actors' salary scales used by major companies) while also acknowledging factors that influence the levels of complexity of the production. These tables provide a transparent and fair mechanism for calculating equitable remuneration. The tables provide managements and designers and their agents with clear guidelines for establishing a fair fee while retaining the necessary flexibility for individual negotiations around special conditions.

Weekly pay rates and scales of production complexity have been used transparently in the following tables to calculate appropriate minimum fees for each tier of designer. The rates in these tables include holiday and sickness leave, but do not include superannuation or GST. These figures were calculated in 2023 and are subject to regular CPI increases.

### 3.1 MINIMUM RATES FOR SET OR COSTUME DESIGNERS

TIERS	DESIGNERS	RATES	SCALE OF COMPLEXITY				
			MINIMUM WEEKLY RATES	SIMPLE (5 WKS)	MODERATE (8 WKS)	CONSIDERABLE (12 WKS)	SUBSTANTIAL (20 WKS)
Tier 1	Emerging Set or Costume Designer	\$1300pw	\$6,500	\$10,400	\$15,600	\$26,000	\$36,400
Tier 2	Proven Set or Costume Designer	\$1600pw	\$8,000	\$12,800	\$19,200	\$32,000	\$44,800
Tier 3	Accredited or Established (Set or Costume Designer)	\$1900pw	\$9,500	\$15,200	\$22,800	\$38,000	\$53,200

Examples::

Emerging Designer designing sets or costumes for a simple production = minimum fee \$6,000

Proven Designer designing sets or costumes for a production of moderate complexity = minimum fee \$12,800

Established Designer designing sets or costumes for a production of considerable complexity = minimum fee \$22,800

### 3.2

## MINIMUM RATES FOR DESIGNERS DESIGNING SETS COSTUMES

TIERS	DESIGNERS	RATES	SCALE OF COMPLEXITY				
			MINIMUM WEEKLY RATES	SIMPLE (5 WKS)	MODERATE (8 WKS)	CONSIDERABLE (12 WKS)	SUBSTANTIAL (20 WKS)
Tier 1	Emerging Set & Costume Designer	\$1300pw	\$10,400	\$16,900	\$24,700	\$41,600	\$58,500
Tier 2	Proven Set & Costume Designer	\$1600pw	\$12,800	\$20,800	\$30,400	\$51,200	\$72,000
Tier 3	Accredited or Established Set & Costume Designer	\$1900pw	\$15,200	\$24,700	\$36,100	\$60,800	\$85,500

Examples::

Emerging Designer designing sets and costumes for a simple production = minimum fee \$10,400

Proven Designer designing sets and costumes for a production of moderate complexity = minimum fee \$20,800

Established Designer designing sets and costumes for a production of considerable complexity = minimum fee \$36,100

### 3.3

## MINIMUM RATES FOR LIGHTING DESIGNERS

TIERS	DESIGNERS	RATES	SCALE OF COMPLEXITY				
			MINIMUM WEEKLY RATES	SIMPLE (5 WKS)	MODERATE (8 WKS)	CONSIDERABLE (12 WKS)	SUBSTANTIAL (20 WKS)
Tier 1	Emerging Lighting Designer	\$1300pw	\$3,900	\$7,150	\$10,400	\$15,600	
Tier 2	Proven Lighting Designer	\$1600pw	\$4,800	\$8,800	\$12,800	\$19,200	
Tier 3	Accredited or Established Lighting Designer	\$1900pw	\$5,700	\$10,400	\$15,200	\$22,800	

Emerging Lighting Designer designing a simple production = minimum fee \$3,900

Proven Lighting Designer designing a production of moderate complexity = minimum fee \$8,800

Established Lighting Designer designing a production of considerable complexity = minimum fee \$15,200

### 3.4

### MINIMUM RATES FOR VIDEO DESIGNERS

TIERS	DESIGNERS	RATES	SCALE OF COMPLEXITY				
			MINIMUM WEEKLY RATES	SIMPLE (5 WKS)	MODERATE (8 WKS)	CONSIDERABLE (12 WKS)	SUBSTANTIAL (20 WKS)
Tier 1	Emerging Video Designer	\$1300pw	\$3,900	\$10,400	\$19,500	\$36,400	
Tier 2	Proven Video Designer	\$1600pw	\$4,800	\$12,800	\$24,000	\$44,800	
Tier 3	Accredited or Established Video Designer	\$1900pw	\$5,700	\$15,200	\$28,500	\$53,200	

**Examples::**

Emerging Video Designer designing a simple production = minimum fee \$3,900

Proven Video Designer designing a production of moderate complexity = minimum fee \$12,800

Established Video Designer designing a production of considerable complexity = minimum fee \$28,500

**THESE FEE TABLES PROVIDE A STRUCTURE OF PAYMENT THAT REFLECTS THE HIGH LEVEL OF RESPONSIBILITY BORN BY THE DESIGNER IN THE REALISATION OF A SUCCESSFUL PRODUCTION, WHILE ALSO ACKNOWLEDGING THE RANGE OF VARIABLES THAT NEED TO BE CONSIDERED IN ESTABLISHING A FAIR FEE.**

## 3.5

# LEVELS OF COMPLEXITY OF PRODUCTIONS

The APDG believes that complexity is the principal factor in determining the amount of work to be undertaken by the designer on any project. In Section 1.3 we outline a holistic approach to identifying at Design Initiation the factors determining complexity in order to lay the ground for negotiation of a fair fee.

We are aware that most producers use a set of determinants of scale and complexity of their productions when they are applying for funding, programming, and budgeting, and the APDG adopts a similar strategy, transparently employing measures that are of particular relevance to designers.

The APDG acknowledges that work developed in the 'development model' where the design is developed through workshops and other less formalised processes may have other, very specific characteristics that will influence the complexity of the project for the designer.

The APDG adopts the following criteria to define complexity; any of which may be more instrumental:

**Low Complexity:** up to 4 weeks of rehearsal with a short 'production week' with no previews, in a small venue.

For set and costume designers: a combined labour and materials design budget of \$5,000 to \$20,000; a cast of up to 6 with few costume changes. a unit set with only minor set changes or detail, typically a designer designing sets or costumes will work a minimum of 5 weeks, and a designer designing both set and costumes will work a minimum of 8 weeks. For lighting designers: lighting budget (excluding labour) under \$2000; overseeing 1 technician throughout, plus bump-in crew of 2 or 3. For video designers: video technical budget (excluding labour) under \$2500/wk; up to 1 dedicated video technician/operators for production week and/or season.

Productions at this level tend to vary significantly in the factors determining complexity. This requires careful analysis of the brief.

Productions of low to medium complexity can often be with companies lacking stock resources, so a proportionately higher percentage of the material design or LX and/or video equipment may need to be hired.

Productions operating with very limited resources can often require more of the designer's time. Co-Op or Profitshare productions should align the weekly rate with that of comparable others in the production team and identify the anticipated number of weeks of work for the designer in the contract or agreement.

**Moderate Complexity:** 4 weeks of rehearsal with a one-week production week' with few previews in a small venue, eg - 300 - 400 seat studio space.

For set and costume designers: a combined labour and materials design budget of \$20,000 to \$100,000; a cast of up to 9 with few costume changes, or a smaller cast with multiple costume changes; 1-2 changes of setting, or a moderately complex or detailed set. Typically, a designer designing sets or costumes will work a minimum of 8 weeks, and a designer designing both set and costumes will work a minimum of 13 weeks on a production of moderate complexity.

For lighting designers: lighting budget (excluding labour) under \$5000; overseeing 1 technician throughout, plus bump-in crew of 2 - 6. For video designers: video technical budget (excluding labour) under \$8000 per week; overseeing up to 1 dedicated video technician/operator for production week, and/or season.

**Considerable Complexity:** up to 5 weeks of rehearsal with a 'production week' of more than one week, with multiple previews, in a medium-sized venue, eg. approx. 600 seat proscenium theatre.

For set and costume designers: combined labour and materials design budget of \$100,000 to \$500,000; a cast of up to 15 with costume changes or considerable detail and/or design supervision required for the costume build; multiple or complex changes of setting, with considerable detail, supervision and/or liaison with other departments such as video, automation or lighting. Typically a designer designing sets or costumes will work a minimum of 12 weeks, and a designer designing both set and costumes will work a minimum of 19 weeks on a production of considerable complexity.

For lighting designers: lighting budget (excluding labour) \$5000 - \$12,000; overseeing 1 technician throughout, plus bump-in crew of 4 - 8. For video designers: video technical budget (excluding labour) under \$8,000 - 20,000 per week, overseeing 1 - 2 dedicated video technician/operators for production week, and/or season.

**Substantial Complexity:** up to 6 weeks of rehearsal with a 'production week' of more than one week, with multiple previews, in a larger venue, eg. 1000+ seat proscenium theatre

For set and costume designers: combined labour and materials design budget of \$500,000 to \$1.5 million; a cast of up to 20 with multiple costume changes or substantial detail and design supervision required for the costume build; multiple or complex changes of setting, with substantial detail, supervision and/or liaison with other departments such as video, automation or lighting, Typically a designer designing sets or costumes will work for a minimum of 20 weeks, and a designer designing both set and costumes will work for a minimum of 32 weeks on a considerable production.

For lighting designers: lighting budget (excluding labour) \$12,000+; supervising 2 technicians throughout, plus bump-in crew of 6 - 10. For video designers: video budget (excluding labour) under \$20,000+ per week, overseeing 3+ dedicated video technician/operators for production week, and/or season.

**Extensive Complexity:** 6+ weeks of rehearsal with a 'production week' of several weeks, with multiple previews, in a larger venue, eg. 1500+ seat proscenium theatre.

For set and costume designers: combined labour and materials design budget of over \$1.5 million; a cast of 30 and over with costume changes or substantial detail and design supervision required for the costume build; multiple and complex set changes, with extensive detail, supervision and/or liaison with other departments such as video, automation, or lighting. Typically, a designer designing sets or costumes could work 28 weeks, and a designer designing both set and costumes could work for 45 weeks on an extensive production. More complex productions beyond the parameters set above would be considered on a case-by-case basis, such as a production where the workload exceeds 28 weeks for a set or costume designer, or a period that exceeds 45 weeks for a set and costume designer.

## 3.6

### ADDITIONAL FACTORS INFLUENCING COMPLEXITY

There are many additional factors influencing a production's scale and complexity: script demands, production company culture, venue resources, technical complexity, the director's process, and many others. The interplay of additional factors can make a real difference to the actual level of complexity for any of the designers. For example designing a low-budget production for a small company and venue can be complex if the script is still being developed and the designer is accommodating constant changes, or because the designer is performing non-design production roles such as buyer, scenic artist or board operator; designing a relatively straight forward script may be made more complex by an indecisive director or one who has an extensive process of exploration; a production with a small cast with few character changes can be made more complex for the designer if the performers have special needs.

It is essential that the producer budget, schedule, negotiate and plan at Design Engagement for any anticipated production variables that will impact on the complexity of the production for the designer; such variables should include support for disability access and childcare when appropriate. Where variables arise unexpectedly producers should undertake to support the designer appropriately. Independent producers are also encouraged to consider complexity fully and realistically when applying for project funding.

#### ADDITIONAL FACTORS INFLUENCING PRODUCTION COMPLEXITY INCLUDE:

- a new work that has not been produced before and is untested
- the script is still in development during the production period
- culturally specific script material
- late engagement of any in the creative team
- a creative team who has not worked together before
- uneven skill levels or lack of experience in the creative team, technical team or rehearsal team
- uncertainty or lack of coherence of creative vision
- the director or co-designers are not sufficiently available during the design process
- directorial process resulting in late decisions, uncertainty or substantial change
- a very extended design period
- a very brief design period
- late casting or late casting changes
- cast changes that relate to onscreen video content
- cast with special needs
- specific company culture or requirements,
- Lack of company stock resources
- Length of hire for lighting and/or video equipment
- Size of stage area will be a factor in determining the number of lighting fixtures required.
- content licensing (for video and image content)
- specialised lighting or video software/hardware licensing requirements
- the designer is expected to perform non-design production roles
- use of outside contractors requiring more complex management
- touring of the production, especially when the tour venues are very different
- unscripted additions after design delivery

- the need for bespoke creative artists (eg. video animators, illustrators, bespoke system technicians/programmers)
- video and image content capture requirements (including equipment, space and/or specialist team members)
- consultation or support during the season of the production
- productions with few resources demand more of the designer's time hands-on, while productions with a large team require more of the designer's time in a supervisory capacity.

**WHILE DESIGNERS MAY NEGOTIATE ADDITIONAL FACTORS IN GOOD FAITH, COMPANIES THAT FAIL TO ADDRESS ADDITIONAL FACTORS OF COMPLEXITY IN DESIGNERS' FEES BOTH DURING AND/OR AFTER THE ENGAGEMENT PHASE ARE INTRINSICALLY EXPECTING THE DESIGNER TO WORK THOSE ADDITIONAL HOURS UNPAID**

### **3.7 BASIC PRINCIPLES FOR FAIR PAYMENT OF DESIGNERS**

- Designers have their own pay scales and weekly rates. The minimum rates used in the tables above are not prescriptive but allow designers and producers to transparently calculate a fair fee.
- The APDG acknowledges that different sectors of the live performance may have different pay scales and expectations of remuneration. However, essential to the APDG ethos of fair pay is equity - whereby the designer's rate of pay is in line with others working on the production at a similar level within that company.
- Designers of most levels of experience working in established companies or on funded or unfunded projects work at a high level of responsibility comparable to the director and production/technical manager. In no circumstances is it equitable to pay the designer less than the head of a technical or production department.
- Set, costume, lighting and video designers of the same level of experience should be paid at the same weekly rate when working at the same level of complexity.
- Standard Australian industry practice is for designers to work the required number of weeks on any individual production over an extended period of time, so for example a designer may work 12 weeks spread over a 6-month period.
- Indicative weeks worked at each level of complexity as used in these Guidelines are a guide only, and unless a designer is employed on salary do not represent contractual exclusivity to the production or the management.
- When a designer's fee is less than the minimum fair fee and the producer cannot or will not agree to a fair fee, the APDG advocates for designers determining with the producer that they will work only the number of weeks covered by the fee.
- Where the actual level of complexity of a production substantially exceeds that on which the designer's contract was negotiated the company should do everything in their power to support the designer in their process, and in extreme circumstances may require renegotiation of the contract.
- The APDG encourages designers and managements to negotiate the designer's role openly at Design Engagement, and to negotiate extra support, payment and/or acknowledgement when the designer is required to work additional roles such as buyer, lighting or video programmer and/or operator, or scenic artist.

- The APDG acknowledges that small companies with tightly constrained subsidies or where the pay structure for the whole company is at the lowest weekly rate, the designer may choose to work at a discounted rate, in which case the APDG advocates for the discount to be transparently stated on the invoice.
- Workplace legislation has now removed any impediments to designers sharing details of their pay and conditions with others. The APDG encourages designers to strengthen their community by talking openly about their pay and conditions with trusted others.
- In the case of independent productions and co-operative companies the principle of fair play will apply, and the designer's fees and conditions will correspondingly be no less than those of other cooperative members of comparable contribution and/or responsibility. Should the production go on to have a commercial season every endeavour will be made to reimburse the designer with a fair fee for their initial design, and to ensure this the producer will provide such a clause in the agreement for the initial season.
- Except for designers who are contracted as companies all designer's fees will be exclusive of superannuation, which the contracting management is legally required to pay to the designer's nominated superannuation fund at the government mandated minimum rate, on top of the fee. Under no circumstances will superannuation be included as part of the fee, and it is illegal to attempt to do so.

### 3.8 RECOMMENDED SCHEDULE OF FEE PAYMENTS

Designers may negotiate with management for their fee to be split over any number of weeks or any number of payments, however the APDG promotes a minimum of a 4-part fee schedule, designed to provide payment to the designer in line with the timetable of their work - where at least 50% of the design commission is typically performed by design documentation delivery. Correspondingly it may be appropriate for earlier payments to be paid as a higher proportion of the overall fee.

**1st payment:** At Engagement (signing of the contract, deal memo or letter of agreement). This shall not be more than one week after the designer has notified management that Design Initiation has commenced. To discourage the too-frequent expectation by some managements that designers will begin work before Engagement APDG recommends that if first payment is delayed beyond one week of Design Initiation the designer may cease work on the production and design delivery dates may be delayed by the same amount of time as the delay in first payment.

**2nd payment:** At, or no later than Preliminary Design Delivery or first day of rehearsals, whichever is earliest.

**3rd payment:** At, or no later than Design Documentation Delivery (Final design delivery) or first day of the production period, whichever is earliest.

**4th payment:** At Design Completion – for the period of Design Management up to opening performance – to be paid no later than 1 week after opening.



# 4

## REMUNERATING THE DESIGNER WITH APPROPRIATE ROYALTY PAYMENTS

### BACKGROUND

Participation in a royalty pool is a recognised way of remunerating members of the creative team for the ongoing use of their intellectual property and in recognition of the continued value it adds to the production. At every level of live performance, from the smallest to the largest production, royalty payments provide a fair and reasonable means for the creative stakeholders to share in the success of the production: when a production is successful everyone benefits, and when a production struggles costs are restrained. In essence the APDG upholds the principle that where the production profits, all creative contributors also profit.

Whilst there are companies maintaining the established principles of this financial mechanism, royalty rates for designers in some sectors of the industry have been undermined over recent years, with the minimum standard of 1% of gross box office being largely replaced by ½%. It has also become very common that no royalty is paid when a production transfers within the "initial season" with the initial season commonly now being redefined to the producers' financial advantage to include multiple transfers. APDG maintains this approach consciously and unfairly excludes designers from the appropriate remuneration due to them. APDG argues for a fairer trigger for royalty payments (for all parties) that directly connects royalties to agreed stages of financial recoupment by the producing company.

Co-productions in some sectors have further diluted the payment of royalties - where designers should be receiving royalties after first venue transfers. In addition, some companies have unfairly constrained or withheld royalty rights for the filming, streaming and broadcasting of productions. And the failure by some repertory companies to pay a royalty to the designer when their work is used time and time again in remounts or is sold off to another company (internationally or domestically) is no longer a rare exception.

Australia Council policy "affirms the principle that artists should be remunerated for their work and earn income from their copyright and royalties and recognizes that underpayment and non-payment affect artist' incomes and sustainability. The Australia Council notes that industrial laws, Awards and agreements apply in employment, and industry benchmarks exist to guide rates of remuneration for work and copyright".

In line with this policy the APDG maintains that clear, well-defined, and fair conditions around royalties to designers need to be established. While it is understood that in commercial theatre the allocation of royalties is complex and would typically be negotiated on a case-by-case basis, the same principle of fair royalty should also be upheld in commercial theatre practice.

## **APDG GUIDELINES ON ROYALTY PAYMENTS TO DESIGNERS**

- 4.1** A royalty payment or weekly fee corresponding to of not less than 1% of gross box office income will be paid to each the set, costume, lighting or video designers and 2% for a designer designing in multiple roles, for example both sets and costumes, or lighting and video, or video and set designer. This shall be from the first paid performance of a commercial extension beyond the initial season, or a venue transfer within a co-production beyond the initial season.
- 4.2** The initial season is defined as being the advertised first season in the venue in which the production first opened and does not include transfers or remounts into the same venue at a later date.
- 4.3** Whenever a production is filmed for broadcast or streaming (other than for promotional purposes), copyright in the design is retained by the designer and a residual fee or broadcast royalty of no less than the terms outlined in the LPA / MEAA Digital Performance Recording Agreement 2020 and will be no less than the fee paid to the director or a principal performer.
- 4.4** When a repertory company (including opera and ballet) remounts a work they will pay the designers of the original production for the ongoing use of their work. Payment may be in the form of a royalty as outlined in 4.1, or as a "remount fee" of an indexed percentage of no less than 15% of their original fee, to be renegotiated after three years. In addition, the designer will be given the option to be engaged to supervise the first remount and will be paid a fee for this work as appropriate to the circumstances and the required amount of time. (Indicative rates would be \$500 per day, with no less than 7 days needed for chorus changes and up to 20 days for principal and chorus changes, or venue changes requiring substantial reworking of the set, video and/or lighting design.)
- 4.5** When a production is sold to another management all contractual obligations contained in original legal agreement with the originating producer shall transfer in whole with the physical production to the purchasing producer – including but not limited to all first rights of refusal and all payment obligations. The originating producer shall inform the designer of the sale of the production at the earliest opportunity.

# 5

## PROMOTING EQUALITY FOR ALL DESIGNERS

### BACKGROUND

APDG affirms the principle of equality and non-discrimination of all designers at all levels of the live performance industries as their work and contribution are equally important, whilst also acknowledging the great variation of role, responsibility and workload on any single production. The APDG calls out the historic discriminatory nature of some industry sectors which has led to entrenched practices of unequal opportunities, unequal pay, unequal recognition and unequal conditions of employment. These attitudes may be a residue of the historical development of performance design, but they diminish its holistic creative potential.

The APDG advocates for the non-discriminatory inclusion of designers of all cultural backgrounds, all sexual orientations and all gender identities.

### APDG GUIDELINES ON ROYALTY PAYMENTS TO DESIGNERS

- 5.1** The APDG affirms the principles of diverse, gender-inclusive and non-discriminatory equality for designers of all levels of the live performance industries as the work of all designers is equally valued.
- 5.2** In line with the objectives of the Australian Human Rights Commission the APDG advocates for a live performance industry that reflects the diversity of the Australian community, with a target of approximately one in four designers being First Nations or POC.
- 5.3** The APDG encourages managements to consider the diversity of designers when planning their seasons, and to encourage equity by applying similar diversity-balance considerations to those applying to performers.
- 5.4** The APDG supports companies in developing strategies for increasing diversity in design roles on their productions, and supporting diversity through targeted training, mentorship or other schemes to develop emerging designers of diversity.
- 5.5** APDG affirms diversity and equality in the designer's own practice, in their team of collaborators, in the companies that employ them, and in the broader arts community. APDG live performance designers encourage diversity, creative equality and non-discrimination in the creative team, and encourage the inclusion of all designers in key creative processes.
- 5.6** APDG promotes the principle that designers of the same level of experience should be paid at equivalent to the same weekly rate when working at the same level of complexity.

**5.7** APDG encourages companies and their technical, production and department managers to engage without discrimination in areas of production (such as costume design) that have historically been subject to gendered prejudice, and to correct all discriminatory attitudes and practices.

**5.8** APDG affirms the importance of proper cultural consultation and protocols when making culturally specific work. APDG advocates for the provision by the company of appropriate measures so that members of the cast, creative and production teams are supported in appropriate and respectful cultural practice and are not placed in a position where they are required inappropriately to provide advice around culture or identity.

# 6

## PROVIDING SUPPORT FOR YOUNG & EMERGING DESIGNERS THROUGH CLEAR DEVELOPMENT PATHWAYS

### BACKGROUND

There are few formal pathways for young, emerging and graduate designers to enter the industry. While the roles of resident designer, associate designer and design assistant are sometimes supported by companies, there is rarely a clear understanding of how these roles could have an ongoing benefit to both the company and the development of the designer. The APDG proposes a clear definition of these roles, and how these roles can be adopted within individual companies to provide sustainable industry development.

The APDG conducts a Mentorship program which matches emerging designers with Proven and Established designers for one year of structured mentorship and will continue to work with company managements to develop a coordinated development strategy for young and emerging designers.

### DEFINING THE ROLES OF RESIDENT DESIGNER, ASSOCIATE DESIGNER AND DESIGN ASSISTANT

#### 6.1

A **Design Assistant** is a role undertaken by a recent graduate or just-emerging designer working to the designer at all times. It is a position requiring significant guidance with minimal responsibility. They perform roles such as attending design and production meetings, research assistant, model-making, drafting or buying. A Design Assistant may be contracted and paid by the designer from their fee when their role is principally to support the designer.

An **Assistant Designer** or Technical Design Assistant may be highly skilled in a specialised area of design, such as model-making, drafting, costume styling, illustration, art finishing or buying. It is a position requiring significant technical autonomy with some responsibility. A Technical Design Assistant may be employed by the company to support the production process and would be paid at or just below the Emerging Designer Rate. They would work to the production manager and the designer.

A **Resident Designer** is employed as a member of the company staff. The APDG acknowledges that the company may choose to employ a proven or established designer as a resident designer. However, where this role is performed by an emerging designer the APDG proposes that the position should be

seen as part of a coordinated development pathway for the designer. While each company has its own particular needs the APDG proposes that the position should be carefully structured to provide the Resident Designer with increasing levels of creative and technical responsibility over the limited period of their term (up to 2 years). We propose that the Resident Designer would begin in the role of Design Assistant working to Proven and Established designers on complex productions and would progress to designing productions of simple and (depending on the duration of their residency) finally moderate complexity. Such a progression has the potential to both develop the Resident Designer's creative scope and to provide the company with real benefits. There should be proper consideration of the Resident Designer's workload (refer tables page 17) and care taken to ensure that Resident Designers do not monopolise design opportunities within a season.

An **Associate Designer** is engaged to manage the realisation of the design when the designer is unavailable to do this and may have an intimate knowledge of all design aspects of the production. It is a position requiring a high level of design understanding with considerable responsibility, and accordingly an Associate Designer is likely to have at least 5 years' professional design experience. They would normally be contracted and paid by the company at no less than an Emerging Designer rate.

## **FURTHER, THE APDG PROPOSES THE FOLLOWING MEASURES:**

- 6.2** Subject to the designer's requirements, productions of substantial complexity or higher (see definitions page 17) should automatically signal the need for a Design Assistant in the same way that additional assistant stage managers are routinely allocated to more complex productions. The Design Assistant or Technical Design Assistant would be budgeted in the initial production budget and paid for by the producer. Their terms of engagement would be negotiated by the designer and producing company at Design Engagement.
- 6.3** When a production or company employs an international designer, this would immediately signal the requirement for a paid Australian designer in a support role (as either Assistant or Associate), with provision made for the establishment of an effective designer/assistant working relationship. This would provide continuity of design supervision to the production and also help to strengthen the environment of support for emerging Australian designers.
- 6.4** Through the APDGMentor program the APDG actively supports the mentoring of emerging designers by matching them with Proven and Established designers for one year of structured mentoring. All companies are encouraged to support their Emerging designers by connecting them with this free program. Additionally, companies plan their seasons with ample lead-in time and are therefore well positioned to apply for available Australia Council funding to support other mentoring and workplace training opportunities. APDG supports and encourages managements to proactively apply for funding and to broker mentoring and training opportunities for emerging designers working within their companies.
- 6.5** APDG promotes the use of targeted strategies to identify, encourage and support First Nations and POC designers.

**6.6** APDG supports the collaboration of design training institutions with professional live performance companies to develop paid design assistant opportunities for graduate designers.

**6.7** APDG supports the collaboration of design training institutions with professional live performance companies to help develop unpaid intern opportunities for student designers. Such internships would benefit all parties and should be carefully planned by the training institution, the production company and the student designer with clear guidelines around duties, timeframe, lines of reporting and mechanisms of review. Where the intern takes on the duties of a design assistant they should be paid and credited for this work.

The producing company will ensure that their workplace insurance provides cover both on and off-site for the assistant or trainee when they are at work on their production. In the case of an intern, they will be covered by the training institution's insurance.

# 7

## PROVIDING FAIR AND ACHIEVABLE WORKPLACE CONDITIONS AND WORK-RELATED EXPENSES

### BACKGROUND

Our work as designers working as guest artists in a company can be made pleasurable and efficient by the support we are given within the company. APDG believes that both designers and the companies that employ us would benefit from guidelines on workplace conditions and reimbursement of expenses. Other than for designers contracted as companies, managements will provide customary workers compensation and public liability cover to the designer while at work on the company premises and when travelling to and from the company premises on company business and will provide the designer with cover for professional indemnity against claims relating to production designed by the designer. APDG acknowledges that changes in tax and employment law are unclear in regard to the legal obligations of companies to designers, however the APDG argues that such covers have been customarily provided to the designer, and that design fees have not increased incrementally to reflect any justified expectation that the designer should cover these costs.

- 7.1** Managements make their best endeavour to introduce or induct the guest designer to the company.
- 7.2** Managements provide for design costs that reflect the real costs of producing the designs. These design expenses should include materials, software and labour as valid production expenses. With the agreement of the production manager the designer should be able to engage assistants from within the design budget when this is an appropriate use of the resource.
- 7.3** Managements make their best endeavour to provide their guest designers with a locker, desk, access to a computer with internet access and connected to a printer while at work in the company, and production desk facilities for the designer in the theatre in production week, as requested by the designer.
- 7.4** Where the designer agrees to perform the task of buyer this will be done from an upfront float to be reconciled in the usual company manner, so that the designer is not placed in the position of making out-of-pocket production expenses.



# 8

## ENCOURAGING BUDGET TRANSPARENCY AT ALL STAGES OF THE DESIGN PROCESS

### BACKGROUND

APDG argues that budget transparency is essential to making informed design choices, however designers are too often asked to make design decisions based on insufficient budget information. Some designers report a culture of withholding of budget information in some companies. Designers also report considerable differences from company to company in "dollar value" as companies cost their labour using very different assumptions.

### APDG GUIDELINES ON BUDGET TRANSPARENCY

- 8.1** APDG promotes as standard practice weekly and transparent cost reports and budget updates for the designer during pre-production, costing and production, or as requested by them.
- 8.2** The director be included in budget discussions whenever possible to affirm their joint responsibility, and to develop in them an understanding of the implications of directorial and design choices.
- 8.3** Companies with their own workshops work with APDG to develop a comparative costing/dollar-value budget tool that would be available for the use of designers and production managers at the stage of Design Strategy. This would provide designers with generic and company-specific costings for basic set and costume modules as, for example: a 3-piece men's period suit; a square-metre cost of weathered floor with 2 coats of paint and water-based glaze, standard equipment hires rates for lighting and video equipment.

# 9

## DESIGNERS ARE RE-ENGAGED WHEN A PRODUCTION THEY HAVE DESIGNED IS REMOUNTED

### BACKGROUND

Designers retain an interest in the productions they have designed for the production's entire life and are committed to maintain the integrity of the design so that every audience sees the production as designed. Designers report that their rights and conditions on the remounts of productions are not always respected, with designers not being engaged to supervise the remounting of the production even when substantially new design work is required, such as cast changes for principals or touring to venues that are very different to that of the initial production.

### APDG GUIDELINES ON REMOUNTS

The designer retains an interest in the integrity of their original design when a production is remounted. As it is also in the best interests of the production when design integrity is retained the designer(s) will be re-engaged to guide the process of adapting the original design to new challenges of cast or venue changes. If a production requires design changes for other creative or practical reasons this may be subject to separate negotiation and would not routinely be regarded as part of the design work of a remount.

APDG proposes a set of 'triggers', any of which, or any combination of which would automatically signal to the production company that the re-engagement of the designer on a remount is necessary. These triggers are:

- when a period of time has elapsed greater than 12 months since the closing of the initial season
- when the director is not engaged for the remount
- when principals have been recast
- when there have been multiple or significant other cast changes
- when the production is touring to new venues that differ substantially from the initial venue
- when the production is to be re-rehearsed
- when a significant change to the scale and or orientation of the set design requires a new lighting and or video design strategy
- when touring bump-in times and or touring technical team are reduced significantly

For more information or to make an appointment to discuss the Guidelines please contact: [admin@apdg.org.au](mailto:admin@apdg.org.au)

THE AUSTRALIAN PRODUCTION DESIGN GUILD

PO Box 605 Broadway 2007 [www.apdg.org.au](http://www.apdg.org.au)

ABN: 51138715367 ACN: 138715367