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There is work to do!

A European perspective on the working conditions of artists and cultural professionals

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There is work to do!

Introduction

- Working Conditions on the EU Agenda
- Why
- OMC-report
- Status of the artist
- To do

Introduction

- **Senior Policy Expert for CreativeFLIP: financing, transformation, working conditions**
- **Member of OMC-group Working Conditions for Dutch Platform on Working Conditions**
- **Member of consortium preparing a Report for next group of European Parliament-members on cultural and media policy**



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Working conditions on the EU Agenda



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Activities from Workplan for Culture Member States 2019-2023:

- Inventory study: <https://culture.ec.europa.eu/news/study-on-artists-working-conditions-published>
- Voices of Culture dialogue: <https://voicesofculture.eu/2021/01/25/status-and-working-conditions-of-artists-and-cultural-and-creative-professionals/>
- OMC-Working Group report: <https://bit.ly/4a7BIS2>

Working conditions on the EU Agenda



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- Workplan for Culture Member States 2023-2026: online platform on working conditions (www.CreativesUnite.eu/work-condition) and stock-taking workshops
- European Parliament: legislative initiative asking European Commission for a EU-framework (<https://bit.ly/3TuX7rW>) (decent working conditions, EU standards, social conditionality)
- Answer European Commission: assess exiting gaps in application of rules, mutual learning program on social protection for artists, ...

Why?



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Atypical working patterns -complicated employment status - delicate economic situation -project-based working - high rate of freelancers - public-good character - insecure and fluctuating income - unpredictability of success

Covid19: cultural sector first to close and the last to reopen. Large numbers of artists and cultural workers lost work and income. Many countries when trying to help discovered that they did not have enough information and means of reaching artists and cultural workers. This reinforced the call for better policy measures to protect and support artists and cultural and creative professionals.

OMC-report on working conditions



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Content:

- Artist status and social security: access to social rights
- Fair practice: labour relations and fair pay
- Skills and LifeLongLearning: keeping up with changes
- Artistic freedom: basic right for artistic work
- Recommendations

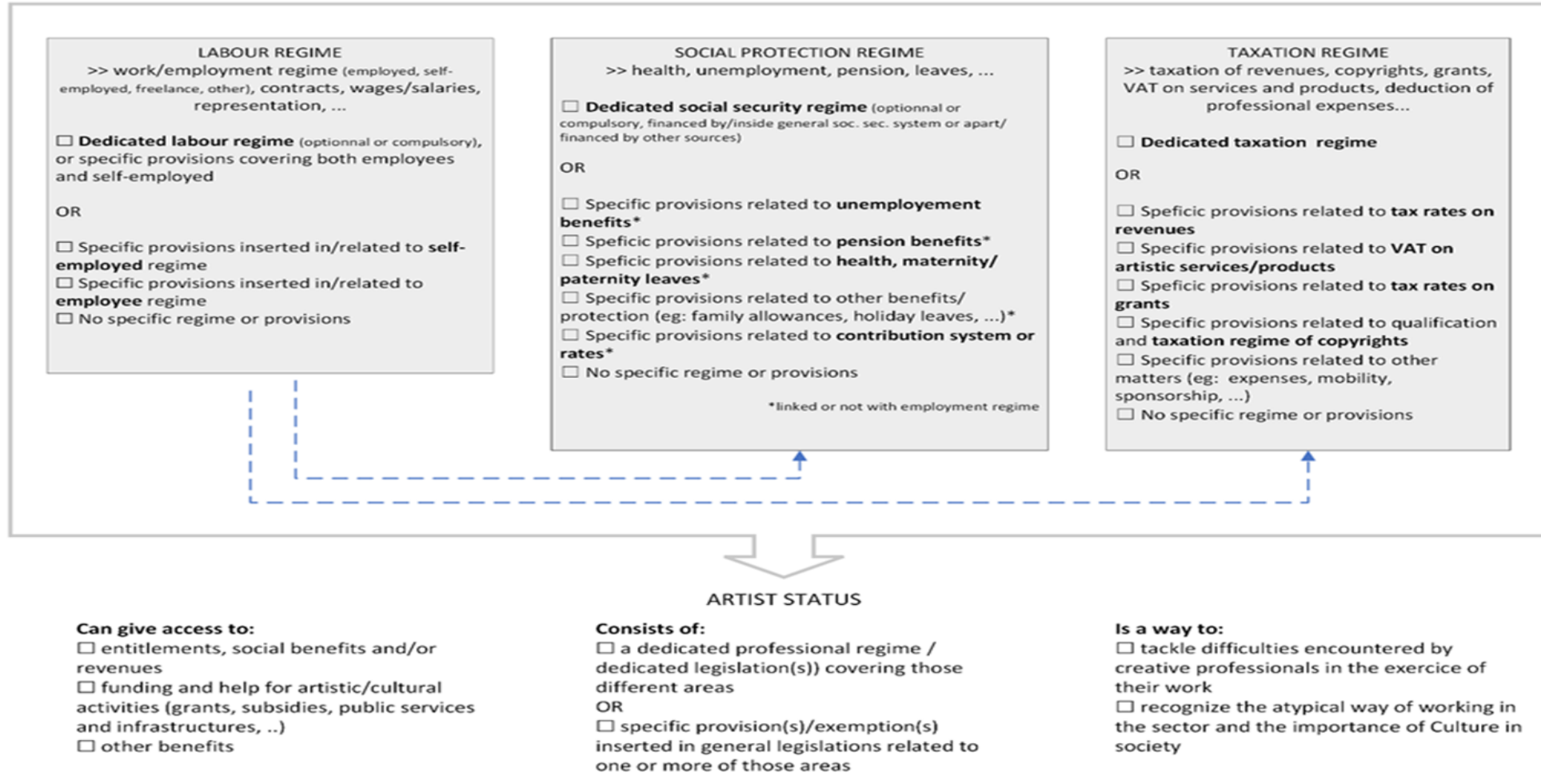
Artist status and social security



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Ways toward a legal status for artists and creative professionals



Status of the artist: what does it mean?



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About 18 Member States have some status of the artist:

- Which artists? And what about other cultural workers?
- General measures for everybody or specific for artists or additions for artists
- Applying only to (part of) social security (unemployed, health, etc) or labour regime (self-employed, temporary work) or (part of) taxation (revenues of art work, copyright)
- Different systems of contribution to social security
- Register of artists: for what? Access to funding, social security, taxation?

Status of the artist: main recommendation



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OMC-report: 'to aim for specific and coherent legislation regarding artists, covering all areas of their work, in addition to general existing legislation'

The OMC group emphasises that a dedicated law specifically designed for artists has greater potential to have impact on their socio-economic situation.

Where? F.e. Spain: working group of 8 ministries with a lot of measures, especially on short contracts, taxation and social security.

The birth of the online platform: *This is how we work*



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- OMC-group on working conditions
- **November 2022:** platform in EU Workplan for Culture 2023-2026
- **15 November 2023:** First public version presented at CreativeFLIP conference -> www.creativesunite.eu/work-condition



This is how we work on CreativesUnite



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- CreativesUnite offers actual and relevant information for the sector
- Offers Financing and Intellectual Property tools



What is it about?

The platform *'This is how we work'* is a unique EU-wide knowledge resource solely focused on working conditions in the cultural and creative sector.

It does not aim to replicate existing platforms on cultural policies or knowledge repositories on social security and labour relations for all workers.





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CREATIVESUNITE / This is how we work! About Tools

 This is **HOW** we **WORK** 

Mapping cultural and creative sector working conditions in the EU

Welcome to the new platform on the status and working conditions of artists and cultural professionals!

The platform is a unique EU-wide knowledge resource solely focused on working conditions in the cultural and creative sector. Providing concise and factual information, it will allow for comparative mappings and issue-based analysis.

How does it work?

It contains overview texts on all 27 Member States on 4 topics:



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CREATIVESUNITE / This is how we work!

About ▾ Tools ▾



This tool allows you to have a look at regulations in your country on working conditions and also compare them across other EU-member states.

The information in this tool is a supplement to the OMC-report on working conditions “....” (link follows later). The report has more information and recommendations on improving the situation of workers in the CCS.

In the tool you can click on one or more (up to four) member states and compare them on the status of artists and workers/social security, on fair practice, on skills/Life Long Learning and on artistic freedom.

Status and social security



Labour relations



Learning and skills



Artistic freedom



https://www.creativesunite.eu/work-condition/#

How does it work?

1. Select up to three countries from all 27 Member States
2. Select a topic, e.g. Labour relations:



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CREATIVESUNITE / This is how we work! **About** ▾ **Tools** ▾

Select a country from above to compare

Status and social security ▾

Labour relations ^

Overview

The flag of Belgium, consisting of three vertical stripes of black, yellow, and red.	The flag of Ireland, consisting of three vertical stripes of green, white, and orange.	The flag of Austria, consisting of three horizontal stripes of red, white, and red.
<p>Belgium (BE)</p> <p>Cultural organisations receiving public funding usually must adhere to legal remuneration standards. Joint committees, involving social partners like unions and employer associations, establish labour regulations for specific fields such as audiovisual arts, media, production, distribution, movie</p>	<p>Ireland (IE)</p> <p>The Arts Council of Ireland has released a Paying the Artist policy outlining its stance on fair compensation and artist engagement. This policy emphasises that fair remuneration should align with an artist's time, expertise, and contributions, considering their status and the</p>	<p>Austria (AT)</p> <p>Austria's Fairness in Art and Culture strategy, outlined in the 2020-2024 national government programme, addresses key aspects of working conditions in CCSs, including fair compensation, transparency, collaboration, respect, and sustainability. This initiative led to the establishment of two</p>

What is the ambition?

- Access status-quo snapshots on various aspects of artists' working conditions in all 27 countries of the EU
- Understand the EU-wide diversity of policies, regulatory frameworks, and sector initiatives
- Lead informed debates and take stock of policy and legislative changes
- Exchange and stimulate peer-to-peer learning among decision-makers, including representatives from the MS



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Collective bargaining for self-employed

- Use possibilities for collective bargaining for solo self-employed following EU guidelines: <https://bit.ly/3TRkcGs>
- Collective bargaining for solo-self-employed to correct uneven power balance for improving working conditions
- Collective bargaining is allowed if self-employed work side-by-side with other workers
- When economically dependent on one counterpart for more than 50% of turnover
- When counterpart has 10 employees or more or turnover of more than 2 million Euro's



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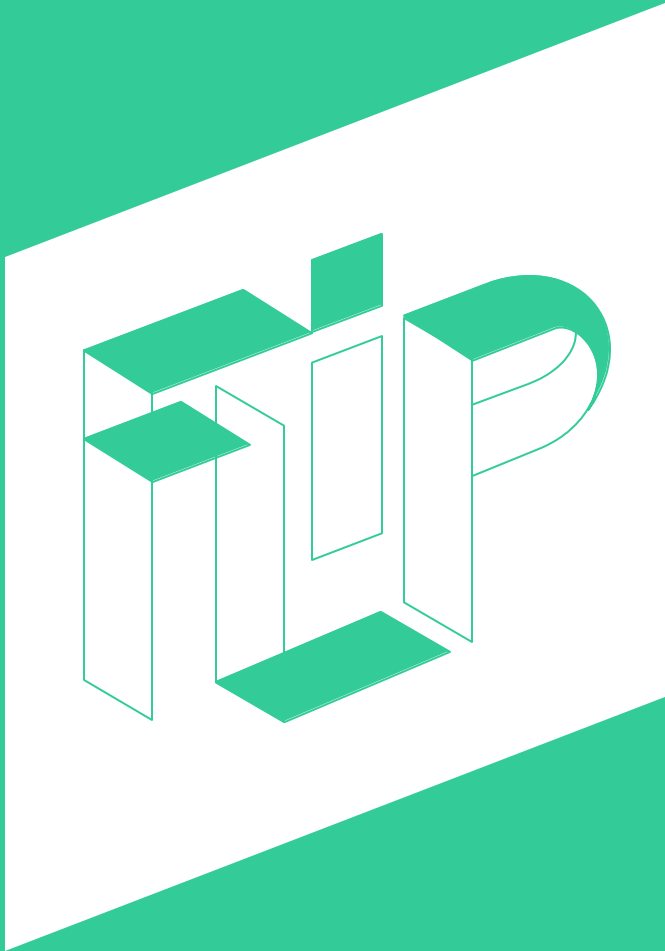
To do

- Unite yourself: unions, associations, preferably on national scale for negotiating power/collective bargaining
- Organise research into income and working position of artists to strengthen negotiations
- Publish advice on rates for different sectors (visual arts, performing arts, design, etc) to raise awareness



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THANK YOU!

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