



# COMMUNITY PRODUCER GUIDELINES

Fall 2020

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TV HAMILTON LIMITED  
150 Dundurn Street South  
Hamilton, Ontario  
L8P 4K3



# COMMUNITY PRODUCER GUIDELINES

FALL 2020

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## WELCOME TO CABLE 14!

I'd like to welcome you to Cable 14. We welcome your interest in producing exciting and relevant television content for the Greater Hamilton Community.

Cable 14 has served this community for over 50 years. We invite you to learn about our history by watching a documentary we produced last year. *Local Television: Then. Now. Always.* can be viewed online at [www.cable14now.com](http://www.cable14now.com).

Whether you are looking for a new hobby, some on-the-job training, or just an outlet for your creative expression, we are happy to discuss your programming ideas. We do anticipate, however, that you understand and abide within the policies, rules and procedures that we have put in place.

This document will outline many of those processes and if you have any questions about them after reviewing, please feel free to reach out to myself, or one of our Staff Producers. I am always available to discuss any issue about our programming with you as well.

Regards,

A handwritten signature in black ink that reads "Wm. J. Custers". The signature is written in a cursive, slightly slanted style.

Wm. J. Custers  
Senior Manager, Broadcast  
TV Hamilton Limited  
[bcusters@cable14.com](mailto:bcusters@cable14.com)



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## 1. COMMUNITY ACCESS GUIDELINES AND INFORMATION

Thank you for your interest in Community Television on Cable 14. This community channel is focused on our local region and its people, issues, arts and culture. We are pleased to accept completed shows and new show ideas that reflect the local viewpoints, activities and diverse voices within our community.

**Please Note: Cable 14 is a free service provided by Cogeco and Rogers. Cable 14 does not purchase television programming. There is no charge to you or your group to produce any local television or to televise your event.**

Cable 14 is available to you as a broadcast and online distribution medium as well as a partner in the production. We can provide you with various resources to help facilitate your production as well as provide a platform via linear broadcast and online for your message.

Please note that if you're proposing coverage of an event, we need sufficient notice to evaluate, technically plan for and promote the event coverage.

You can complete a program proposal by visiting [cable14.com/programproposal](http://cable14.com/programproposal) or request event coverage by visiting [cable14.com/eventcoverage](http://cable14.com/eventcoverage)

## 2. COPYRIGHT CLEARANCE

You should be aware that legal issues may arise if any part of your proposal is protected by copyright. Any music, play, art or original material may have a copyright owner. That owner may be either the original creator who is alive or their estate (if deceased for less than fifty years), or another person or organization that has bought the copyright. Any person performing, recording, or presenting such a work must obtain permission from the owner of the copyright before the work is performed or recorded. It is the obligation of you or your organization to ensure that all copyright and usage permissions are secured prior to production.

### **3. VIDEO SUBMISSIONS**

Video samples are not necessarily required, but can be helpful to the review process. If you are able to provide a sample copy of the show or series, we prefer a digital format such as H.264, however, we will also accept YouTube and Vimeo links for review.

Provide one of these two review options:

- Demo Video: a sample program of any kind, of any length, etc. that provides a snapshot of what the program looks like.
- Pilot Program: A program packaged to its finished length, and including open, close, sponsorship spots, viewer advisories, etc. This is the completed version of the proposed show, or premiere episode of a series of shows.

### **4. THE APPLICATION PROCESS**

All proposals are reviewed twice per year. The evaluation process is based on a combination of factors including our current schedule of commitments to other community producers, defined by CRTC regulations and policies, agreement between the Community Producer and Cable 14 on the perceived value of the project to Community Channel viewers and the resources available to fulfill your request.

All Staff Producers will consider the following questions while working with you on your program proposal:

- Is the proposal “Community Programming” as defined by the regulations?  
For example: Is the programming a true reflection of the people, places and issues that matter most to the community?
  - Are local community members involved and showcased in the programming?
  - Are the issues discussed in the programming relevant to the community?

- Does the programming highlight both sides of an issue or is it mostly one-sided?
  - Cable 14 is responsible for providing balanced viewpoints on the channel. Managers will either ask the producer to incorporate alternative viewpoints or seek out other programming that highlights the other side of the story.
- Has this group or individual provided programming or used Cable 14's facilities before?
  - Cable 14 is responsible for encouraging a diversity of voices on the channel and therefore will try to give as many people as possible an opportunity to produce programming on the Community Channel.
- Does the programming comply with CRTC regulations and other Canadian laws? For instance:
  - copyright
  - defamation
  - balance and diversity
  - violence, adult subject matter, inappropriate language, etc.
  - sponsorship guidelines
- Does Cable 14 have the resources to fulfill the request?
  - Cable 14 needs to ensure that the proper equipment, facilities, volunteers and staff members are available for any particular project.

The application process is really a collaborative discussion between Cable 14 and community members to ensure the production of relevant, entertaining and hyper-local stories to the communities we serve. We want to help you create and share those stories with your friends, neighbours, colleagues and fellow residents.



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## Orientation and On-Boarding

If your show is given the greenlight, there are a few more steps that need to be completed before production can begin:

- Orientation
  - You'll need to attend an orientation, which goes over some facts about Cable 14, as well as our Health and Safety protocols and community producer guidelines.
- Background Check
  - All volunteers and Community Producers working with Cable 14 are required to complete a background check. The cost is covered by Cable 14 and facilitated through MyBackcheck.com.
- Workshops
  - Cable 14 provides a variety of workshops to help you get the skills you need to do your show. This includes on-air workshops for hosts and skills training on equipment (if applicable).

## 5. ACCESS TO FACILITIES

### Safety

Safety is our first concern and everyone's responsibility. It is your responsibility to follow established operating procedures, enforce all safety rules, and recognize and report unsafe acts and conditions.

### Security

Every individual accessing Cable 14 resources must adhere to all building security requirements.

### Appropriate and Authorized Use of Equipment

The equipment and facilities of Cable 14 may only be used for creating Cable 14 Programming. Community Access Producers and associates shall only use equipment for which they are trained and authorized to use. No personal use of equipment is permitted without express permission from Senior Manager, Broadcasting.



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## **Equipment Failure**

Production equipment is subject to failure from time to time. While every effort will be made to secure substitute equipment, such equipment may not be available and in this scenario the production will have to be canceled, rescheduled, or production requirements adjusted to meet the production deadlines.

## **Conduct**

It is important that Community Access Producers and Volunteers appropriately represent themselves to the public and viewers by identifying themselves as a Community Producer or Cable 14 Volunteer and never as a Cable 14 staff member.

## **Smoking/Alcohol/Drugs**

- While on Cable 14 premises, smoke in the -designated smoking area or more than 5 metres from doorways. Extinguish and dispose of butts (or matches) in a proper manner (i.e. do not toss in dried grass)
- Drinking alcoholic beverages and the use of drugs or any other controlled substances on Cable 14 property are not permitted.

## **6. GENERAL HOUSEKEEPING**

The use of the facilities and equipment of Cable 14 is a privilege, not a right. You are responsible for tidying up after yourself and your group or production team. All equipment must be put back in its proper place, furniture and props returned, garbage and recycling put in the appropriate bins.

Any violations of the rules concerning smoking, alcohol or drugs will be cause to end your association with Cable 14.

There is zero tolerance for harassment of staff and fellow volunteers, including abusive language, threats, and inappropriate language in person or by way of phone, e-mail, or social media.

As a community producer you take full responsibility for your volunteers and guests and as such will ensure they follow the above code of conduct.



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Minors must be supervised at all times and should act appropriately. Minors are not to operate any Cable 14 equipment unless otherwise approved by a Cable 14 staff member for training purposes. If an exception must be made for a special program or if you have an underage volunteer, approval must be obtained prior to their arrival.

Any photos/videos on Cable 14 premises for either personal use or for use on social media must be approved by an appropriate Cable 14 staff person. Violation of the code of conduct and general housekeeping will be cause for loss of access privileges.

As a general policy, Cable 14 does not provide copies of any content as it is available online at [www.cable14.com](http://www.cable14.com). This service is available to anyone with an internet connection, a subscription to one of Hamilton cable television providers is not required. Cable television subscribers continue to enjoy exclusive access to Cable 14's linear television service as well as access to our video-on-demand content. Community Producers can request a personal, low-resolution (non-broadcast quality) copy of their programs for their own personal use only. No online rights are provided with the content. Community Producer requests will be completed in December and June each year.

## 7. COMMUNITY TELEVISION BROADCAST REGULATIONS

Cable 14 operates within the general broadcasting environment and also complies with voluntary guidelines established by Canada's Broadcast Standards Council (CAB Code of Ethics, CAB Violence Code, CAB Sex Role Portrayal Code, and RTDNA Code of Journalistic Ethics). CBC Radio-Canada also provides Journalistic Standards which are useful. From a legal perspective we must ensure Community Programming complies with Canadian laws for issues including but not limited to copyright and defamation (libel and slander).

Community Programming is an important source of information and provides a reflection of local realities that few other television services currently showcase.



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Programming on Cable 14 must be “Community Programming” which is defined by the regulations as programming that:

- refers directly to the community, which could be defined as the station’s contours, BDU service area, municipality, census metropolitan area or census agglomeration; and
- be produced by the personnel of the local station, independent local producers or members of the community for the local station.

## **Clearances for Television Airing**

All creative materials that are used in programming which is to air on television must have been cleared for broadcast.

## **Creative Materials**

Creative materials encompass original literary, artistic, musical and dramatic works, and can include:

- books, poetry, newspapers, dictionaries, manuals, catalogues, magazines, pamphlets, scripts, maps
- computer software, paintings, drawings, design trade-marks, sculptures, architectural works, engravings
- dramatic works, photographs, films, videos
- lyrics, musical works, choreography

Creative materials can also be a complex mix of sources where one single clearance is not sufficient. For example, if you tape a dance performance, you might need clearances from the composer(s) of the music, the performer(s) of the music, the dancer(s) and the choreographer(s).

## **Documentation**

You must acquire all clearances in writing from the appropriate parties for any broadcast use. Clearance must be documented and verbal agreements are not acceptable.



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It is recommended that you have a written clearance on file for anyone you record for an interview, particularly outside the Cable 14 studio. The wording of the clearance must be approved by the appropriate Cable 14 staff member and confirm that the participant has agreed to the following: being interviewed for potential broadcast on Cable 14 and/or its affiliated services; that editing may occur in order to meet broadcast specifications without changing the meaning of the words; and that excerpts may be used for promotional purposes. Exceptions or special conditions must be approved through Cable 14 staff.

## **Parental Consent for Minor Children**

Parental consent is always required when videotaping children. A minor child is a child who has not reached the age of majority in that province. Only the parent or legal guardian has the authority to provide a clearance for a minor.

## **Copying Programs**

Once the appropriate clearances are on file for any creative materials used in a show, it is then Cable 14's decision as to whether a copy of the episode will be made available to a show participant. It is also Cable 14's responsibility to make any and all copies.

There is generally no additional copyright issue associated with complimentary copies provided for personal use (home viewing) by the recipient.

## **Scheduling and Broadcast of Programming**

Cable 14 is a 24/7/365 video programming service available as part of the basic cable television service exclusively on Cogeco and Rogers television systems in the Greater Hamilton area.

Our broadcast service is also streaming on-line at [www.cable14now.com](http://www.cable14now.com) and is available to anyone with an internet connection. Video-On-Demand content is also available on-line exclusively for Rogers and Cogeco cable television subscribers.

Your Staff Producer will provide you with the broadcast dates of times of your program. While we always attempt to maintain our schedule, there is always the potential of preemptions or last minute schedule changes that are unavoidable. We operate in a live broadcast environment and are subject to both internal and external environmental factors that may impact the recording and/or scheduled broadcast of programming.

## 8. THE CANADIAN COPYRIGHT ACT

### Copyright Board of Canada & The Canadian Copyright Act

The Copyright Board of Canada is an economic regulatory body empowered to:

- establish the royalties to be paid for the use of copyrighted works
- supervise agreements between users and licensing bodies
- issue licenses when the copyright owner cannot be located
  
- The Canadian Copyright Act recognizes three main rights:
  - The right to produce or copy the musical work (such as sheet music).
  - The right to reproduce the musical work, including mechanical rights (such as CD and digital audio reproductions) and synchronization rights (such as music in films, videos, and multimedia productions).
  - Performing rights, which are the rights to perform a work in public (such as a live concert, a recording or any other type of public performance) and the right to communicate to the public by telecommunication (such as a broadcast). Reference: The Copyright Act and Copyright Law In Canada.

## 9. MUSIC AND PERFORMANCE RIGHTS

The Society of Composers, Authors, and Music Publishers of Canada (SOCAN) deals exclusively with performing rights. All other rights are handled by the copyright owners or by other organizations. Community Producers need to ask all performers if they are members of SOCAN or any other licensing agency before the performers participate in the Access Program.

As well, a SOCAN license entitles the licensee to use the musical works contained in SOCAN's repertoire in a particular way as outlined by SOCAN, recognizing the work of those who create and publish it. A license is required whether the music is live or played on a tape/CD player, jukebox, video or karaoke, and a license is required whether the live performers are paid or not. Cable 14 does not have a subscription to SOCAN, so no member works are able to be used in Cable 14 programming.

## 10. CANADIAN DEFAMATION LAW

Defamation refers to harming another person's reputation by making a false written or oral statement about that person to a third party.

### Defamation Law

The major points of defamation law in Canada are as follows:

- Defamation is an unusual tort (or body of law) in that it is a "strict liability" tort. It does not matter if the defamation was intentional or the result of negligence. Defamatory material is presumed to be false and malicious.
- Defamation must be a direct attack on an actual reputation, not an alleged reputation that the victim believes they deserve. A judge will assess the statement against the evidence of the victim's reputation in their community.
- The remarks must be harmful or defamatory and this will be assessed on a case-by-case basis. While some statements are clearly defamatory, other statements may only be deemed defamatory by the person targeted by the remarks. What may be a mildly offensive remark to one person may constitute serious defamation to another. The judge will consider the situation of the person defamed in assessing the claim of defamation.
- The defamatory remark must be clearly aimed at the plaintiff. General inflammatory remarks aimed at a large audience would not qualify as the remarks must be clearly pointed at a specific person.

- The defamatory remarks must be somehow conveyed to a third party. Private defamation just between two parties causes no damage to reputation because there are no other persons to be impacted by the remarks. With libel, the damage is presumed as it is published. With slander, proof of repetition to other people is essential to the claim. Damages have to be proven, except in these four exceptions when the defamation imputes:
  - the commission of a crime
  - the unchaste status of a person
  - a “loathsome disease”
  - a professional incompetence

**Libel and Slander**

The difference between slander and libel is that libel is the written or otherwise published, public defamation of a person or entity such as an organization or company, while slander is the spoken false defamation of a person or entity. Slander can also include bodily gestures while libel can include published photographs.

While the right to fairly criticize people or entities and publicly share information is one of the hallmarks of personal freedom, it is illegal to malign the reputation of another through slander or libel.

## 11. OVERVIEW OF LEGAL REQUIREMENTS

The following is an overview of some of the codes and rules Cable 14 and Community Producers must abide by:

### **Canadian Broadcast Standards Council (CBSC)**

The CBSC was created in 1990 by the Canadian Association of Broadcasters (CAB) to oversee the self-regulating system of codes and standards created by Canada's broadcast industry.

The CBSC is an independent, non-governmental organization and includes nearly all of Canada's private radio and television broadcasters and specialty television services. The voluntary codes administered by the CBSC reflect the industry's commitment to respect community standards for programming. They include:

- The CAB Code of Ethics
- The CAB Sex-Role Portrayal Code
- The CAB Violence Code
- The RTDNA Code of Journalistic Ethics

Reference: The Canadian Broadcast Standards Council

### **Canada's Broadcasting Codes**

The CBSC administers several voluntary codes on behalf of Canada's private broadcasters. In brief, the codes cover issues including:

#### **Violence on Television**

Television programs broadcast in Canada may not glamorize or show gratuitous violence (violence unnecessary to the development of the plot, characters or theme). Programming containing violence intended for adults may air only after 9:00 p.m. The rules on violent content in children's programming are even more strict.

### **Equitable Portrayal**

Television and radio programming must respect the principle of equitable portrayal of all individuals. Programming must respect the intellectual and emotional equality of all individuals regardless of race, national or ethnic origin, colour, religion, age, gender, sexual orientation, marital status or physical or mental disability. Broadcasters shall ensure that their programming contains no unduly negative stereotypical material or comment. Broadcasters shall be sensitive to, and avoid, the usage of derogatory or inappropriate language or terminology in references to individuals or groups.

### **Fairness and Accuracy in the News**

News and public affairs issues have to be reported fairly and accurately and must not focus on irrelevant factors. Broadcast journalists will respect the dignity, privacy and well-being of everyone with whom they deal.

### **Controversial Public Discussion**

Controversial public issues must be treated fairly. Open-line shows may be provocative but on-air commentary must be full, fair and proper.

### **Human Rights**

All programming must respect human rights and must be free of abusive or unduly discriminatory comments.

## **12. CAB CODE OF ETHICS: MATURE SUBJECT MATTER**

“Mature Subject Matter” relates to programming which may offend some viewers through its content, visual images, language and/or themes.

### **The Watershed**

The Watershed marks the start of the late evening viewing period, defined as running from 9:00 p.m. to 6:00 a.m. Television content which contains material “intended exclusively for an adult audience” (containing sexually explicit content or coarse or offensive language) must be aired after the Watershed.

### **Use of Coarse Language**

Television programming which contains “coarse or offensive language intended for adult audiences” must not be broadcast prior to the Watershed hour of 9:00 p.m. Even when broadcast after 9:00 p.m. the programming must be accompanied by viewer advisories.

### **Materials Susceptible of Offending Viewers**

Programming which is “intended for adult audiences” may be aired prior to the Watershed. It must, however, be accompanied by viewer advisories if it contains mature subject matter or other material susceptible to offending viewers, which is unsuitable for children. Cable 14 reserves the right to schedule content in a manner appropriate for a general audience community channel.

## **13. HOUSE OF WORSHIP / RELIGIOUS PROGRAMMING**

Cable 14 is pleased to provide access to a number of local Houses of Worship who desire to broadcast weekly services. The Canadian Radio Television and Telecommunication Commission has determined that those who broadcast religious programming have an obligation to offer differing views on matters of general public concern and, at the same time, must expose the audience to different points of view on religion itself.

Cable 14 will make a defined number of weekly schedule opportunities available to local Houses of Worship. The application process will be similar to the process for other content on Cable 14, however it is expected that this content will be delivered by the local House of Worship (ready-to-broadcast) by Cable 14.

All House of Worship / Religions Programming broadcast on Cable 14 must meet the following criteria;

- No programs shall have the effect of abusing or misrepresenting any individual or group.
- No group shall be targeted for the purpose of conversion or proselytism.

- While groups and ministries are free to express their views about activities that they deem to be "sinful", they shall not call into question the human rights or dignity of any individual or group.
- When programs are planned that deal with or comment on the beliefs, practices, liturgy or behaviour of another religious group, the licensee shall ensure the accuracy and appropriate context of such content.

Cable 14 will not accept content that includes any solicitation of funds.

## 14. COVID-19 PRECAUTIONS AND GENERAL POLICIES

COVID-19 is a novel (new) coronavirus that was first identified in Wuhan, China in late 2019. Coronaviruses are a large family of viruses that originate in animals, but are known to cause respiratory illness in humans, particularly during the fall and winter months. Other novel coronaviruses include Severe Acute Respiratory Syndrome (SARS) and Middle East Respiratory Syndrome (MERS-CoV).

The World Health Organization (WHO) classified COVID-19 as a pandemic on March 11, 2020.

Cable 14 has implemented and will continue to monitor the status of the COVID-19 outbreak in the City of Hamilton. Our studio, mobile and ENG procedures are constantly being reviewed and updated as new information becomes available.

Your Staff Producer will keep you updated with any changes or requirements under our Covid-19 protocols, however, in general terms please ensure you follow and understand the following:

- If you are sick or do not feel well for any reason, please do not visit Cable 14 or interact with any of our staff on location
- Wash your hands often and inline with public health protocols



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- Masking may be required both in the Cable 14 facility and in any public locations
- Maintain physical distancing of at least 6 feet at all times

## 15. COMMUNITY PRODUCER DELIVERABLES

If your show is accepted, your Staff Producer will work with you to ensure that all of the production elements are in place. We will rely on you to provide certain elements in all three phases of the production process. Examples of the deliverables are:

### **Phase One: Pre-Production**

- A written description or synopsis of program / series
- Any social media/website links related to the show
- Bio Information for show host and Community Producer (if different than host)
- Scripts for a promo for the program / series
- Input on graphics creation (music, template, video/pictures)

### **Phase Two: Production**

- Episode runsheets (templates will be provided)
- All graphic/visuals for the show to coincide with the runsheet
- Booking guests and ensuring they are prepared for their interview
- Written description or synopsis of each episode
- For on-location productions, the Community Producer is responsible for ensuring all parking and access clearances are arranged
  - We expect that the Community Producer will be present at all on-location productions.

### **Phase Three: Post-Production**

- Assist with the promotion of the program using your Social Media channels to promote the date and time of the broadcasts
- Provide Cable 14 with copies of all feedback received about the program (positive and negative)



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### 16. FORMS AND DOCUMENTS

Any documentation or forms required for your program (health and safety protocols, release forms, contra agreements, etc.) can be obtained from the Cable 14 Staff Producer assigned to your program.

### 17. REVIEW AND ACCEPTANCE

*I acknowledge that I have received, reviewed and understood the policies, procedures and processes outlined in the Community Producer Guidelines.*

\_\_\_\_\_

Name

\_\_\_\_\_

Date

\_\_\_\_\_

Signature