

Final Report of the Minister's Advisory Committee on Status of the Artist, 2006

Saskatchewan Arts Alliance Response and Commentary

“Recognizing that the arts in their fullest and broadest definition are and should be an integral part of life and that it is necessary and appropriate for governments to help create and sustain not only a climate encouraging freedom of artistic expression but also the material conditions facilitating the release of this creative talent.”

UNESCO Declaration on Status of the Artist, Belgrade, 1980.

Introduction:

Saskatchewan Arts Alliance welcomes the Final Report of the Minister's Advisory Committee on Status of the Artist (MACSA). The Report is particularly welcome for the firm commitment it makes to advance equity for artist's social and economic conditions. Status of the Artist legislation and programs are critical elements of a much needed overarching arts policy for Saskatchewan. The Government's enactment of the Report's recommendations within the context of a policy could issue in a new level of cultural social and economic development for the province. The Saskatchewan Status Act acknowledges artists' contribution to the health and viability of our communities. The MACSA Report makes this point clearly, echoes and substantiates the recommendations of the 1993 Minister's Committee.

As the main organization that has urged a revitalization of the Saskatchewan Status initiatives, SAA has a strong commitment to advance equity for Canadian artists. SAA endorses and agrees with much of the Report's recommendations, however, there are some important elements that need further consideration and amendment. Our comments and emphasis in this response are related to the most critical issues.

Report Recommendations:

Funding: Current funding is insufficient, an issue raised in many arts presentations to government. SAA cannot but endorse the need for increased funding both to the Arts Board and to arts organizations as recommended. This is particularly so given the increased tasks and responsibilities assigned to the Arts Board and to provincial arts organizations in accomplishing the goals of the Report. SAA insists, however, that increased funding to accomplish specific Status goals does not address the overall issue of insufficient arts funding and budget issues for cultural organizations.

The role of SaskCulture in funding arts organizations is important and should bear relationship to the MACSA proposals. Additional funding for the Saskatchewan Arts Board and SaskCulture should clearly fit with organizations' priorities and strategic plans to make a coherent whole of the cultural sector's development and planning processes. (1.1a, 2.1a, 2.1c, 2.2a, 2.2b, 2.2c)

Taxation: This is an issue of high priority for the cultural sector in Saskatchewan and Canada, reform of taxation to alleviate artists' financial concerns has long been on the political agenda for the arts, going back to the 1978 Disney Report on Taxation and the Arts. The Recommendations from MACSA are in concert with reforms proposed by national and provincial arts organizations.

SAA endorses the recommendations for tax credits (1.2a and 1.2b) but believes the provincial government should go further in acting where it can on reforms within its jurisdiction, particularly in exempting provincial arts grants. MACSA identifies critical issues that should be taken up with the federal government. The Federal – Provincial – Territorial Working Group on Status of the Artist meeting this September is charged with giving the highest priority to tax exemption for grant income, exemption to royalty income, reintroduction of income averaging, establishing clear criteria for self-employment status, and eligibility of provincial arts service organizations for charitable status. (1.2c) The SAA strongly endorses this course of action and urges that Saskatchewan give these issues priority in discussion with the federal government and other levels of government. Saskatchewan can play a critical role in reinvigorating taxation reform for artists.

Benefits: Larger arts organizations are able to provide some level of benefits such as health and pension for their members, but many artists do not have access to benefits as their organizations do not have the economic muscle to do so. MACSA 's recommendation only suggests artists' organizations cope with this problem. With insufficient resources benefit issues cannot be turned back to these organizations. Government must play a role in both supporting and initiating benefit programs while seeking the advice and cooperation in development of benefit programs from arts organizations. Research on available benefit programs for self-employed needs to be done to determine what could be adapted to general needs. SAA is willing and pleased to support this process. (1.3a)

Artist Income Support and Status Act amendments: Under this section (1.4) there are a number of MACSA's recommendations. These include statutory requirements for written contracts, ensuring self-employment status designation, protection from action under the Competition Act, adding a clear definition of professional artist to the Act and a process of supporting a form of collective bargaining for artists under provincial legislation. These elements, that is contracting, self-employment, competition act protection and professional artist definition, SAA supports and endorses as necessary positive steps and urges early action. These are part of very basic needs for artists.

Collective bargaining, a fundamental artists' equity issue, is a principle part of the Québec and Federal status legislation and needs to be developed by other provinces. SAA fully supports provision of collective bargaining for Saskatchewan artists. We believe however that there are problems with the MACSA solution as proposed. It does not appropriately deal with national cultural collective agreements now in place. These must be factored in. Nor does it deal with "sector" bargaining, a critical issue for artists collective organizations and recognized by federal legislation. It is SAA's view that Saskatchewan amendment to the Status legislation in this area should reflect the federal Status Act. There should be parallel processes put in place to prevent Saskatchewan provincial legislation from becoming irrelevant to national arts organizations. Consultation with national organizations is needed.

Establishing a separate commission (SAEC) to administer cultural sector collective bargaining as MACSA proposes is not, in our view, a good option for both efficiency of application and budget factors. The government has a body in place that "can do the job", i.e. the Labour Relations Board. The SLRB has indicated its ability to adapt processes to the needs of the sector. Expenditure on establishing a new commission might well be extracted from arts funding unnecessarily. (1.4d)

Health and Safety: It is SAA's hope that an advisory committee could be established by Occupational Health and Safety to work with the culture sector. Cultural organizations have found OHS advice and training often not directly applicable to issues faced within the sector. MACSA's proposal is that one individual knowledgeable in the area be added to the OHS Council. This would pend changes to the OHS Act. SAA suggests that as an interim measure, with the support of the Department of Labour and CYR, discussion and cooperation be opened with OHS and the cultural sector, a measure which would expand understanding and knowledge and one SAA would support and participate in. (1.6)

Procurement: MACSA's Report recommends government comply with minimum standards, protocols and agreements for engagement of artists and, further, CYR has established a policy statement to amplify these principles. As well the MACSA Report proposes a Saskatchewan first policy. This should be reflected in the government's procurement policy, as should norms and standards for professional quality and clear negotiated copyright terms. SAA urges that this policy and legislative commitment be conveyed to all government departments and agencies in the firmest manner.

Another element of procurement is the recommendation (2.3) to establish a policy that one percent of capital budgets be assigned to purchase of art for new building construction and refurbishment. This is a recommendation fully endorsed by the cultural community and is one echoed by many other arts reports over the last sixteen years.

Economic Development: The Goal of the MACSA Report is that artists have access to thriving markets and to meet this goal there are a number of recommendations.

It is proposed that the Arts Board work with provincial arts organizations, training institutions and levels of government to develop marketing and business skills in the sector. (2.1a) Institutions and agencies may acknowledge the need but development of a more organized approach must be articulated for a plan to be achieved. It should be noted also that not all arts disciplines are represented with present training institutions.

Other marketing and research strategies recommended include the Cultural Industries Development Council (CIDC) work in cooperation with the SAB, arts organizations and the provincial government. To do so, MACSA recommends restoring CIDC funding to its original funding levels, however this is with an expanded mandate. While welcoming restoration of funding, SAA suggests this extension of mandate should be discussed with CIDC and in relationship to its development plan. ((2.1b, 2.1c)

SAA sees market research and development as a responsibility of government, just as it provides this to other sectors so should the cultural sector be supported. SAA considers the involvement of economic development departments and agencies (Industry and Resources, Regional Economic and Cooperative Development, STEP and Tourism) a necessary and important inclusion in any discussions for research and development. Undoubtedly, a more aggressive cultural marketing strategy is needed.

Arts Education: MACSA recommendations include to advance arts education resources for teachers, additional funding for the SAB to renew support for arts organizations' ability to provide better children's arts programming, and increased funding support to arts touring, particularly for rural Saskatchewan. These are substantive recommendations that require appropriate planning. Adding dollars to touring programs without a long-term strategic plan may

only result in a short-term solution that will not help the communities in need. Arts education is recognized as a critical aspect of core curriculum in Saskatchewan and the ability of schools to provide adequate training and resources is correctly identified by MASCA as "strained".

Resources for touring professional artists through the province expands and deepens both the community access and the artists' creative resources. Greater resources are needed but this funding commitment must be part of an overall plan and be fully committed by CYR.

Information: Goal 3 of the MACSA Report deals with access to information for artists, in particular the development and promotion of a reference guide to assist artists with the practical detail of maintaining and advancing their careers. There is a detailed statement of what such a guide should contain, some elements of this detail require further consideration. SAA is cited as a key collaborator in development and promotion of the information guide. SAA assures that it is willing and pleased to discuss the guide with CYR. (3.1, 3.2, 3.3)

There is an aspect of "information" in this respect that concerns government. The Report refers to elements of information needs and requirements for government and agencies under other recommendations covering Saskatchewan First policy, procurement policy, and government compliance. (2.4, 1.5) In its short-term plan, (submitted to the government in 2005) SAA proposed that a handbook for government engagement of artists, policies, resources, and Status legislative commitments be developed to allow departments and agencies to have information easily available. Under the proposal to ensure government compliance with standards and contracts MACSA correctly makes clear government unfamiliarity with "issues surrounding contracting and engaging artists" and recommends an "information package" be developed.

SAA suggests this aspect of information is critical to the practical support of artists' income and rights, that is government knowledge. There should be arts in-put, at least, into the development of this information package and SAA would wish to be involved in its development.

There are two MASCA information proposals for development (3.1, 3.2) and SAA's handbook proposal. It would be useful, we believe, to consider the relationship between the proposals.

Aboriginal PCO: The question of the development of PCO status is one which needs discussion with the Aboriginal cultural community as acknowledged by the Report.

Permanent Status Committee: SAA fully recognizes the need for a permanent body that will take up the responsibilities for furthering Status programs and ensuring the legislation is fully utilized. In establishing this Committee, SAA urges that the size of the Committee be reexamined. A smaller body than the one MACSA proposes would be more effective and certainly less expensive. Nominations to the Committee should be the responsibility of the cultural sector. While recognizing the Status Act allows for committees to be formed by the Minister, SAA suggests a new permanent committee formation be added by amendment to Status legislation to secure its position and authority.

Conclusion:

Development of policy and programs to achieve equity for Saskatchewan artists may be overdue but is most welcome. MACSA's Report states it "*is not a magic bullet*", nor is it an overall policy for the arts, but it does represent some very practical steps towards this goal. SAA has stated its disagreements and reservations. The government has assured us that it is willing to consult cultural organizations on the implementation of the Report. SAA looks forward to this consultation and involvement in the implementation of these steps towards

equity for artists and urges the government to move quickly on legislative amendments. The development of an overall Saskatchewan policy for the arts remains to be achieved. This is a task the government and the arts community must work on cooperatively.

Respectfully Submitted by the Saskatchewan Arts Alliance
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