

# CONSEQUENCES OF THE BAN ON RECOMMENDING RATES IN SPAIN.

## HOW PROFESSIONAL ASSOCIATIONS OF TRANSLATORS AND INTERPRETERS WORK TO REVERSE THIS SITUATION

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# WHO-WHEN-HOW-WHY? CONTEXTUALISING THE BAN ON RECOMMENDING RATES IN SPAIN

## 2007

- ▶ Spanish Competition Act (15/2007 of 3<sup>rd</sup> of July)

2007

2009

2012

2016

### Article 1. Collusive conduct.

All agreements, collective decisions or recommendations, or concerted or consciously parallel practices are prohibited, which have as their object, produce or may produce the effect of prevention, restriction or distortion of competition in all or part of the national market and, in particular, those which consist of:

- a) The direct or indirect fixing of prices or any other trading or service conditions.
- b) The limitation or control of production, distribution, technical development or investment.
- c) The share-out of the market or sources of supply.
- d) The application, in trading or service relationships, of dissimilar conditions to equivalent transactions, thereby placing some competitors at a disadvantage compared with others.
- e) The subordination of the conclusion of contracts to acceptance of supplementary obligations which, by their nature or according to commercial usage, have no connection with the subject of these contracts.

Spanish Competition Act (15/2007 of 3<sup>rd</sup> of July)  
Translated by the Spanish National Commission on Markets and Competition

## 2009

- ▶ The Services in the Internal Market Directive (2006/123/EC) is implemented.
- ▶ The Spanish Law 17/2009 of 23<sup>rd</sup> November on the Free Access to Service Activities and their Exercise is implemented.
  - ▶ No more professions councils are founded.

2007

2009

2012

2016

## 2012

- ▶ The Association of Translators, Correctors and Interpreters of Basque Language is fined.
- ▶ The Spanish Professional Association of Proofreaders is fined.
  - ▶ Both associations had published a list of recommended rates on their website.
- ▶ The Professional Association of Translators and Interpreters of Catalonia removes from its website the results of a survey on rates.

2007

2009

2012

2016

## 2012

- ▶ The Spanish Association of Translation and Interpreting Students is founded.
- ▶ The Vértice Network is founded.

2007

2009

2012

2016





Asociación Española de Traductores, Correctores e Intérpretes



Associació Professional de Traductors i Intèrprets de Catalunya



# Red Vértice



## 2016

- ▶ Since 2012 the Spanish professional associations have explored new channels of collaboration with universities.
  - ▶ Mentoring programmes
  - ▶ Collaboration in research projects
  - ▶ Advisory bodies for universities

2007

2009

2012

2016

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# CONSEQUENCES OF THE BAN

## CONSEQUENCES FOR THE TRANSLATION MARKET

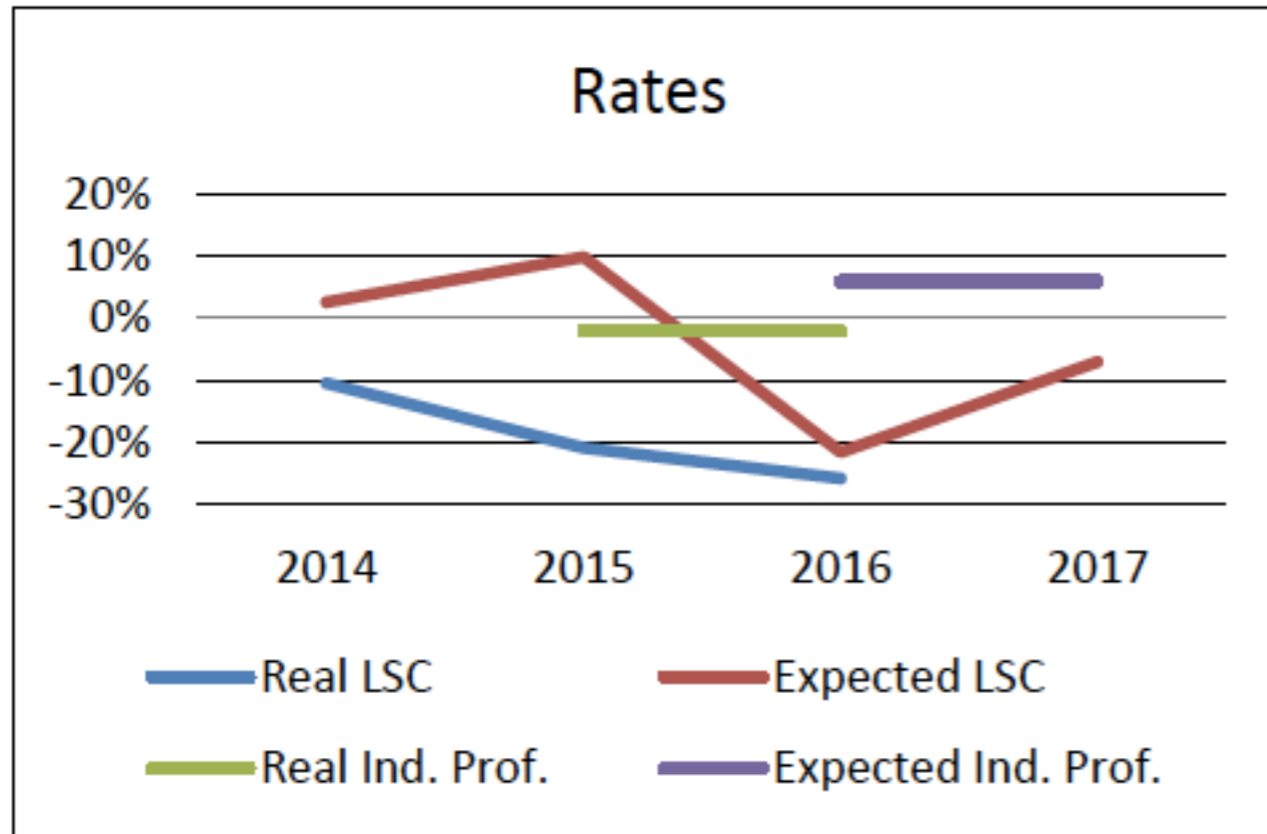
### Challenges and trends in the industry

According to the surveys, **the most important challenge for the industry is the undercutting of prices**, followed by increasingly tight deadlines. The aspect to which less importance is given is the low demand [for translation]. As for quality, the main concern is its decline and the least-worrying concern is certification requirements. Finally, unfair competition and professional intrusion are the two aspects that are given the most importance with regard to competition.

Rico Pérez, Celia; García Aragón, Álvaro (2015). *Análisis del sector de la traducción en España (2014-2015)*. Madrid: Universidad Europea de Madrid. P. 35.

Self-translated quote.

## CONSEQUENCES FOR THE TRANSLATION MARKET



In terms of pricing, the strong pessimistic view that we saw in the 2016 results is replaced by a milder one, although the 2016 actuals confirm the negative 2016 expectations.

Independent language professionals, while reporting a small drop in pricing in 2016, expect to be out of the red in 2017, which is surprising given the strong feelings about price pressure expressed in the open question about trends.

ELIA; EMT; EUATC; GALA; LIND (2017). *Language Industry Survey - Expectations and Concerns of the European Language Industry*. P. 8.



## CONSEQUENCES FOR (FREELANCE) PROFESSIONAL TRANSLATORS

### Turnover and gross profit

The following information on the gross profit of the self-employed [translators] in 2014 has been collected:

- **23.6% invoiced between 0 and 15,000 euros**
- **24.5% invoiced between 15,000 and 25,000 euros**
- 14.2% invoiced between 25,000 and 35,000 euros
- 9.4% invoiced between 35,000 and 45,000 euros
- 9.4% invoiced more than 60,000 euros

Rico Pérez, Celia; García Aragón, Álvaro (2015). *Análisis del sector de la traducción en España (2014-2015)*. Madrid: Universidad Europea de Madrid. P. 93.

Self-translated quote.

# CONSEQUENCES FOR (FREELANCE) PROFESSIONAL TRANSLATORS

Hola [REDACTED]

Siento comunicarte que las normas de la lista de distribución de APTIC no permiten hablar, solicitar o comentar tarifas. Casi que no podemos ni pensar en este tema, tal y como están las cosas...

Bromas a parte, como miembros de APTIC no podemos recomendar ningún tipo de tarifa. En cambio, sí que podemos comentar experiencias con empresas del sector (sin caer en la difamación).

En este sentido, se ha comentado diversas veces una práctica que realizan empresas como [REDACTED] que, para poder cumplir con los requisitos de licitaciones para servicios públicos, incluyen en su documentación el perfil y los datos de las personas que realizarían el servicio, como podría ser tu caso. En caso de ganar el concurso, ha ocurrido que quien desempeña el trabajo finalmente es alguien no mencionado en primera instancia y por una tarifa sensiblemente diferente a la pactada con la persona que sí ha aportado sus datos.

Saludos,

Hello [REDACTED]

I'm sorry to inform you that the rules of APTIC's distribution list do not allow speaking, requesting or commenting on rates. We almost can't even think about this matter....

Joking apart, as APTIC members we cannot recommend rates. However, we can comment on experiences with companies in the industry (without being defamatory). [...]

E-mail sent to the distribution list of the Professional Association of Translators and Interpreters of Catalonia  
Self-translated e-mail.

## CONSEQUENCES FOR TRANSLATOR TRAINERS AND TRAINEE TRANSLATORS

Estimado equipo de APTIC:

soy un graduado en Tel que está intentando iniciarse en el mundo laboral de la traducción, y para ello, quiero recopilar información sobre las tarifas generales en las que se mueve el mercado.

He leído en la página web de la asociación que existe una encuesta al respecto, pero no he podido encontrarla. Quería preguntar si este documento está todavía disponible.

Gracias y un saludo,



Dear APTIC team:

I am a graduate in Translation and Interpreting who is trying to get started in the professional world of translation and, for this purpose, I would like to gather information on general rates that are charged in the market.

I have read on the association's website that there is a survey on the subject, but I could not find it. I wanted to ask if this document is still available.

Thank you and best regards,



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# REVERSING THE SITUATION

## REVERSING THE SITUATION – METHODS

- ▶ 5 unstructured interviews with members of Spanish professional associations.
- ▶ Exploratory study on the effect of mentoring programmes on translation students and their professional development.
- ▶ Bibliometric analysis of publications retrieved from BITRA which are related to the translator's profession in Spain from 2010 to 2017.

### HOW DO SPANISH PROFESSIONAL ASSOCIATIONS OF TRANSLATORS AND INTERPRETERS WORK TO MINIMISE THE EFFECTS OF THIS BAN?

- ▶ Creating spaces for intra and inter-associational debate\*
  - ▶ More than 10 national and international conferences organised by Spanish associations since 2012.
  - ▶ 511 (training and protest) activities organised by Spanish associations since 2012.
- ▶ Establishing new ways of collaborating with universities.
- ▶ Attracting the attention of the local, national and international media.

\* Source: Red Vértice

## WHAT IS THE ROLE OF TRAINING IN THE ESTABLISHMENT OF RATES?

When we talk to students, many of them explain to us that when they finish their degree they want to charge low rates to be able to get started in the translation market. It is very difficult for us to change their attitude and to convince them that being a recent graduate does not mean that they have to charge less: it is more important that they charge the same rates as any other professional with many years of experience would do, and that they reject those assignments for which they do not feel prepared.

Representative of the Spanish Association of Translators, Interpreters and Proofreaders

Self-translated quote

## WHAT IS THE ROLE OF TRAINING IN THE ESTABLISHMENT OF RATES?

When we give a talk at a university, many teachers thank us for having answered questions from students that they cannot accurately answer due to a lack of available information. Often we ourselves cannot answer to questions that are related to rates, but we try to convey that we as APTIC cannot provide such information, but I can do it as an individual. That is why we insist on the importance of face-to-face events, where students can meet translators and ask them questions that we as an association are not allowed to answer.

Representative of the Professional Association of Translators and Interpreters of Catalonia  
Self-translated quote

## WHAT IS THE ROLE OF TRAINING IN THE ESTABLISHMENT OF RATES?

This is not a matter of telling the student which rate is correct, but of the student developing strategies to be able to establish the most appropriate rate.

Representative of the Spanish Association of Translators, Interpreters and Proofreaders  
Self-translated quote

## WHAT IS THE ROLE OF TRAINING IN THE ESTABLISHMENT OF RATES?

- ▶ Mentoring programmes
  - ▶ Asetrad's mentoring programme
    - ▶ 1 student - 1 translator
  - ▶ APTIC's mentoring programme
    - ▶ 1 student - 8 translators

## WHAT IS THE ROLE OF TRAINING IN THE ESTABLISHMENT OF RATES?

- ▶ APTIC's mentoring programme
  - ▶ The student learns from and with eight translators and interpreters with different language combinations and specialisations.
  - ▶ Contents: translation and proofreading, interpreting, quoting, invoicing and taxation, ergonomics, time and space management, marketing, rates, tools and documentation resources, associationism, defining professional goals, and deontology.
  - ▶ 4 months (2 weeks of work with each mentor)

Olalla-Soler, Christian (submitted). 'Bridging the gap between translation and interpreting students and freelance professionals. The Mentoring Programme of the Professional Association of Translators and Interpreters of Catalonia.'



## IS RESEARCH IN SPAIN HELPING TO DEFEND THE PROFESSIONAL INTERESTS OF FREELANCE TRANSLATORS AND INTERPRETERS?

- ▶ 19 publications which describe the translators' and interpreters' profession were retrieved from BITRA for the 2010-2018 period.
  - ▶ 3 publications were related to rates.
  - ▶ 0 publications were related to the well-being of the professionals.
  - ▶ 0 publications were related to the translators' and interpreters' professional status.
  - ▶ 3 publications reflected on future changes in the profession of translators and interpreters.
  - ▶ 4 publications reflected on ethical dilemmas arising in the profession of translators and interpreters.

# IS RESEARCH IN SPAIN HELPING TO DEFEND THE PROFESSIONAL INTERESTS OF FREELANCE TRANSLATORS AND INTERPRETERS?

- ▶ 12 publications described the competences that a translator or an interpreter should have in a specific field of specialisation to meet the market requirements.
  - ▶ Audiovisual translator: Cerezo Merchán, 2012; García Sanz, 2012; Martínez Sierra, 2012
  - ▶ Medical translator: Muñoz Miquel, 2014
  - ▶ Legal/sworn translator/interpreter: Ortega Herráez, 2010
  - ▶ Community interpreter: Carreras Goicoechea & Pérez Vázquez, 2010; Martin & Taibi, 2010; Martínez-Gómez Gómez, 2010; Pozo Triviño, 2013; Vaamonde Liste, 2015
  - ▶ Conference interpreter: Valero Garcés, Bodzer & Comsa, 2012; Tolosa Igualada, 2014;

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# CONCLUDING REMARKS

### CONCLUDING REMARKS

- ▶ Since 2012, professional associations of translators and interpreters have sought new ways to mitigate the consequences of the ban on recommending rates.
- ▶ Their new approach to universities and students has helped to establish a link between the profession and training and has contributed to empowering students so that they are able to establish their rates and find ways to resolve their doubts.
- ▶ However, this progress has been made only on a small scale. Not all associations are in a position to find mechanisms to reverse this situation.
- ▶ Spanish universities should continue to cooperate with professional associations by conducting research. While it is important to identify what the market demands (usually represented by translation companies), it is also important to know the status of the profession and the concerns of the professionals.
- ▶ Spanish universities should explore the possibility of carrying out a study to describe the current status of rates in the translation and interpreting industry.

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## REFERENCES

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Spain. Ley 17/2009, de 23 de noviembre, sobre el libre acceso a las actividades de servicios y su ejercicio [Spanish Law 17/2009 of 23<sup>rd</sup> November on the Free Access to Service Activities and their Exercise]. Boletín Oficial del Estado, 24 de noviembre de 2009, n. 283.

# Kiitos paljon!



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