



Provincial Election 2007



Arts and Culture: Status of the Artist Legislation

In Ontario, many professional artists and cultural workers are unable, under current legislation, to improve their working conditions and livelihoods through collective bargaining, a right presently enjoyed by six million other Ontario workers.

Many of Ontario's artists and cultural workers – a crucial resource – fall between the legislative cracks and work without even the minimal protection of Ontario's *Employment Standards Act*. For too many, there are no minimum wages, there are no pension plans, there are no health and safety provisions and – critically – without a collective bargaining regime, there is no mechanism whatsoever to establish these norms.

During the 2003 provincial election campaign, the McGuinty Liberals promised to introduce *Status of the Artist* legislation to improve the lives and incomes of Ontario's artists in the cultural sector. This promise was re-iterated on May 15, 2006 by the Minister of Culture in her statement to the Legislature promising legislation that would "...improve the socio-economic status of the artist, recognize and enhance the labour status of artists..."

The McGuinty Liberals engaged in a lengthy consultation process with artists, cultural workers, engagers and producers, and then promptly ignored the recommendations of their own Advisory Council for Arts and Culture.

The McGuinty government did introduce legislation; hastily appended as Schedule 39 of the Budget Measures and *Interim Appropriation Act, 2007*. Unfortunately, the legislation addressed the status of Ontario's artists in name only.

Despite months of consultations, the Ontario government failed to introduce legislation that would deliver improved minimum working conditions, enhanced economic and social benefits and collective bargaining rights for professional artists and other self-employed cultural workers.

The *Act* provides no tangible improvements whatsoever for Ontario's artists. While the *Act* does recognize the economic importance of artists to Ontario's economy, the legislation does nothing to improve the livelihoods of those who are contributing to Ontario's overall well-being.

In addition, the 2007 Ontario Budget provided tax breaks for corporations, producers, distributors and marketers, but offered no meaningful relief for the very people who create,

construct, design and perform the art upon which Ontario's entertainment and cultural industry is based.

Although the Budget increased funding to Ontario's cultural sector, it did not provide enough funding to recover from the deep cuts and neglect the sector experienced under the Harris/Eves government of the mid-1990s.

All Ontarians benefit from Ontario's cultural industries. According to the 2007 Ontario Budget, between 1996 and 2006, this sector generated 12% more new jobs than other sectors of Ontario's economy.

Ontario will thrive if those who generate economic activity also thrive. As such, all artists and cultural workers must have the legal right to collectively improve their living and working conditions.

Artists and cultural workers need access to training funds and professional development programs. In addition, because artists and cultural workers often have uneven and sporadic income, tax measures must be developed that treat artists fairly and that appropriately reflect artists' and cultural workers' annual incomes.

It is crucial that Ontarians ensure that the financial security and well-being of child performers and senior artists are protected in legislation.

Ask your Local Candidates:

- Is your party prepared to initiate a meaningful consultative process that includes artists' unions, artists' associations, producers, engagers, and others as appropriate, to develop and implement a legal and binding framework for collective bargaining, within 24 months of forming government?
- Does your party support enshrining in legislation, protections for child performers that would include protection of physical and moral health, protection of education and protection of earnings?
- What will your party do to ensure that artists and cultural workers have access to training funds and professional development programs?
- Does your party support the implementation in Ontario of tax measures such as a limited tax exemption for copyright income and income averaging, which would treat artists and cultural workers more fairly?
- Will your party work with artists' unions and associations to advocate that such tax measures be implemented federally?