



**Australian Government**

**Department of Education, Employment and Workplace Relations**

# **CUSADM07A Establish and maintain work and contractual relationships**

**Release: 1**

## **CUSADM07A Establish and maintain work and contractual relationships**

### **Modification History**

Not applicable.

### **Unit Descriptor**

This unit deals with the skills and knowledge required to set up and maintain work relationships, including contracts, within a cultural industries context. It focuses on the relationship building and negotiation skills required by project managers, freelance workers and managers of sections or departments in the industry.

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### **Application of the Unit**

Not applicable.

### **Licensing/Regulatory Information**

Not applicable.

### **Pre-Requisites**

Not applicable.

### **Employability Skills Information**

Not applicable.

### **Elements and Performance Criteria Pre-Content**

Not applicable.

## Elements and Performance Criteria

### Elements and Performance Criteria

Element	Performance Criteria
1 Establish and conduct work relationships	1.1 Establish relationships within the appropriate context in a manner which promotes goodwill and trust between all parties  1.2 Employ effective communication skills and techniques in relationships to build trust and respect  1.3 Take all opportunities to maintain contact with all parties wherever possible
2 Conduct negotiations	2.1 Conduct negotiations in a business like and professional manner  2.2 Conduct negotiations using techniques to maximise benefits for all parties in the context of establishing long term relationships  2.3 Take account of input from colleagues and other relevant parties in negotiations, where appropriate  2.4 Communicate the results of negotiations within appropriate timeframes  2.5 Manage situations in which there is conflict or disagreement
3 Make formal agreements /contracts	3.1 Confirm agreements in writing with contracts or other documentation drawn up in accordance with legal and other requirements  3.2 Ensure that all parties check and approve all aspects of formal agreement/contract in accordance with enterprise procedures where appropriate  3.3 Seek specialist advice in the development of contracts where appropriate
4 Foster and maintain business relationships	4.1 Seek information needed to maintain sound business relationships, and review and act upon it  4.2 Honour agreements within the scope of individual responsibility

- 4.3 Make adjustments to agreements in consultation with all parties and share information with appropriate colleagues
- 4.4 Build relationships through regular contact and use of effective interpersonal and communication styles
- 4.5 Handle any situations of conflict or disagreement so problems are resolved by negotiation and the best possible level of agreement is reached

## Required Skills and Knowledge

Not applicable.

## Evidence Guide

Evidence guide

### Underpinning knowledge and skills

Assessment must include evidence of essential knowledge of, and skills in, the following areas:

knowledge of the relevant cultural industry including:

major industry production and marketing issues

current funding and production environment

knowledge of the awards and conditions covering employment in the industry

knowledge of the legal issues that affect negotiations and contracts in the relevant cultural industry

knowledge of individual or enterprise requirements

negotiation skills, including the skills to conduct negotiations of significant commercial value

general knowledge of the elements of contracts as appropriate to different Industry

sectors, including considering accepting a contract and ensuring compliance with the terms of a contract

effective communication skills

### **Linkages to other units**

This unit underpins effective performance in a range of other development and business administration units. Depending upon the industry sector and workplace, combined assessment/training may be appropriate. Examples include but are not limited to:

CUSGEN04A Participate in negotiations

CUSGEN05A Make presentations

CUSADM03A Manage a project

### **Critical aspects of evidence**

This unit of competence applies to a range of Industry sectors. The focus of assessment will depend on the industry sector.

Assessment must be contextualised/tailored to meet the needs of the particular sector in which performance is being assessed.

Assessment should only address those variable circumstances, listed in the range of variables statements, which apply to the chosen context.

Care should be taken in developing training to meet the requirements of this unit. For generic prevocational training, organisations should provide training that considers the full range of industry contexts with no bias towards individual sectors. The range of variables will assist in this regard. For sector specific delivery, training should be tailored to meet the needs of that sector.

The following evidence is critical to the judgement of competence in this unit:

ability to conduct negotiations within a film, television, radio, music and multimedia

### context

knowledge and understanding of the current environment in which film, television, radio, music and multimedia businesses and projects operate, and the major industry issues of relevance to the particular sector

knowledge and understanding of contracts and of awards and conditions of employment in the industry

## Method and context of assessment

Assessment may take place on the job, off the job or a mix of both of these. However, assessment of this unit would most effectively be undertaken on the job due to the specific workplace environment requirements. Off the job assessment must be undertaken in a closely simulated workplace environment.

Assessment may incorporate a range of methods to assess performance and the application of essential underpinning knowledge, and might include:

case studies

work samples or simulated workplace activities

oral questioning/interview

projects/reports/logbooks

third party reports and authenticated prior achievements

portfolios of evidence

Assessment must take place over a period of time in order to determine competence in the ongoing implementation and monitoring aspects of this unit.

**Resource requirements**

There is no specialist equipment required apart from access to the information needed to support the negotiations and establish contracts and agreements.

Key competencies	Level
Collecting, organising and analysing information	3
Communicating ideas and information	3
Planning and organising activities	3
Working with others and in teams	3
Solving problems	1
Using mathematical ideas and techniques	1
Using technology	1

## Range Statement

Range of variables

Variable

Scope

Negotiations and contracts may relate to:

individual agreements and/or broad and significant commercial dealings including but not limited to:

individual performance

service contracts

agency agreements

location contracts

rate negotiations

contracts for supply of equipment or materials

marketing and distribution agreements

Contract or formal agreements may cover:

terms and conditions of employment

remuneration

specifications for equipment or materials

copyright

royalties

recording and distribution rights

insurance



Negotiations may be conducted by:	producer director artist designer heads of department director of photography financial manager technical director floor manager managers of specialist sections technical staff specialist staff presenters
Parties to an agreement may be:	the enterprise its clients sponsors specialists associates and suppliers
Negotiating techniques may include:	preparation for negotiation research into the other party's needs/business operations discussion offers and counter offers bargaining use of a "BATNA": best alternative to a negotiated agreement

Relevant parties for consultation may be:

- colleagues
- artists
- fellow performers
- managers
- agents

**Unit Sector(s)**

Not applicable.