



DANZ Code of Professional Practice for New Zealand Dancers

It is important that professional dance practitioners are excellent role models for the industry. The professional dancer is ultimately responsible for their own health and wellbeing and professional practice. This code should be used as a guide for the dancer's professional practice.

Professional Conduct

A dancer should

- Behave with integrity in all professional relationships e.g. within rehearsals, public performances and in schools,
- Behave with courtesy and consideration towards everyone they come in contact with while working professionally,
- Uphold and enhance the standard and positive reputation of the profession,
- Work in an open, encouraging and cooperative manner with the choreographer/director and fellow dance artists,
- Respect and acknowledge gender considerations and difference, cultural diversity, ethnic origin, sexual orientation and beliefs,
- Be punctual and demonstrate good self management. Attend all rehearsals and performances,
- Work safely with dance artists and be aware of and considerate towards injuries, disabilities and/or physical limitations,
- Ensure privacy issues are respected,
- Have read, signed and negotiated all terms in a written contract before the first day of rehearsal, and to state clearly what they will and will not undertake,
- Be aware of their rights as a worker, (see appendix 1 to 3)
- Inform the choreographer/director of any outside projects that they intend to undertake and ensure that this complies with the negotiated contract,
- Ensure that any outside activities or projects do not impede the choreographic process and the dancer's ability to fully commit to the project,
- Respect rehearsal and performance venues, be aware of security and follow any rules that apply to the use of the site.

Personal Wellbeing

A dancer should:

- Stay fit and be physically, psychologically and emotionally prepared for upcoming professional contracts, and continue to maintain health and sound wellbeing during contracts,
- Understand the importance of and implement warm up/cool down before and after exercise,
- Have adequate sleep and rest during the rehearsal and performance season,
- Ensure that personal nutritional needs are understood and catered for - including proper hydration, snacks,
- Be organised and prepared by having adequate protection e.g. knee pads, strapping, medical kit etc,
- Dress appropriately for the style of dance and the situation (e.g. if performing in schools maintaining a professional appearance, remove watches and jewellery before rehearsal/performance),
- Maintain personal hygiene (physical/oral) and wear clean clothing and footwear,
- Ensure that the choreographer/director and fellow dance artists are aware of any injury that will affect their ability or will make the dancer vulnerable during the rehearsal process,
- Give adequate notice to the choreographer of any sick or injury leave that is required,
- Attend to injuries and seek qualified professional help if needed, (refer to DANZ injury management document by Susan Simpson)
<http://www.danz.org.nz/resources.php>.

This Code of Professional Practice for dancers is complementary to the DANZ Choreographer/Director and Teacher Codes of Practice resources. DANZ recommends that dance professionals follow these Codes of Practice to ensure quality in the dance profession.

DANZ is the national organisation for New Zealand dance www.danz.org.nz

Appendix 1

Fitness and Wellbeing for Dance

There are good resources available which provide information on **keeping fit for dance**. Refer to the following DANZ dance health resources

<http://www.danz.org.nz/Magazines/DanznetArchive/Dec04/health.php>

<http://www.danz.org.nz/Downloads/DanceFitness.pdf>

<http://www.danz.org.nz/Downloads/InjuryMgmt.pdf>

- DANZ **Perfect Performance** dance health and wellbeing training workshops (contact DANZ for information)

The following resources and publications can be accessed through websites, libraries or viewed at DANZ

- The *healthier dancer programme* Dance UK
<http://www.danceuk.org/metadot/index.pl?id=22526&isa=Category&op=s how>
- *Safe Dance and Fit to Dance 1 and 2* have recommendations for the working dancer and conditions of work, published by Ausdance.
<http://www.ausdance.org.au/outside/resources/publications/safedance/safedance.html>
- *Your Body Your Risk* by Scilla Dyke contains legal rights relevant to students and professional dancers.

Appendix 2

New Zealand Employment Legislation

Anyone employed after 2 October 2000 must have a written employment agreement, whether it be an individual or a collective agreement.

There is a basic dancer's contract on the DANZ web site

http://www.danz.org.nz/Downloads/DancersGuide_part2.pdf pages 39 to 42

For up to date and detailed employment information **The Employment Agreement Builder** has been created by Employment Relations Services to provide guidance to employers and employees on the content for the creation of individual employment agreements. See:

www.ers.dol.govt.nz/relationships/builder/index.asp

For further info: The Department of Labour ph 0800 800 863

Hours of Work

All employment agreements are required to detail the working hours. Correctly identifying the nature of the work is essential, as a number of minimum employment conditions apply in some working arrangements. Dance can be found in a number of working environments e.g. film, education and fitness not only performance.

DANZ Recommendations for breaks and rests for the working New Zealand Dancer

Lunch and Other Meal Breaks

These clauses are voluntary in contracts - there are no minimum entitlements in this area, **but the Health and Safety in Employment Act requires all practicable steps to be taken to ensure a healthy workplace** because employees working long hours without breaks, can be a risk to both themselves and others.

It is well documented internationally that tiredness significantly increases the rate of dance injury. The New Zealand study found most injury was caused by "fatigue and overwork, followed by ignoring early warning signs and insufficient warm up" <http://www.danz.org.nz/Magazines/DanznetArchive/Dec04/health.php>

The following wording is a recommended guideline for contracts:

Meal Breaks - The parties agree that after 4 hours of work, the Employee shall be entitled to a meal break of not less than 45 minutes duration.

All dancers and cast members will be provided with reasonable opportunities within rehearsal and production to access toilets and refreshments.

Appendix 3

Harassment and Bullying in the Workplace

Workplace harassment and bullying is likely to affect staff morale, creativity and productivity, and create an unhealthy workplace culture. It can be subtle or overt, sporadic or sustained.

Harassment can be defined as any unwelcome comment, conduct or gesture that is insulting, intimidating, humiliating, malicious, degrading or offensive. It might be repeated or an isolated incident but it is so significant that it adversely affects someone's performance, contribution or work environment. It can include physical, degrading or threatening behaviour, abuse of power, isolation, discrimination, sexual and/or racial harassment. Harassment is behaviour that is unwanted by the recipient even if the recipient does not tell the harasser that the behaviour is unwanted.

Bullying is ongoing unreasonable behaviour which is often intended to humiliate or undermine the recipient but is not specifically unlawful.

Legislation

In New Zealand law, employers are obliged to create a safe and secure working environment for their employees, and take all reasonable and practicable steps to manage hazards and avoid exposing employees to unnecessary risk of physical injury or psychological harm.

The Human Rights Act, Section 62, states that *it is unlawful for any person to be sexually harassed, either through a request for some sort of sexual activity with an implied or overt threat of detrimental treatment, or promise of preferential treatment; or through sexual behaviour that is unwelcome or*

offensive to the recipient, and is either repeated or so significant that the person experiences some form of detriment in their employment.

Section 63 of the Act states that it is also unlawful for anyone to use any behaviour that expresses hostility against, or brings into contempt or ridicules someone on the basis of their race, colour, national or ethnic origins, in such a way that is offensive to the person, and is either repeated or so significant that it has a detrimental effect on their employment.

Section 66 states that it is unlawful to victimise a person for making a complaint of discrimination under this Act, or for making a disclosure under the Protected Disclosures Act 2000.

According to the **Employment Relations Act 2000**, (Section 108) an employee can take a personal grievance case against their employer if they directly or indirectly subject the employee to behaviour that is unwelcome (whether or not that is conveyed to the employer or their representative) and by its nature or through repetition, has a detrimental effect on that employee's employment, job performance, or job satisfaction. An employee can also take a personal grievance case if they are sexually or racially harassed by another employee, customer or client, and the employer has had the chance to investigate a complaint, but has not taken any practicable steps to prevent the behaviour recurring (Sections 117 & 118). Organisations will be held liable if the harassment takes place during work hours, on work-related activities or at work-related social events.

Employees can take a personal grievance within 90 days of the alleged act. However, if the nature of the act means the Human Rights Act has been contravened, the employee can bring a case against the employer for up to 12 months after it occurs.

Further information and Advice

Places to call:

The Human Rights Commission ph 0800 496 877

Equal Employment Opportunities Trust Office ph (09) 525 3023

Related information links:

www.ers.dol.govt.nz/problem/mediation.html

www.eeotrust.org.nz/toolkits/harassment.cfm#faq686

www.hrc.co.nz

www.top-drawer.co.nz

www.anthealowe.com.au

www.wave.org.nz

www.acas.org.uk

www.neon.org.nz

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