



On Assignment — Navigating the Media Industry

a handbook on photo
commissioning practices

foam
all about photography

introduction

For many photographers today, working on commissions and assignments within the media industry helps to build and contribute to a sustainable career. How can artists navigate the territory between their own practice and the media industry at large? In the programme On Assignment - Navigating the Media Industry, Foam takes a closer look at topics such as roles and responsibilities, power and ethical dilemmas around commissions.

Part of the programme is this concise handbook on photo commissioning practices. It offers practical advice on how to navigate all things assignments from the perspective of the photographer. In the process of transitioning from creating personal work to being booked to do an assignment many questions may arise. This is a handbook for emerging photographers and compiles insights on best practices as well as tips and tricks for those looking to work on commission.

This handbook is based on the outcomes of the online workshop Photo Commissioning Practices, hosted by Foam in July 2022. It was created together with workshop lead Tara Pixley and guest speaker Rozette Rago.

about Tara Pixley

Tara is a queer, first-generation Jamaican-American photographer, curator, and educator based in Los Angeles, where she holds the position of Associate Professor of Journalism at Loyola Marymount University. She was a 2022 Pulitzer Center grantee for the Eyewitness Photojournalism Grant, a 2021 IWMF NextGen Fellow, a 2020 awardee of the inaugural World Press Photo Solutions Visual Journalism Initiative and a 2016 Visiting Knight Fellow at Harvard University's Nieman Foundation for Journalism.

about Rozette Rago

Rozette is an award-winning Filipino-American photographer based in Los Angeles. Her work has been published in the New York Times, the Washington Post, TIME, Vanity Fair, VICE, Bloomberg Businessweek, the FADER, Smithsonian Books, and Rolling Stone. She has photographed Natalie Portman, Steven Spielberg, Issa Rae, Annie Leibovitz, U2, Kanye West, Foo Fighters, Metallica, The Roots and many more.

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cover image:

San Francisco Mayor London Breed photographed at a rally marking the first anniversary of Vicha Ratanapakdee's killing, photographed for Stand With Asian Americans, a non profit organisation. © Rozette Rago

making contact

You are a photographer and you want to land your first job? Putting oneself out there is not easy. How to reach out to the people that can get you your first assignment? How do you present your work to get noticed?

- Email is the way to go. Connect with editors, art directors or commissioners of newspapers, magazines or charities digitally.
- Not getting a reply is not a rejection of you or your work. A non-response also does not mean a definite no. Sometimes, the right time and place have not come along yet and you will find yourself getting an assignment from someone you reached out to years earlier.
- Make a digital portfolio that is easily accessible. Or, include a striking visual in your email footer to leave a visual impression even if someone does not take the time to open your portfolio.
- Identify the gatekeepers. Find them and their companies on social media: like, follow, comment!
- Look for online portfolio reviews rather than physical (which can be financially straining).
- Tap into your network. Do you know or follow photographers that work on assignments? Reach out to them and ask who has worked with whom.
- Familiarise yourself with the client you want to work for: engage with their work online.
- Keep your contact details (especially name + email address) readily available at all times.
- Stay relevant: reach out to the editors, art directors, et cetera, whose work relates to yours. Or, if you're looking to move towards a new direction, clearly communicate and motivate this.
- Send your first email today!

“When I started reaching out to The New York Times, I only had a thick music photography portfolio and then a few portraits. I wanted to move into portraits but at that point I hadn't done that enough. So my very first assignment for The New York Times was a music assignment in LA for this country music star. From then on, I moved on doing portraits for them. My portfolio now is mostly portraits but the assignment for Coachella Festival I got was actually based on my years of experience in music photography before. The editor who assigned me Coachella was in fact the very first editor at the time who responded to my email three years earlier. So, make yourself still available for different kinds of assignments that you may not necessarily present anymore in your portfolio.”

— Rozette Rago

Q&A

Q

What advice would you give to a photographer who has a very varied portfolio? Would you suggest waiting until they have a more cohesive style before approaching clients for photo commissions?

A

- You want your work to be cohesive. Work hard on honing the style that you want to end up doing for your work.
- If you are still experimenting with different styles - take a look at different styles you are interested in and figure out the one that feels the most “you”.
- Wait until you know what type of work you want to do before you put yourself out there. An editor will not be able to visualise what type of work to give you when you are working with six different styles.
- Show a portfolio for the work you want people to hire you for.

Q

Do you have any advice on pitching a long-term body of work? Should one think strategically in terms of timing it with current news or an event? And what is the best way to present this pitch?

A

- It can be helpful to take current events or trends into account when pitching. Sometimes this means waiting for the right moment to contact editors that might publish the work due to its timeliness.
- With editors whose work you are interested in and who you trust, it is good to create awareness about the work. This could open doors to being published. But make sure you do not reveal too much about the project so as to avoid it being executed by another photographer. You have to be intentional about who to reach out to. Do not just sprinkle it everywhere.
- Make sure to clarify in the pitch why the story is important right now and why you are the person to do it.
- A strong pitch will connect to a current event or societal trend.

getting hired

Once you have a lead on a potential job, the first important thing is to establish whether the assignment's execution is realistic. Does it suit your abilities and interest as a photographer? Does the budget cover the costs of production? Is the timeline workable? If so, it is time to negotiate. What are the first things you should think about in regards to contracts, copyright and fees?

how-to-contracts

Contracts help you to protect your work, your copyrights and intellectual properties - during and after the assignment.

- Request a contract! If the client tells you 'we'll get to that later', be determined and explain that you really need to see the contract to understand the terms of the assignment. Send your own contract if the client cannot present you with one.
- Read the entire contract thoroughly! Watch out for tricky language that 'grabs' your rights. Tricky words can be (depending on context): 'exclusive', 'in perpetuity', 'sublicensable', 'transferable'.
- Everything is negotiable! Realise that

the person hiring you most likely does not have a legal background and that the contract is arranged by a separate department. Notify your point of contact about your contract concerns straight away.

rights-grabbing vs. reasonable contract examples

- Rights-grabbing: 'All Intellectual Property is, shall be and shall remain the exclusive property of The Client. Contractor [= photographer] hereby assigns to The Client all right, title and interest in perpetuity.'
- Reasonable: 'Contributor owns the copyright in the Works, and hereby grants to Company the exclusive first worldwide right to publish, distribute, display (...) and otherwise use each Work, which exclusivity lasts until ninety (90) days after the Work is first Published by Company (...).'

“For a commission I did, I received this ‘work-for-hire’ contract. Essentially, this meant that I, as the producing side, would have no rights to the work whatsoever. It would be the exclusive property of the commissioning company, they would be able to sell it, post it on a billboard on Times Square, et cetera. Obviously, that’s not great: say a year from now, the photo goes viral, and the company retains full rights to sell it over and over again—you get nothing from it.

In this situation, I was able to negotiate because the client wasn’t really understanding that what they requested was in fact ‘rights-grabbing’. By adding words like ‘non-exclusive’, ‘non-sublicensable’, ‘non-transferable’, I could still give them all the rights they actually needed, but protect my own as well.” — Tara Pixley

Q&A

Q

I am personally struggling with personal values that do not align with brands I might work for, but nobody is perfect and money needs to be made as well... What advice do you have in those cases? Specifically I'm thinking of companies that might be greenwashing or are connected to issues around casting and diversity.

A

- Stay true to your values. At the end of the day, money is just money and it does not replace your own morals. You want to feel good about the work you do and attract the clients that you can do this type of work for.
- This also means that you have to make your own choices about what is true to you. You might be in circumstances that do not allow you to say no to job offers. These can also be opportunities to add your voice to a commission or company that you might not necessarily agree with.
- There is value in adding your voice. For example, if you are asked to photograph a topic you cannot immediately relate to, the first reaction might be to say no. But you might be able to still accomplish this assignment: do your research, consider your own perspective and give it your own take.
- Be honest with yourself about what you want. What you need to build a career and what you can be proud of are very personal questions.

Q

A more personal question may be: how do you stay confident in giving a price for a certain assignment, if the client does not have a big enough budget?

A

- Underpaying people is not acceptable, regardless of whether it is a big commercial client or a friend down the street. It is important that your time is valued and that the costs of having good technical equipment are covered.
- Don't be afraid to advocate for yourself. When a client offers a (too) low rate or asks you to work for free, let them know that that is not acceptable. If you have or want to accept a job at such a rate, then also communicate that the fee is not in line with industry standards.
- Being professional means asking for the money that you are worth. Know what your boundaries are. It is okay if you do headshots for your friends for far less than you usually do, but communicate clearly that you are doing the reduced rate for special reasons.
- Don't be afraid to walk away from a project if the money is not enough. New opportunities will come. No single assignment will make or break your career.
- Keep in mind that if everyone declines projects that offer below industry standard fees, those jobs will stop existing. It will encourage organisations to pay fair rates and stop underpaying people.

on the job

Congratulations, you got the job! You are probably full of creative ideas, but before you can start, some business essentials are important to think of. The better you prepare for a job, the smoother it will go. What do you have to consider when preparing for a commission?

- Do your research! Research the person, people or stories you are photographing. You want to avoid taking photos that are out of tune with the story they are featuring in.
- Think logistics: What kind of support do you need on the job? For example, will you need a fixer to get the story right? Is a driver needed to get around? Or when it comes to materials, is there a need for special props, additional lighting or WiFi?
- Stay safe! What are tricky or challenging specifics that need your attention beforehand concerning the subjects or environment you will work in? For example, busy crowds, extreme weather or environments.
- Work mindfully: How does your presence as a photographer impact the environment you are

photographing in? (vulnerable communities, nature, animals)

- Honor the briefing. If you think a different angle could work better, present this additionally to what the brief was, rather than instead of.

foreseeing the unforeseen

How to deal with unexpected circumstances like weather changes, unexpected requests, non-cooperation from your subject or technical blackouts?

- Consistent and clear communication is key! Stay in touch with your point of contact (editor, art director) about any circumstance that arises. It is important to be transparent about the progress of a project, even if that means talking about the challenges.
- Acknowledge that things can go differently than expected (and don't be afraid to flag that immediately).
- Things didn't go as you wanted? See them as a learning experience and a way to better prepare for the next assignment.

“For one shoot, without exaggeration, I had five minutes with the person I had to photograph. It was a major movie star and they wouldn't do any of the poses I wanted them to do. This happens quite a lot - sometimes there will also be a publicist in the room who would be on your shoulder the whole time, trying to look at the photos. In the end, I got way less than what I wanted, the photos were not very memorable. However, the difference here is that during the whole shoot I was also texting with my editor who had assigned me the job - expressing what was happening and together trying to make things work. Having that communication when you're struggling during a commission is key!” — Rozette Rago



The Ritzcarlton Hotel Moscow, 2016 © Alex Majoli / Magnum Photos

“In 2020, I was assigned to cover a Pride + Black Lives Matter protest in LA. Due to COVID, I wasn’t expecting a large amount of people. However, over 100.000 people showed up. Because there were so many people grouped together, cell service was bad and WiFi connections were overtaxed. This posed logistical issues as I was working with a tight deadline: I had to send through photos three times during the day. I ended up sending photos through my cell phone! Additionally, I needed a back watcher, someone who watched my back while I was shooting in this very condensed space. It’s important to consider what the specifics are of an assignment that can be difficult or subject to change.” — Tara Pixley



Mexico, 2018 © Cristina de Middel / Magnum Photos

Q&A

Q

Do you have advice for photographers that work as a duo, when it comes to rates and working on assignments together?

A

- Work smartly: depending on the project, a day rate can be too low to split between two people. For commercial jobs, it might be an option to decide on a division of roles. For example, one person acts as the main photographer and the other as the producer. This way, you still work together but divide your responsibilities across the budget.
- Over time, when you make a name as a collective brand, you can expect commercial or editorial assignments (for example, high-end fashion editorials) to offer day rates adjusted for working as a duo. Newspapers often won't have these opportunities.

talking money

When the work is done, you need to get paid. Sounds straightforward but there are some things to consider when invoicing. How to chase your client when you have not been paid? How much money do photographers actually make with commissions?

- Every invoice should have an invoice number. Common practice is to start with the year (2022) + a serial number (-001). This sounds obvious, but accidentally forgetting details like this can mean getting paid much later.
- Include your contact details, dates, all expenses and the due date. A 30-day payment term is widely used.
- Pay extra attention to international invoices: include your SWIFT / BIC codes for international bank transfers. Check whether you need to shift VAT on your invoice.
- Consider a 10% penalty fee for any invoices paid after the due date. State this penalty clearly on your invoice and, if possible, include it in your contract to make it clear upfront.

- Save the receipts of all your expenses related to the job.
- Follow up with your main point of contact. Often, this person does not even know you have not got paid and they can follow up internally on your behalf.

some insights on assignment rates

- Standard day rates for newspapers in the US will range from \$250 on the low end to \$650 on the higher end.
- Magazines range from \$650 to \$850.
- Standard day rates in Europe for newspapers: £350 in the UK, €300 to €450 in NL, €400 plus expenses in IT.
- Recent commercial project as a reference for the US: ranging from \$4,000 to \$12,000, standard day rate is \$6,000. \$15,000 for a buyout.
- The type of shooting, the purpose of images and the size of the brand impact the height of the day rate. Make sure to check what type of expenses you can add for example prep days, travel days or location scouting. This could be e.g. ⅓ of the price of the day rate.

- Check typical rates for your local area but expect (and require) to be paid the normal day rate that any editorial outlet provides for their photographers. I.e. Don't accept a lower rate because you live outside the U.S. or Europe.

padding the invoice

When creating your first invoice, perhaps you only think of what your day rate is and how much the travel cost. But, 'padding the invoice' or actually 'being realistic about what things cost, including your labour and time', is an important and easily overlooked step. It means not only expensing costs for a hard drive, but including costs for picking it up. It means not only charging the day rate of an assistant, but including your time and effort to find, book, and pay this assistant.

“ I have this example of an editorial assignment that turned into a commercial deal. I was initially commissioned to photograph the concert of a famous band. They saw the work and their company asked to license images from this concert for the cover of their blu-rays, DVD's and posters and such. Because I owned the rights to all these images, I was able to charge a separate licensing fee: for the fanclub poster, the blu-ray cover, the book they ended up making. So, this highlights the importance of owning the rights to your own images, so you're able to do this.” — Rozette Rago



Humanitas dementia center hairdresser, Deventer, Holland, 2019 © Rafal Milach / Magnum Photos

Q&A

Q

Bringing your personal aesthetic and approach to photography? How does one balance personal work with working on assignments? Working in different spaces like weddings or events like editorial can add to your sustainable career. How can this be combined with a personal approach?

A

- Nurture your network: Build connections and professional relationships, for example, via social media. This can lead to opportunities to be commissioned to complete a personal work.
- Note that it is important to make sure the work you are doing is relevant to the publication the person is working for. By doing so, over time also smaller assignments can lead to opportunities to complete personal work on commission — so don't take them for granted. The work might not be picked up right away but over time these conversations could lead up to something to get the work published.

Q

How do I deal with payments if there are complications? Due to US sanctions against Iran, as a photographer working in Iran, I experience complications with payment transactions. I'm not able to directly get paid - unless I ask a friend who lives abroad to help out. How would you deal with this situation in relation to working on international assignments?

A

- In general, you want to make sure before accepting a job that you are working with someone who values you enough to hear those issues and has enough understanding of the global political issues to recognise that this is something they need to attend to.
- Make sure to clarify upfront with any hiring party to ask if it is possible to make exceptions if needed to accommodate your particular situation.
- Communicate clearly and figure out if there are options like venmo or paypal available even if they don't usually do that.



Saul gets a curbside fade as a first-time attendee to Beauty 2 the Streetz, Los Angeles, CA © Tara Pixley

case studies

case study #1: editorial

You receive a contract from a new editorial client for whom you are photographing portraits and an event over one evening. The contract language implies you will lose all rights to the images when you do the work.

What questions do you ask? How do you broach this concern with the editor? What points do you make to advocate for yourself?

- Who is the client?
- How big is their budget?
- What would the usage be and for which audience?
- What is the longevity of the subject matter?
- How important is it for you to be able to license your images yourself?
- What are their reasons for not wanting to adhere to industry standards?
- Will you be allowed to use the images on your social media/website?
- Is it potentially going to be on the cover of a magazine?
- Digital use only or also in print?
- Highlight points of concern in the contract
- If you do go for a buyout option, then make sure this is covered by the contract and by a reasonable buyout fee.

case study #2: ngo

An NGO has contracted you to photograph a project of theirs in a country outside of your own. You don't speak the language in this country, have not visited previously and will be traveling for 10 full days to complete the commission.

What questions do you ask the creative director?
What concerns do you have and how do you prepare for this assignment?

- What is the project?
- Does it include people?
- What does the NGO organise? (people and permissions, access, scouting, fixing)
- Is someone organising logistics?
- How is the security on site organised (do I need a bodyguard)?
- Is translation necessary and if so, is a translator provided?
- Are Covid and travel insurance (isolation) costs covered?
- How will I communicate with the Client during the assignment?
- How will the images be used & for how long? (usage & rights)

case study #3: commercial

A multinational commercial client you've worked for a few times in the past contacts you to let you know the creative team plans to reuse a few of your previously photographed images for an upcoming campaign. Your contract for that previous commission gave them licensing use for two years and it is one month from the end of that two year period you originally agreed to.

What questions do you ask? What rates might you want to negotiate? How do you have that conversation?

- When is the client going to publish?
- How long is the campaign going to run?
- Where will it be published (covered by existing license)?
- Is there an extension/new license necessary and for how long?
- Will the pictures be used in the same way as before, or are there any changes necessary?
- Did the brand get bigger? Do you want to ask for a higher rate?
- Do you want to re-edit your pictures? If so, does the client agree to adding that in the new license?



Viroflay station, France, 2013 © Olivia Arthur / Magnum Photos



Advertisement for Baccarat, 2005 © Martin Parr / Magnum Photos

glossary

B Briefing: a meeting for giving information or instructions. To ensure good communication, briefings should always be documented in written form.

Budget: estimate of total amount of money required for an assignment. Budgets can vary based on the type of assignment. For an editorial, budgets can include day rates, license fees or buyout rates. Additionally, consider other expenses like travel days, a per diem or assistant fees. For a newspaper assignment, budgets usually are fixed (per day or per image) and cover work hours and mileage. Make sure to double check with the client what is or is not included in

the budget and make sure to keep your costs in this frame. *Special tip:* If you can pitch a budget, it is helpful to add 10% unforeseen on the total of costs to leave room for unexpected extras.

Buyout: transfer of the copyright on your image to the client. This gives the client the right to use the image in any way they choose, forever. They can even resell the use of the image to others.

Buyout rate: flat fee on top of your day rate and production fees that transfers the copyright on your image to the client. Usually these fees are pretty high as the copyright is fully transferred to the client who can then use the images as they please.

C Copyright: exclusive and assignable legal right to print or publish image material. When an image is made the copyright lies with the originator, the photographer. As part of an assignment this copyright might be sold (partially or

fully) to a client, giving them the rights to use your images for a certain purpose during a certain amount of time. Cover fee: additional flat fee in case your work is used on the cover of a publication.

D Day rate: a specified rate that you charge for your work per day. This only refers to days on which you are photographing. Research, travel or preparation days have their own fee. Usually, these are charged at half the day rate.

G Gatekeepers: Someone who has the power to decide who gets particular resources and opportunities, and who does not. In relation to the media industry, this refers to photo-editors, curators, creative directors, art directors or others making the decision who gets a certain assignment or commission.

E Expenses: any additional costs you are required to make in order to make an assignment happen. Concerning an assignment this could be for example

additional hard drives, covid tests, travel costs or mileage. Sometimes expenses are accounted for as a 'per diem' which refers to an allowance or payment made for each day.

F Fixer: someone who can link the subject and storyteller by helping to gain access to subjects, situations or places. They are important in for example reportage assignments where they are vital to developing the story and getting the images.

I Image licensing: contract between licensor and licensee. Image licenses regulate the scope of use as well as the types of use and if applicable, the limitations of use. Through the image licensing agreement, the licensor grants the licensee photo usage rights for an image for a fee, also known as the licensing fee.

Intellectual property: intangible property that is the result of a creative process or project, such as copyrights, etc. Your work is your intellectual property.

L License rate: fee that covers the usage of your work, usually restricted by medium, time, type of use et cetera. For an assignment, this fee usually comes on top of your day rate and expenses. When a company wants to license work again (after their initial licensing period ran out) a new licensing fee and agreement applies. Note that you can re-negotiate your license fee should the usage, outreach or company size be different than during a previous license.

N Network: a connected community of professionals with related professional interests. It might include people you went to university with, contacts you have made at work functions like exhibition openings or talk programs, and those you have met at dedicated networking events like portfolio reviews. Networking is about consciously and gradually building up a list of contacts, while being part of a mutually supportive group.

P Per Diem: an allowance or payment made for each day of the assignment.

S Sublicensing: when a client, who owns (part of the) rights to your work after an assignment, can license this work to an external, third party. Often, whether or not work is sublicensable is defined in the contract. You receive a portion of the sublicense fee, but this is often much less than when this external party would directly license from you, since the client also gets a cut.

W Work for Hire: refers to works whose ownership belongs to a third party rather than the creator. Under general copyright principals, a copyright becomes the property of the author who created the work. In this case the copyright lies with the client. Higher payments are done for this type of work. Agreements for this type of work should include a buyout rate.



Tunis, Tunisia, 2017 © Newsha Tavakolian / Magnum Photos

further reading

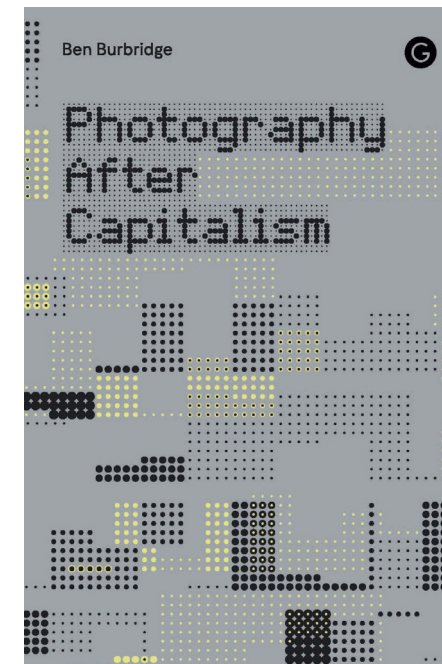
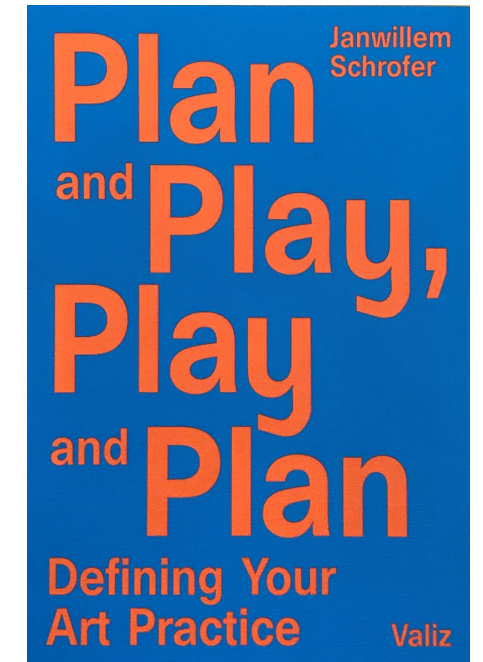
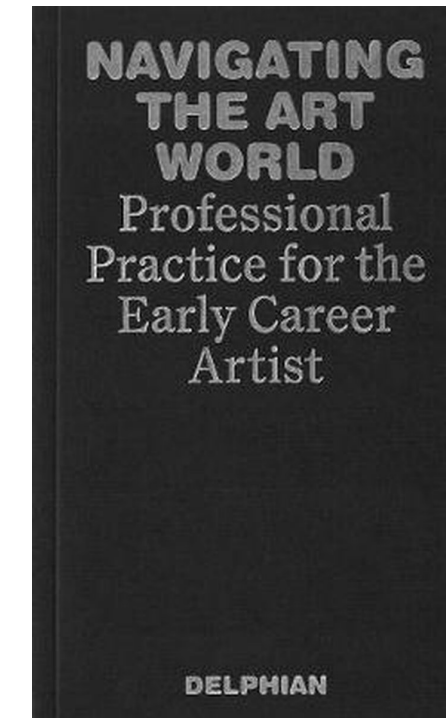


Articles

- [In Practice: Resources for Photographers on Assignment](#)
- [The photographer's guide to inclusive photography](#)
- [Photo Bill of Rights](#)
- [Photography Mentorship Guide](#)
- [State of Photography 2022 Report](#)
- [How to build career BJP](#)
- [How Photographers Navigate the Challenges of Working on Assignment](#)

Videos

- [On Assignment — Navigating the Media Industry — Media Perspective](#)
- [On Assignment — Navigating the Media Industry — Photographer's Perspective](#)



colophon

This publication was developed based on the workshop *Photo Commissioning Practices* created by Foam Fotografiemuseum Amsterdam in collaboration with Tara Pixley and Rozette Rago. It took place online on 29 July 2022. We would like to thank them and all participants for their time and input.

The workshop is part of 'On Assignment - Navigating the Media Industry', a public programme curated by Amelie Schüle, curator of public practice at Foam. It was created on the occasion of the exhibition 'Open for Business - Magnum Photographers on Commission'. The concept of the workshop was developed together with Winke Wiegersma, digital educator at Foam.

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Image credits

(cover) *San Francisco Mayor London Breed photographed at a rally marking the first anniversary of Vicha Ratanapakdee's killing, photographed for Stand With Asian Americans, a non profit organisation.* © Rozette Rago

(p. 14) *The Ritzcarlton Hotel Moscow, 2016* © Alex Majoli / Magnum Photos

(p. 16) *Mexico, 2018* © Cristina de Middel / Magnum Photos

(p. 21) *Humanitas dementia center hairdresser Deventer Holland, 2019*
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(p.24) *Saul gets a curbside fade as a first-time attendee to Beauty 2 the Streetz, Los Angeles, CA* © Tara Pixley

(p.27) *Viroflay station, France, 2013* © Olivia Arthur / Magnum Photos

(p. 28) *Advertisement for Baccarat, 2005* © Martin Parr / Magnum Photos

(p. 35) *Tunis, Tunisia, 2017* © Newsha Tavakolian / Magnum Photo

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