

## Evaluation of the Provisions and Operations of the Status of the Artist Act

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### Introduction and methodology

The *Status of the Artist Act*, brought into force in May 1995, recognizes the importance of artists in Canadian society and establishes a framework to govern professional relations between artists and producers in federal jurisdiction. The Department of Canadian Heritage engaged Prairie Research Associates (PRA) to evaluate the provisions and operations of the *Status of the Artist Act* as a first step in a review of the legislation.

PRA conducted a survey of artists and a survey of producers as part of this evaluation. This report summarizes the findings from the surveys.

## Methodology

### 1. Survey of artists

We conducted a mail-out survey of self-employed professional artists who are members of certified and non-certified artists' associations. The Department of Canadian Heritage compiled an initial list of 36 associations and sent each one a letter explaining the survey and inviting their members to participate. The letter also requested the assistance of artists' associations in making their membership lists available to PRA for the purposes of the survey.

PRA followed up on the introductory letter with telephone calls to each association. As a result of these calls, 31 of the associations agreed to participate in the survey. Of these, 11 were willing to provide us with their membership lists, while the remaining 20 agreed to distribute the survey to a sample of their members on our behalf.

Based on the size of each association's membership, their certification status, and a total sample size of 1,000, we determined the number of surveys to be allocated to each association using the following formula:

- Non-certified associations received 15 surveys each.
- Certified associations with fewer than 1,000 members received 25 surveys each.
- Certified associations with between 1,000 and 10,000 members received 50 surveys each.
- Certified associations with more than 10,000 members received just over 90 surveys each.

For the 11 associations that provided us with their membership lists, we selected a random sample of their members and mailed each one a package containing the survey, an introductory letter, and a self-addressed, stamped return envelope. For the remaining 20 associations (those that wished to distribute the surveys themselves), we prepared an appropriate number of survey packages and sent these to the relevant associations along with instructions for their distribution to a random sample of their members.

In addition, we invited all associations to inform their members that if they did not receive a copy of the survey in the mail but still wished to participate, they could access the PRA web site to request a copy.

All survey recipients received the survey in both English and French; a copy of the English version is in Annex A. Individuals who accessed the PRA web site could request the survey in the language of their choice.

It should be noted that although one non-certified association was sent 15 surveys for distribution to its members, these were returned to PRA due to an incorrect mailing address. PRA telephoned this association and left a message requesting that the association contact us should it wish to be included in the survey. However, we received no response to this call.

Some 985 surveys (rather than 1,000) were initially distributed to artists, either directly by PRA or by an artists' association. In addition, we received six requests for a survey through our web site. Overall, a total of 991 surveys were therefore distributed to artists, of which we received 296 in return, resulting in a response rate of 29.9%. We suspect that some individuals may have felt that they were not knowledgeable enough about the legislation to respond to the survey.

Table 1 shows the associations that participated in the survey, the size of their membership, the number of surveys allocated to each, the number of surveys received from each, and the response rate for each.

Table 1: Survey of artists: sample distribution and response rates				
Association	Total members	Surveys allocated	Surveys returned	Response rate
<b>Certified associations</b>				
Association of Canadian Television and Radio Artists	18000	93	17	18.3%
American Federation of Musicians of the United States and Canada	16000	92	22	23.9%
Union des artistes <sup>1</sup>	6000	51	16	31.4%
Canadian Actors' Equity Association	5000	50	19	38.0%
Guilde des musiciens du Québec	3500	50	0	0%
Canadian Artists' Representation	4000	50	17	34.0%
Writers' Guild of Canada	1600	50	20	40.0%
Regroupement des artistes en arts visuels du Québec	1600	50	24	48.0%
The Writers' Union of Canada	1400	50	31	62.0%

Union des écrivaines et écrivains québécois	1200	50	19	38.0%
Société des auteurs de radio, télévision et cinéma	850	25	6	24.0%
Conseil des métiers d'art du Québec	700	25	1	4.0%
Canadian Association of Photographers and Illustrators in Communications	500	25	5	20.0%
Periodical Writers' Association of Canada	500	25	8	32.0%
Association des réalisateurs et réalisatrices du Québec	400	25	10	40.0%
Playwrights' Union of Canada	400	25	8	32.0%
Associated Designers of Canada <sup>2</sup>	165	30	9	30.0%
Association des professionnels des arts de la scène du Québec	160	25	12	48.0%
Association québécoise des auteurs dramatiques	150	25	14	56.0%
Société professionnelle des auteurs et des compositeurs québécois	147	25	8	32.0%
<b>Non-certified associations</b>				
Fight Directors Canada	1000	15	4	26.7%
Association des professionnelles de la vidéo du Québec	900	15	0	0%
Writers' Guild of Alberta	720	15	5	33.3%
Association of Canadian Film Craftspeople (BC)	600	15	1	6.7%
League of Canadian Poets	300	15	6	40.0%

Centre des auteurs dramatiques	200	15	7	46.7%
Writers' Federation of New Brunswick	174	15	4	26.7%
Association des journalistes indépendants du Québec	150	15	0	0%
Literary Translators' Association of Canada	100	15	1	6.7%
Canadian Alliance of Dance Artists (ON)	50	15	2	13.3%
<b>Total</b>	<b>66466</b>	<b>991</b>	<b>296</b>	<b>29.9%</b>
<sup>1</sup> One survey was requested through the web site. However, it was not returned. <sup>2</sup> Five surveys were requested through the web site; two were returned.				

## 2. Survey of producers

PRA conducted a survey of federal producers subject to the legislation using the instrument in Annex B. The Department of Canadian Heritage identified 27 federal producers to participate in the survey. PRA mailed surveys to these 27 federal producers and asked respondents to return their completed surveys to PRA in a stamped, self-addressed return envelope or by toll-free fax. We asked survey recipients who felt that another individual from their organization was more qualified to respond, to return the blank survey, along with that individual's name, to PRA. We then invited the identified individual to participate in the survey.

Twelve of 27 surveys were returned to PRA. Three of the returned surveys were blank, and one indicated that the questionnaire did not apply.<sup>(46)</sup> These four surveys were excluded from the analysis. Thus, the total sample size was eight; of these, seven were in English and one was in French.

The response rate for the survey was 29.6%, which was somewhat lower than expected. We were told that some of the producers identified by the Department of Canadian Heritage chose not to return their surveys because they were members of a producers' association that had already participated in the research through the interview process.<sup>(47)</sup> The association representative whom we interviewed informally canvassed the views of the association's membership prior to completing the interview and spoke on behalf of the entire organization. Fifteen of the producers in our sample were members of this producer association. Table 2 below lists the 27 recipients of the producer survey. Due to the small sample size, caution must be used when interpreting results from the producer survey.

## **Federal producers that received the producer survey**

- Legal Services, Human Resources Development Canada
- Public Works and Government Services Canada
- Material and Contracts, Department of Canadian Heritage
- Contracting Services Division, Indian and Northern Affairs Canada
- Legal Services and ATIP, Communication Canada
- National Capital Commission
- National Gallery of Canada
- Ontario Association of Art Galleries
- Professional Art Dealers' Association of Canada Inc.
- Alberta Recording Industries Associations
- Canadian Independent Record Production Association
- Music Industry Association of Nova Scotia
- Canadian Learning Television
- CHUM Television
- CJOH TV
- Country Music Television
- CTV Television Network
- Group TVA Inc.
- HistoryTelevision/Showcase Television
- Life Network/HGTV Canada
- MusiquePlus
- Odyssey Television Network Inc.
- The Comedy Network/Outdoor Life/Talk TV
- The Discovery Channel
- TQS
- Société Radio-Canada
- Specialty and Premium Television Association

## **Findings from the survey of artists**

Findings from the survey of artists have been organized according to the issues and questions in the evaluation framework. Note that in reporting the survey results, we have calculated all percentage responses out of the total number of survey respondents.

### **Profile of respondents**

Table 3 shows the occupations of responding self-employed professional artists. For the purposes of this survey, a self-employed professional artist is one who pursues his or her work independently (i.e., is not employed by an organization or a producer) or who performs artistic work as part of a contract for services.

- Some 40% of respondents are self-employed writers.
- About 1 in 7 respondents are:
  - actors (15%)
  - painters/sculptors/other visual artists (14%)
  - producers/directors/choreographers (13%).
- Fewer than 3% of respondents are self-employed literary artists, theatre artists, performers, photographers, artisan/crafts persons, or dancers.

<b>Occupation</b>	<b>% (n=296)</b>
Writer	42%
Actor	15%
Painter/sculptor/other visual artist	14%
Producer/director/choreographer	13%
Musician/singer	10%
Design	6%
Conductor/composer/arranger	4%
Other	15%
Note: Respondents could choose more than one answer. Totals may sum to more than 100%.	

Table 4 shows the certified artists' associations of which respondents indicated being a member; note that respondents could indicate being a member of more than one association.

<b>Artists' association</b>	<b>% (n=296)</b>
Association of Canadian Television and Radio Artists	17%
The Writers' Union of Canada	13%
Canadian Actors' Equity Association	12%
Union des artistes	11%
Writers' Guild of Canada	10%

Union des écrivaines et écrivains québécois	9%
Regroupement des artistes en arts visuels du Québec	8%
American Federation of Musicians of the United States and Canada	8%
Société des auteurs de radio, télévision et cinéma	8%
Association québécoise des auteurs dramatiques	6%
Canadian Artists' Representation	6%
Association des professionnels des arts de la scène du Québec	4%
Société professionnels des auteurs	4%
Association des réalisateurs et réalisatrices du Québec	4%
Playwrights Union of Canada	3%
Guilde des musiciens du Québec	3%
Periodical Writers' Association of Canada	3%
Associated Designers of Canada	3%
Canadian Association of Photographers and Illustrators	2%
Editors' Association of Canada	1%
Conseil des métiers d'art du Québec	1%
Don't know/No response	6%
Note: Respondents could choose more than one answer. Totals may sum to more than 100%.	

Some respondents are members of non-certified artists' associations in addition to being members of certified associations, or are members of non-certified associations only. Among the more frequently mentioned non-certified associations were the Society of Composers, Authors, and Music Publishers of Canada; the League of Canadian Poets; Centre des auteurs dramatique; Children's Authors Illustrators, Performers; Poets, Essayists, and Novelists; and the Writers' Guild of Alberta.

We asked respondents to indicate the three main issues that concern them as self-employed professional artists.

- Many (31%) are concerned about their level of compensation, income, and wages.
- About 1 respondent in 6 (17%) is concerned about taxation and access to other benefits such as disability, workers' compensation, and employment insurance, and 15% are concerned about work security.

- Just over 10% of respondents are concerned about public and government perception of arts and artists, and about arts funding and grants. Other concerns include financial and contract rights, and distribution and promotion of the arts in general. See Table 5.

<b>Table 5: Issues that are of concern to self-employed professional artists</b>	
<b>Issue</b>	<b>% (n=296)</b>
Compensation/income/wages	31%
Taxation (income averaging, tax exemptions, tax status)	17%
Access to benefits (e.g., employment insurance, disability, workers' compensation)	17%
Work security (securing regular work)	15%
Arts funding and grants	11%
Public and government perception of the arts and artists	11%
Financial and contract rights	4%
Distribution and promotion of the arts	4%
Other	24%
Don't know/No response	22%
Note: Respondents could choose more than one answer. Totals may sum to more than 100%.	

Before asking respondents to respond to specific questions about the *Status of the Artist Act*, we asked them to indicate how familiar they were with the legislation. Although 45% of respondents had heard of the Act before receiving the survey, just as many had not. Of those who had heard of the Act before, most (81%) were at least somewhat knowledgeable about its purpose, while slightly fewer (74%) were at least somewhat knowledgeable about its provisions. See Table 6.

<b>Table 6: Knowledge of the Act</b>	
	<b>%</b>
<b>Heard of the Act before this survey (n=296)</b>	
Yes	45%
No	44%

Unsure/Don't know/No response	11%
<b>Knowledge of the purpose of the Act (n=133)</b>	
Very knowledgeable	13%
Somewhat knowledgeable	68%
Not at all knowledgeable	19%
<b>Knowledge of the provisions of the Act (n=108)</b>	
Very knowledgeable	9%
Somewhat knowledgeable	65%
Not at all knowledgeable	26%

## Relevance of the legislation

This section reports on respondents' level of agreement<sup>(48)</sup> with several statements about the ongoing relevance of the Status of the Artist Act. The first questions we asked respondents concerned the economic circumstances of artists.

- A slight majority of respondents (52%) disagree that the working conditions and economic circumstances of self-employed artists are better now than they were in 1995. Just over 10% agree with this statement, and 19% are neutral. Almost one-fifth of respondents do not know or did not respond.
- Virtually all respondents (92%) disagree that most self-employed artists in Canada today can earn a living through their art, including 54% who strongly disagree. Only 1% of respondents agree with this statement.
- Not surprisingly, the vast majority of respondents (93%) agree that most self-employed artists in Canada today can earn a living only if they supplement their art with non-artistic work. This includes 39% who strongly agree. Only 2% of respondents disagree with this statement.

See Table 7 below.

<b>Table 7: Economic circumstances of artists</b>				
<b>Statement</b>	<b>Strongly agree/Agree</b>	<b>Neutral</b>	<b>Strongly disagree/Disagree</b>	<b>Don't know/No response</b>
Overall in Canada, the working conditions and	11%	19%	52%	18%

economic circumstances of self-employed artists are better now than in 1995.				
Most self-employed artists in Canada today can earn a living through their art.	1%	3%	92%	3%
Most self-employed artists in Canada today can earn a living only if they supplement their art with non-artistic work.	93%	3%	2%	2%

We also asked respondents several questions related to the need for measures to improve the working conditions and economic circumstances of artists.

- Most respondents (93%) agree that measures to improve the economic circumstances of self-employed artists are necessary in Canada, including 66% who strongly agree.
- A majority (74%) also agree that measures to improve labour relations between artists' associations and producers are necessary in Canada; 41% strongly agree with this statement.
- While the vast majority of respondents agree that measures are needed to improve the economic circumstances of self-employed artists, few (10%) agree that the existing *Status of the Artist Act* is sufficient to achieve this. Furthermore, about 30% of respondents disagree with this statement. However, almost half (44%) of respondents do not know or did not respond.
- Almost three-quarters of respondents agree that other measures, in addition to the *Status of the Artist Act*, are necessary in order to improve the economic circumstances of self-employed artists. Some 46% of those who agree with this statement strongly agree.
- One-third of respondents agree that other measures, instead of the *Status of the Artist Act*, would be more effective at improving the economic circumstances of self-employed artists. About 24% of respondents are neutral, and 39% do not know or did not respond.

See Table 8 below for the details.

<b>Table 8: Ongoing relevance of the Status of the Artist Act</b>				
<b>Statement</b>	<b>Strongly agree/Agree</b>	<b>Neutral</b>	<b>Strongly disagree/Disagree</b>	<b>Don't know/No</b>

				response
Measures to improve the economic circumstances of self-employed artists are necessary in Canada.	93%	4%	6%	2%
Measures to improve labour relations between artists' associations and producers are necessary in Canada.	74%	17%	2%	7%
The existing <i>Status of the Artist Act</i> is sufficient to improve the economic conditions of self-employed artists in Canada.	10%	17%	29%	44%
Other measures, in addition to the Status of the Artist Act, are necessary in order to improve the economic circumstances of self-employed artists.	73%	6%	1%	20%
Other measures, rather than the Status of the Artist Act, would be more effective at improving the economic circumstances of self-employed artists.	33%	24%	4%	39%

We also asked respondents to tell us how important they feel various measures that currently exist to improve the economic situation of self-employed artists are, in terms of their contribution to their own economic circumstances.

- More than 90% of respondents believe that deductions for business expenses under the Income Tax Act and copyright are important.
- Almost as many (87%) believe that creation, production, and touring grants from arts councils and government departments are important.
- About 80% of respondents believe that the public lending right and exhibition rights are important (79% and 76% respectively).
- Of the various measures that currently exist to improve the economic circumstances of artists, the legal right to collective bargaining, one of the rights

granted through the *Status of the Artist Act*, is seen as the least important. About 70% of respondents believe that the legal right to collective bargaining is important, while about 15% of respondents believe that this right is of little or no importance.

See Table 9 below.

<b>Table 9: Other measures to improve economic circumstances of artists</b>	
<b>Measure -- Very important/Important</b>	<b>% (n=296)</b>
Deductions for business expenses under the Income Tax Act	95%
Protection of the economic rights of creators (copyright)	92%
Creation, production, and touring grants from arts councils and government departments	87%
Program of payments to Canadian authors for their eligible books catalogued in Canadian libraries (Public Lending Right)	79%
Compensation for public display of art works (exhibition rights)	76%
Legal right to collective bargaining	69%

We also asked respondents to rate the importance of various measures that have been proposed as means of improving the economic situation of self-employed artists. Respondents were to base this rating on their perception of the potential contribution of these measures to improving their own economic circumstances.

- Almost 90% of respondents believe income averaging for taxation purposes to be important, while about 80% believe that tax exemptions on copyright income are important.
- Almost as many regard protection from producer bankruptcy (78%) and access to employment insurance and other social programs (77%) to be important.

See Table 10.

<b>Table 10: Proposed measures to improve economic circumstances of artists</b>	
<b>Measure -- Very important/Important</b>	<b>% (n=296)</b>
Income averaging for taxation purposes	88%
Tax exemption on copyright income	81%

Protection from producer bankruptcy	78%
Access to employment insurance and other social programs	77%

### 2.3 Impact of the legislation

A large proportion of survey respondents were unable to respond to questions related to the impact of the *Status of the Artist Act*, or indicated having no opinion. This may be because they were unaware of the legislation or because their knowledge of the Act is limited. For example, when we asked respondents whether the legislation adequately permitted recognition of professional artists, artists' associations, and artistic sectors, more than 60% did not know or did not respond to each of these questions. Similar proportions did not know or did not respond when we asked respondents whether the legislation adequately permits artists' associations to enter into negotiations with producers and to negotiate scale agreements with producers. See Table 11 for detailed information.

	Yes	No	Don't know/No response
Recognition of professional artists	20%	18%	62%
Recognition of professional artists' associations	33%	8%	60%
Recognition of artistic sectors	20%	11%	69%
Artists' associations to enter into negotiations with producers	21%	11%	68%
Artists' associations to negotiate scale agreements with producers	20%	13%	68%

We next asked respondents to rate their level of agreement with a series of statements about the impact of the *Status of the Artist Act*.

- Almost half of respondents (47%) agree that the Status of the Artist Act has made no difference to their own economic circumstances. Of these, some 18% strongly agree. About 14% disagree, and 13% are neutral. Just over one-quarter (26%) do not know or did not respond.
- About 1 in 6 respondents agrees that the Status of the Artist Act has improved the economic circumstances of professional artists in Canada (17% of all survey respondents), and has, in general, improved labour relations between artists' associations and federal producers (15%). For both of these statements, about half of respondents do not know or did not respond.

- Just over 10% of all survey respondents agree that the Status of the Artist Act has improved labour relations between the association(s) of which he or she is a member and federal producers. However, more than half of respondents do not know or did not respond.

See Table 12.

<b>Statement</b>	<b>Strongly agree/Agree</b>	<b>Neutral</b>	<b>Strongly disagree/Disagree</b>	<b>Don't know/No response</b>
The <i>Status of the Artist Act</i> has made no difference to my own economic circumstances.	47%	13%	14%	26%
The <i>Status of the Artist Act</i> has improved the economic circumstances of professional artists in Canada.	17%	22%	15%	46%
In general, the <i>Status of the Artist Act</i> has improved labour relations between artists' associations and federal producers.	15%	22%	6%	57%
The <i>Status of the Artist Act</i> has improved labour relations between the association(s) that I am a member of and federal producers.	12%	25%	7%	56%

Respondents were asked to indicate what they thought were the main strengths and shortcomings of the *Status of the Artist Act*. About 70% of respondents do not have an opinion, do not know, did not respond, or said they do not know enough about the Act to respond. Nonetheless, respondents identified the following strengths of the legislation:

- It allows recognition of artists (12%).
- It allows recognition of artists' associations (7%).
- It provides for collective bargaining (5%).

Shortcomings of the legislation identified by respondents include:

- Its economic impact is small or nonexistent (8%).
- It has not been properly publicized (7%).
- It does not reform tax laws (3%).
- It only covers federal producers (3%).

See Table 13.

<b>Table 13: Strengths and shortcomings of the <i>Status of the Artist Act</i></b>	
	<b>% (n=296)</b>
<b>Strengths</b>	
Recognition of artists	12%
Recognition of artists' associations	7%
Collective bargaining	5%
Other strengths	10%
Criticisms	4%
No opinion/Don't know/No response/Don't know enough about it	70%
<b>Shortcomings</b>	
No economic effect	8%
Lacks publicity	7%
Doesn't reform tax laws	3%
Only covers federal producers	3%
More enforcement necessary	2%
Definitional problems	2%
Other shortcomings	11%
No opinion/Don't know/No response/Don't know enough about it	70%
Note: Respondents could choose more than one answer. Totals may sum to more than 100%.	

Respondents were asked what changes, if any, they would make to the Act. A large proportion of respondents (81%) do not have an opinion, do not know, did not respond, or do not know enough about the Act to respond. However, among those who gave suggestions for changes, the most frequently mentioned possibilities were tax reform, extending the legislation to cover more workers, and access to income assistance

programs. Note that except for extended coverage, these suggestions are outside the scope of the legislation as it is currently formulated. See Table 14.

<b>Table 14: Suggested changes to the Status of the Artist Act</b>	
<b>Suggested change</b>	<b>% (n=296)</b>
Tax reforms	5%
Extended coverage	3%
Access to income assistance programs	3%
More/broader copyright protection	2%
More or different grants	2%
More publicity for the Act	2%
Other changes	6%
No changes	1%
No opinion/Don't know/No response/Don't know enough about the Act	81%
Note: Respondents could choose more than one answer. Totals may sum to more than 100%.	

We also asked respondents if they had any other suggestions for how to improve the economic conditions of self-employed artists in Canada. Almost half of respondents do not have a opinion, do not know, or did not respond. However, some of the suggestions to improve these conditions include increased arts funding and grants (15%); tax breaks, tax reform, or redefinitions (13%); income assistance (9%); and more promotion of the arts, of creativity, and of the importance of artists (7%). See Table 15.

<b>Table 15: Suggestions to improve the economic conditions of self-employed artists</b>	
<b>Suggestion</b>	<b>% (n=296)</b>
Increased arts funding or grants	15%
Tax breaks, reforms, redefinitions	13%
Income assistance	9%
Promotion of arts, creativity, importance of artists	7%
Copyright improvements	5%

Restrict foreign competition	4%
Raise awareness of law	3%
Other suggestions	18%
No opinion/Don't know/No response	45%
Note: Respondents could choose more than one answer. Totals may sum to more than 100%.	

## Summary

Respondents to the survey are self-employed artists representing a variety of artistic sectors. Respondents indicated that self-employed professional artists are concerned about a range of issues including, for example, their level of compensation, income and wages, taxation, and work security.

Fewer than half of respondents had heard of the Status of the Artist Act before receiving this survey. Of those who had heard of the Act, most were at least somewhat knowledgeable about its purpose and provisions.

The majority of respondents disagree that the working conditions and economic circumstances of self-employed artists have improved since 1995, and almost all respondents believe that most self-employed artists cannot earn a living through their art and that non-artistic work is needed to supplement their income. Furthermore, many respondents agree that measures to improve the economic circumstances of self-employed artists and to improve labour relations between artists' associations and producers are necessary in Canada. However, few feel that the current *Status of the Artist Act* is sufficient to do this, and some believe that other measures, in addition to or instead of the Status of the Artist Act, are necessary to improve artists' economic circumstances.

Most respondents believe that measures that currently exist to improve the economic situation of self-employed artists are important. Among those that are most important to respondents are provisions for deduction of business expenses under the Income Tax Act and copyright. Fewer respondents find that rights granted under the *Status of the Artist Act* are important. In fact, respondents to the survey rated the legal right to collective bargaining as the least important of ten existing and potential measures. Of the four potential measures that respondents were asked to rate (income averaging, tax exemptions on copyright income, protection from producer bankruptcy, and access to employment insurance and other social programs), all four are seen as more important than the legal right to collective bargaining.

Many respondents were unable to answer questions about the impact of the *Status of the Artist Act*. This may be because they were unaware of the legislation or their knowledge about the Act is limited. However, between one-fifth and one-third of respondents agree that the legislation is meeting its objectives. That is, it adequately permits recognition of professional artists, professional artists' associations, and artistic sectors, and adequately permits artists' associations to enter into negotiations with producers and to negotiate scale agreements with producers.

Almost half of respondents agree that the *Status of the Artist Act* has made no difference to their own economic circumstances. Fewer than one-fifth of respondents agree that the Act has improved the economic circumstances of professional artists and labour relations between artists' associations and federal producers. Nonetheless, respondents believe that the main strengths of the legislation are that it recognizes artists and artists' associations and that it allows for collective bargaining. Among its main perceived shortcomings are its limited economic impact, a lack of publicity, the fact that it does not reform tax laws, and its restriction to federal producers.

Very few respondents suggested changes to the Act, but about half gave suggestions for other ways to improve the economic conditions of self-employed artists in Canada. Increased arts funding and grants and tax reform were the most frequently mentioned possibilities.

## Findings from the producer survey

Findings from the producer survey have been organized according to the issues and questions in the research framework.

### Profile of respondents

Three respondents are part of a federal department or ministry, and two represent a federal government agency or Crown corporation. One respondent is a federally regulated broadcaster. The remaining two respondents are not representatives of one of these categories. It is possible that these respondents represent producer associations.

Half of respondents work in the area of publishing. Three are involved in visual arts. Other areas of artistic production include broadcasting; performing arts such as dance, opera, theatre, and music; and film/video production. One respondent indicated being involved in "contracting" but did not elaborate, and one did not respond.

Producers appear to employ artists who are members of certified artists' associations. However, the number of artists' associations employed by a producer varies greatly, from only one artists' association to 13 artists' associations. Five producers employ four artists' associations or fewer. One federal department/ministry employs 13 artists' associations. Two producers representing a federal department/ministry did not respond to this question.

## **Awareness of the Act**

Most producers appear to be aware of the *Status of the Artist Act*. Six respondents had heard of the *Status of the Artist Act* before receiving the survey, while the two remaining respondents had not. It should be noted that these are the two respondents who did not fit into one of the producer groups listed in the survey.

Producers who are aware of the Act seem to be knowledgeable of its purpose and provisions. In fact, each of the producers who had heard of the Act said that they are at least somewhat aware of its purpose and provisions. Two respondents said that they are very knowledgeable about the purpose of the Act.

## **Relevance of the legislation**

We asked respondents to rate<sup>(49)</sup> their level of agreement with several statements about the relevance of the Status of the Artist Act. Their opinions are reported in this section.

### **Working conditions and economic circumstances**

Three respondents agree that the working conditions and economic circumstances of self-employed artists are better now than they were in 1995. Two respondents disagree, and three do not know.

Five respondents agree that measures to improve the economic circumstances of self-employed artists are necessary in Canada. One respondent disagrees with this statement, another is neutral, and one does not know. Of those who agree with this statement, two respondents also agree that the working conditions and economic circumstances of self-employed artists are better now than they were in 1995. Two disagree, and one does not know.

Two respondents with an opinion agree that measures to improve labour relations between artists' associations and producers are necessary. Another two respondents disagree with this statement. Three respondents are neutral, and one did not respond. Of those who agree with this statement, one respondent also agrees that the working conditions and economic circumstances of self-employed artists are better now than they were in 1995. The other disagrees.

### **Ability of the Act to achieve its objectives**

Three respondents strongly disagree that the existing Status of the Artist Act is sufficient to achieve its objectives. Two respondents agree with this statement, and two are neutral. One respondent does not know.

Three respondents agree that other measures, in addition to the Status of the Artist Act, are necessary in order to achieve its objectives. Of the remaining respondents, two are neutral, two disagree, and one does not know.

A variety of reasons for agreeing that other measures are necessary were given. The responses include:

- Act affects associations but not necessarily artists themselves.
- Labour relations provisions may apply to one form of artistic production but not another.

Half of respondents agree that other measures, rather than the Status of the Artist Act, would be more effective at achieving its objectives. Three respondents are neutral, and one disagrees.

Those who agree give the following reasons:

- Have not been successful so far in implementing SAA so there is evidently a problem.
- Further support to individual artists could be made through stimulation of the market through tax incentives, improved funding to federal producers, enhanced support to arts councils and grassroots arts organizations.

Two of the respondents who strongly disagree that the existing Status of the Artist Act is sufficient to achieve its objectives agree that other measures, in addition to the *Status of the Artist Act*, are necessary in order to achieve its objectives. All the respondents who strongly disagree that the existing Act is sufficient agree that other measures than the *Status of the Artist Act* would be more effective at achieving its objectives.

## **Implementation of the legislation**

In this section, we report on respondents' perspectives regarding the implementation of the *Status of the Artist Act*.

### **Respondent involvement with the Act**

The level of respondent involvement with the *Status of the Artist Act* varies.

Nonetheless, the majority of respondents (5 of 8) have been served with notices to bargain. Of these, three respondents have been served one notice to bargain, and two have been served three notices to bargain. For four respondents, these notices to bargain resulted in one case of entering into negotiations. One respondent entered into

negotiations in three cases. In one instance, these negotiations resulted in the conclusion of a scale agreement.

## Implementation

Three respondents agree that the *Status of the Artist Act* adequately permits professional artists' associations to be recognized for collective bargaining purposes. Half of respondents have a neutral opinion, and one did not respond.

Half of respondents disagree that the existing Status of the Artist Act adequately takes into account the concerns of producers. One respondent agrees with this statement because "there is a need to properly define the producer and engaging of artists." Of the remaining respondents, three respondents are neutral, and one agrees. The reason for agreeing with this statement is that "freedom of association and expression are recognized under the Act."

Half of respondents agree that there are numerous impediments to successful negotiation of scale agreements with artists' associations. Reasons for agreeing with this statement include:

- The negotiation of collective agreements is inappropriate for contracting departments.
- The law is not clear and is inconsistent with common contracting practices.
- Producers are not represented or adequately consulted.
- Associations are certified to negotiate for activities that fall outside the scope of the *Status of the Artist Act*, e.g., for copyright, which is a "good," not a service.

Two respondents disagree with this statement, one is neutral, and one has no opinion/does not know.

Half of respondents strongly agree that the *Status of the Artist Act* has been inconsistently interpreted. Reasons for strongly agreeing with this statement include:

- No one seems to have a good handle on what is required, and the Tribunal is not willing to assist.
- Different associations interpret the Act the way it suits them and usually to the benefit of the union or association rather than artists.
- Producers have not been consulted, and the Act, while granting artists' unions the right to set fees, does not seem to have encouraged government funders at any level to have improved program support to institutions.

- The Tribunal has exceeded the scope of its legislated authority. In our current negotiation with an artists' association, the artists' association is requesting to negotiate beyond the scope of their certification.

Three respondents have a neutral opinion, and one has no opinion/does not know. Half of respondents strongly agree that some provisions of the Status of the Artist Act require clarification. Reasons for strongly agreeing with this statement include:

- Federal producers should be significant users rather than every department and agency [i.e., they should employ large numbers of self-employed artists in order to fall under the scope of the legislation].
- The role and authority of the Tribunal must be re-evaluated to ensure that their decisions, particularly in regard to certifications, balance the interests of stakeholders and reflect the intent of the legislation.

Two respondents have a neutral opinion, one disagrees, and one has no opinion/does not know.

Each respondent who strongly agrees that the Act has been inconsistently interpreted also strongly agrees that it requires clarification.

## **Impact of the legislation**

In this section, we report on respondents' perspectives on the impact of the *Status of the Artist Act* legislation.

Half of respondents have no opinion/do not know whether the Status of the Artist Act has improved the economic circumstances of professional artists in Canada. There is no consensus among those who could rate their opinion; two are neutral, one agrees, and one disagrees.

Half of respondents disagree that the *Status of the Artist Act* has improved labour relations between their organization and artists' associations. Three of these respondents strongly disagree. One respondent agrees, two are neutral, and one has no opinion/does not know.

Half of respondents disagree that, in general, the Status of the Artist Act has improved labour relations between artists' associations and federal producers. Of the remaining respondents, two are neutral, and two have no opinion/do not know.

Three of the respondents who disagree that the Act has improved labour relations between their organization and artists' associations also disagree that the Act has improved labour relations between artists' associations and federal producers.

## Strengths and weaknesses

Respondents identified the following strengths of the legislation:

- Unions are more able to impose themselves because of the added powers the legislation grants them. However, this may be counterproductive because federal producers want to work with them but for benefit of artists, not associations.
- The Act provides a good framework for negotiations and is clear on most of the obligations of federal producers.

Two respondents indicated that they did not have experience with the Act. However, one reported that his/her organization recognized the Act's potential to enhance the conditions of employment for artists who are delivering a service to a federal producer.

The main shortcomings identified by respondents include:

- The Act doesn't seem applicable to visual artists because of the nature of the visual artist/dealer relationship.
- With respect to visual arts institutions, only one or two copyright collectives have been privileged to set fees.
- Does not work for contracting/competitive solicitations where bidders include individuals and firms.
- Causes federal departments tremendous complexity for business volumes that are insignificant.
- Not consistent with provincial laws affecting this industry.
- The Act is not clear on outlining the way federal producers work vis-à-vis the arts community.
- Some organizations are finding themselves brought into collective bargaining under the Act for activities beyond commissioned or distributed works.

## Summary

Given the small sample size, it is difficult to make generalizations based on results from the producer survey. Further, some producers were unable to rate their opinions about the *Status of the Artist Act*. This may be because two of the producers were not aware of the legislation before this survey was distributed or because most producers who were aware of the Act were only somewhat knowledgeable about its purpose and

provisions. Additionally, in many instances where producers were able to rate their opinions, a general consensus was not reached.

While producers may have limited experience with the Status of the Artist Act, they agree that measures to improve the economic circumstances of self-employed artists in Canada are necessary. However, it also appears that the current legislation may not be adequate. Several producers agree that other measures, in addition to or rather than the Status of the Artist Act, are necessary in order to achieve its objectives. This may be because producers do not feel that the current legislation takes into account their concerns or because the Act has been inconsistently interpreted and therefore requires clarification.

A unanimous agreement regarding the impact of the Act was not reached. Some producers feel that the Act improves the economic circumstances of professional artists in Canada; improves labour relations between their organization and artists' associations; and improves labour relations between artists' associations and federal producers. Others do not agree with these statements or do not have an opinion/do not know.

Producers said that the Act is a good framework for negotiations and noted that it has the potential to enhance the conditions of employment for artists who are delivering a service to a federal producer. However, they also indicated that the Act is not applicable to all areas of artistic production and that, in some instances, its implications for producers are not clear.

## **Annex A -- Survey of Artists**

### **Review of the Provisions and Operations of the *Status of the Artist Act***

The Department of Canadian Heritage has contracted with PRA Inc., an independent research firm, to conduct a review of the provisions and operations of the *Status of the Artist Act*. The Act is federal legislation that recognizes the importance of artists in Canadian society and establishes a framework to govern professional relations between associations of self-employed professional artists and producers in federal jurisdiction.

This survey, which gathers information from members of artists' associations, is part of our review of the federal legislation. Your name was randomly selected from the membership list of the association of which you are a member. Your views are important to the review, so please take a few moments to complete this questionnaire. All of your responses will remain confidential to PRA and will be reported only in aggregate. The administrative number below is solely to enable us to manage the survey process and to understand our sample.

If you have any questions about the survey, please telephone Natalie Baydack of PRA toll-free at 1-888-877-6744.

Please return the survey in the envelope provided or by toll-free fax at 1-800-717-5456

Your early attention to this survey is appreciated

Please return the survey by April 19, 2002

### **Part A: Background information**

This first section of the questionnaire gathers background information to help us understand the context for your responses.

1. Please check the single category that best describes your occupation as a self-employed professional artist.

**Self-employed professional artist** A self-employed professional artist is one who pursues his or her work independently (i.e., is not employed by an organization or a producer), or who performs artistic work as part of a contract for services. Self-employed artists are not covered under the Employment Insurance Act, but are covered by, and must pay all the contributions required under, the Canada Pension Plan based on their net self-employed earnings. The questions below pertain to your activities as a self-employed artist, and not to any work you might be performing as an employee.

01	Writer	02	Actor
03	Producer/director/choreographer	04	Painter/sculptor/other visual artist
05	Conductor/composer/arranger	06	Artisan/craftsperson
07	Musician/singer	08	Dancer
66	Other (specify): _____		

2a. Please check the name of the certified artists' association(s) of which you are currently a member. If you are a member of more than one association, please check all that apply.

If you are not a member of any of the associations on the list, please go to question 2b.

### **Certified Artists' Associations**

A certified artists' association is one that has been granted the sole right, under the *Status of the Artist Act*, to represent an artistic sector for purposes of collective bargaining with producers in federal jurisdiction.

01	Société des auteurs de radio, télévision et cinéma (SARTEC)	02	Union des Artistes (UdA)
03	Union des écrivaines et écrivains québécois (UNEQ)	04	Playwrights Union of Canada (PUC)
05	Canadian Actors' Equity Association (CAEA)	06	American Federation of Musicians of the United States and Canada (AFofM)
07	Association québécoise des auteurs dramatiques (AQAD)	08	La Guilde des musiciens québécois/Québec Musicians' Guild
09	Canadian Association of Photographers and Illustrators in Communications (CAPIC)	10	Le Regroupement des artistes en arts visuels du Québec (RAAV)
11	Société professionnelle des auteurs et des compositeurs du Québec (SPACQ)	12	Conseil des métiers d'art du Québec (CMA)
13	Periodical Writers Association of Canada (PWAC)	14	L'Association des réalisateurs et réalisatrices du Québec (ARRQ)
15	Writers Guild of Canada	16	The Writers' Union of Canada (TWUC)
17	ACTRA Performers Guild	18	Canadian Artists' Representation/le Front des artistes canadiens (CARFAC)
19	Editors' Association of Canada/Association canadienne des réviseurs (EAC/ACR)	20	Associated Designers of Canada/Association des designers canadiens (ADC)
21	Association des professionnels des arts de la scène du Québec (APASQ-CSN)		

2b. If you are a member of an artists' association that is not listed in question 2a, please indicate it below. If you are a member of than more than one other association, please indicate all of them.

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3. Please describe the main issues that concern you as a self-employed professional artist.

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4. We are interested in knowing how well the federal *Status of the Artist Act* has been promoted. Before receiving this survey, had you heard of the Status of the Artist Act?

1	Yes (Go to Question 5)	0	No (Go to Part B)	8	Unsure/don't know (Go to Part B)
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5. How would you rate your knowledge of the **purpose** of the *Status of the Artist Act*?

3	Very knowledgeable	2	Somewhat knowledgeable	1	Not at all knowledgeable (just heard of it) (Go to Part B)
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6. How would you rate your knowledge of the **provisions** of the Status of the Artist Act?

3	Very knowledgeable	2	Somewhat knowledgeable	1	Not at all knowledgeable
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**Part B: Relevance of legislation**

Background: The federal Status of the Artist Act came into force in 1995. The Act was intended to improve working conditions and economic circumstances of artists vis-à-vis other workers. Part I of the Act recognizes the importance of artists in Canadian society and establishes the Canadian Council on the Status of the Artist, which is responsible for supporting and promoting the professional status of artists in Canada. Part II establishes a framework to govern collective bargaining between associations of self-employed professional artists and producers within federal jurisdiction. A labour board, the Canadian Artists and Producers Professional Relations Tribunal, oversees Part II of the Act. The overall objectives of the legislation are to improve the socio-economic status of self-employed professional artists, and to improve labour relations between artists' associations and producers.

This section asks for your opinion about the ongoing relevance of the federal legislation.

7. Please read each statement below and check the response that best represents your opinion.

	<b>Strongly agree</b>	<b>Agree</b>	<b>Neutral</b>	<b>Disagree</b>	<b>Strongly disagree</b>	<b>Don't know</b>
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a. Overall in Canada, the working conditions and economic circumstances of self-employed artists are better now than in 1995.	5	4	3	2	1	8
b. Most self-employed artists in Canada today can earn a living through their art.	5	4	3	2	1	8
c. Most self-employed artists in Canada today can earn a living only if they supplement their art with non-artistic work.	5	4	3	2	1	8
d. Measures to improve the economic circumstances of self-employed artists are necessary in Canada.	5	4	3	2	1	8
e. Measures to improve labour relations between artists' associations and producers are necessary in Canada.	5	4	3	2	1	8
f. The existing <i>Status of the Artist Act</i> is sufficient to improve the economic conditions of self-employed artists in Canada.	5	4	3	2	1	8
g. Other measures, in addition to the <i>Status of the Artist Act</i> , are necessary in order to improve the economic circumstances of self-employed artists.	5	4	3	2	1	8
h. Other measures, rather than the <i>Status of the Artist Act</i> , would be more effective at improving the	5	4	3	2	1	8

economic circumstances of self-employed artists.						
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8. If you answered Strongly Agree or Agree to **Question g** above, please elaborate.

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9. If you answered Strongly Agree or Agree to **Question h** above, please elaborate.

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10. Various measures to improve the economic situation of self-employed artists **currently exist**. Some examples are listed below. Please indicate how important you think each of these measures are, in terms of their contribution to improving **your own** economic circumstances.

	Very important				Not at all important
a. Legal right to collective bargaining (i.e., the <i>Status of the Artist Act</i> )	5	4	3	2	1
b. Deductions for business expenses under the Income Tax Act	5	4	3	2	1
c. Compensation for public display of art works (Exhibition Right)	5	4	3	2	1
d. Protection of the economic rights of creators (Copyright)	5	4	3	2	1
e. Program of payments to Canadian authors for their eligible books catalogued in Canadian libraries (Public Lending Right)	5	4	3	2	1
f. Creation, production, and touring grants from arts councils and government departments	5	4	3	2	1

g. Other (specify): _____	5	4	3	2	1
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11. In addition to the measures that already exist, various measures have been **proposed** as means of improving the economic situation of self-employed artists. Some examples are listed below. Please indicate how important you think each of these measures would be, in terms of their contribution to improving **your own** economic circumstances.

	Very important				Not at all important
a. Income averaging for taxation purposes (i.e., the right to carry extra income forward to the next tax year to reduce taxes)	5	4	3	2	1
b. Tax exemption on copyright income	5	4	3	2	1
c. Protection from producer bankruptcy	5	4	3	2	1
d. Access to Employment Insurance and other social programs	5	4	3	2	1
e. Other (specify): _____	5	4	3	2	1

### Part C: Impact of the legislation

This last section of the questionnaire asks for your perspective on the impact of the *Status of the Artist Act*.

12. Please read each question below and check the most appropriate response. If you answer yes or no, please explain your answer in the space provided.

	Yes	No	Don't know	Why or why not?
a. recognition of professional artists?	1	0	8	_____ _____ _____
b. recognition of professional artists' associations?	1	0	8	_____

				_____
				_____
c. recognition of artistic sectors?	1	0	8	_____
				_____
d. artists' associations to enter into negotiations with producers?	1	0	8	_____
				_____
e. artists' associations to negotiate scale agreements with producers?	1	0	8	_____
				_____

A **scale agreement** is an agreement in writing between a producer and an artists' association respecting minimum terms and conditions for the provision of artists' services and other related matters.

13. Please read each statement below and check the response that best represents your opinion.

	<b>Strongly agree</b>	<b>Agree</b>	<b>Neutral</b>	<b>Disagree</b>	<b>Strongly disagree</b>	<b>Don't know/ No opinion</b>
a. The <i>Status of the Artist Act</i> has improved the economic circumstances of professional artists in Canada.	5	4	3	2	1	8
h. The <i>Status of the</i>	5	4	3	2	1	8

<i>Artist Act</i> has made no difference to my own economic circumstances.						
c. In general, the <i>Status of the Artist Act</i> has improved labour relations between artists' associations and federal producers.	5	4	3	2	1	8
d. The <i>Status of the Artist Act</i> has improved labour relations between the association(s) that I am a member of and federal producers.	5	4	3	2	1	8

14. What do you think are the main **strengths** of the *Status of the Artist Act*? Please describe with reference to your own experience or the experience of the association(s) of which you are a member.

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88 No opinion/don't know

15. What do you think are the main **shortcomings** of the *Status of the Artist Act*? Please describe with reference to your own experience or the experience of the association(s) of which you are a member.

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88 No opinion/don't know

16. What changes, if any, would you make to the Status of the Artist Act?

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00 No changes 88 No opinion/don't know

17. Do you have any other suggestions for how to improve the economic conditions of self-employed artists in Canada?

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88 No opinion/don't know

Thank you for taking the time to complete this survey.  
Please return it in the enclosed self-addressed, postage-paid envelope to:  
**Prairie Research Associates Inc. (PRA)**  
**500 - 363 Broadway**  
**Winnipeg, Manitoba R3C 3N9**  
Or you can fax it back to us toll-free at:  
**1-800-717-5456**

**Annex B**  
**SURVEY OF PRODUCERS**  
**Survey of Federal Producers**  
**Review of the Provisions and Operations of the**  
***Status of the Artist Act***

The Department of Canadian Heritage has contracted with PRA Inc., an independent research firm, to conduct a review of the provisions and operations of the Status of the Artist Act. The Act is federal legislation that recognizes the importance of artists in Canadian society and establishes a framework to govern professional relations between associations of self-employed professional artists and producers in federal jurisdiction.

This survey, which gathers information from producers in federal jurisdiction, is part of our review of the federal legislation. Your organization was identified by the Department of Canadian Heritage to participate in the survey. Your views are important to the review, so please take a few moments to complete this questionnaire. All of your

responses will remain confidential to PRA and will be reported only in aggregate. The administrative number below is solely to enable us to manage the survey process and to understand our sample.

If you would prefer that another individual from your organization respond to the survey, please write that person's name and telephone number in the space provided and return the questionnaire to PRA in the enclosed self-addressed, postage-paid envelope. PRA will then invite the individual you identify to participate in the survey.

If you have any questions about the survey, please telephone Natalie Baydack of PRA toll-free at 1-888-877-6744.

Name of alternate respondent: \_\_\_\_\_

Phone number of alternate respondent: (\_\_\_\_\_) \_\_\_\_\_ - \_\_\_\_\_

**Please return the survey in the envelope provided**

**or by toll-free fax at**

**1-800-717-5456**

**Your early attention to this survey is appreciated**

**Please return the survey by**

**March 22, 2002**

### **Part A: Background information**

This first section of the questionnaire gathers background information to help us understand the context for your responses.

**INSTRUCTIONS:** Please read each question carefully and check ( ) or write in the appropriate response. Return your completed questionnaire by toll-free fax (1-800-717-5456) or in the envelope provided.

1. Three categories of producers fall under the jurisdiction of the federal Status of the Artist Act. Please check the category that describes your organization.

<input type="checkbox"/>	1	Federal department/ministry
<input type="checkbox"/>	2	Federal government agency/Crown corporation
<input type="checkbox"/>	3	Federally-regulated broadcaster

2. In what area of artistic production does your organization work? Please check all

that apply.			
01	Film/video production	02	Performing arts (dance, opera, theatre, music)
03	Broadcasting	04	Visual arts
05	Publishing	06	Music recording
66	Other (specify): _____		

3. Does your organization employ artists who are members of any of the following **certified artists' associations**? A certified artists' association is one that has been granted the sole right, under the *Status of the Artist Act*, to represent an artistic sector for purposes of collective bargaining with producers in federal jurisdiction. Please check all that apply.

01	Société des auteurs de radio, télévision et cinéma (SARTEC)	02	Union des Artistes (UdA)
03	Union des écrivaines et écrivains québécois (UNEQ)	04	Playwrights Union of Canada (PUC)
05	Canadian Actors' Equity Association (CAEA)	06	American Federation of Musicians of the United States and Canada (AFofM)
07	Association québécoise des auteurs dramatiques (AQAD)	08	La Guilde des musiciens québécois/Québec Musicians' Guild
09	Canadian Association of Photographers and Illustrators in Communications (CAPIC)	10	Le Regroupement des artistes en arts visuels du Québec (RAAV)
11	Société professionnelle des auteurs et des compositeurs du Québec (SPACQ)	12	Conseil des métiers d'art du Québec (CMA)
13	Periodical Writers Association of Canada (PWAC)	14	L'Association des réalisateurs et réalisatrices du Québec (ARRQ)
15	Writers Guild of Canada	16	The Writers' Union of Canada (TWUC)
17	ACTRA Performers Guild	18	Canadian Artists' Representation/le Front des artistes canadiens (CARFAC)
19	Editors' Association of Canada (Association canadienne des réviseurs (EAC/ACR))	20	Associated Designers of Canada/Association des designers canadiens (ADC)

21	Association des professionnels des arts de la scène du Québec (APASQ-CSN)		
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4. We are interested in knowing how well the federal Status of the Artist Act has been promoted. Before receiving this survey, had you heard of the *Status of the Artist Act*?

1	Yes (Go to Question 5)	0	No (Go to Part B)	8	Unsure/don't know (Go to Part B)
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5. How would you rate your knowledge of the **purpose** of the *Status of the Artist Act*?

3	Very knowledgeable	2	Somewhat knowledgeable	1	Not at all knowledgeable (just heard of it) (Go to Part B)
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6. How would you rate your knowledge of the **provisions** of the Status of the Artist Act?

3	Very knowledgeable	2	Somewhat knowledgeable	1	Not at all knowledgeable
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### Part B: Relevance of legislation

**Background:** The federal *Status of the Artist Act* came into force in 1995. The Act was intended to improve working conditions and economic circumstances of artists. Part I of the Act recognizes the importance of artists in Canadian society and establishes the Canadian Council on the Status of the Artist, which is responsible for supporting and promoting the professional status of artists in Canada. Part II establishes a framework to govern collective bargaining between associations of self-employed professional artists and producers within federal jurisdiction. A labour board, the Canadian Artists and Producers Professional Relations Tribunal, oversees Part II of the Act. The overall objectives of the legislation are to improve the socio-economic status of self-employed professional artists, and to improve labour relations between artists' associations and producers.

This section asks for your opinion about the ongoing relevance of the federal legislation.

7. Please read each statement below and check the response that best represents your opinion.

	Strongly agree	Agree	Neutral	Disagree	Strongly disagree	Don't know
a. Overall in Canada, the working conditions and economic circumstances of self-employed artists are better now than in 1995.	5	4	3	2	1	8
h. Measures to improve the	5	4	3	2	1	8

economic circumstances of self-employed artists are necessary in Canada.						
c. Measures to improve labour relations between artists' associations and producers are necessary in Canada.	5	4	3	2	1	8
d. The existing <i>Status of the Artist Act</i> is sufficient to achieve its objectives.	5	4	3	2	1	8
e. Other measures, in addition to the Status of the Artist Act, are necessary in order to achieve its objectives.	5	4	3	2	1	8
f. Other measures, rather than the <i>Status of the Artist Act</i> , would be more effective at achieving its objectives.	5	4	3	2	1	8

8. If you answered Strongly Agree or Agree to **Question e** above, please elaborate.

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9. If you answered Strongly Agree or Agree to **Question f** above, please elaborate.

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**Part C: Implementation of the legislation**

This section of the questionnaire asks for your perspective on the way the Status of the

Artist Act has been implemented.								
10. Since the <i>Status of the Artist Act</i> was implemented in 1995, has your organization been served with any notices to bargain by a certified artists' association?								
a.	1	Yes	(If yes) How many notices to bargain has your organization been served? _____					
	0	No (Go to Question 11)						
b. Did any of these notices to bargain result in entering into negotiations?								
	1	Yes	(If yes) In how many cases did a notice to bargain result in entering into negotiations? _____					
	0	No (Go to Question 11)						
c. Did any of these negotiations result in conclusion of a scale agreement?								
	1	Yes	(If yes) In how many instances did negotiations result in conclusion of a scale agreement? _____					
	0	No (Go to Question 11)						
11. Please read each statement below and check the response that best represents your opinion.								
		<b>Strongly agree</b>	<b>Agree</b>	<b>Neutral</b>	<b>Disagree</b>	<b>Strongly disagree</b>	<b>Don't know/ No opinion</b>	
a.		The <i>Status of the Artist Act</i> adequately permits professional artists' associations to be recognized for collective bargaining purposes.	5	4	3	2	1	8
b.		The existing <i>Status of the Artist Act</i> adequately	5	4	3	2	1	8

takes into account the concerns of producers.						
c. There are numerous impediments to successful negotiation of scale agreements with artists' associations.	5	4	3	2	1	8
d. The <i>Status of the Artist Act</i> has been inconsistently interpreted.	5	4	3	2	1	8
e. Some provisions of the <i>Status of the Artist Act</i> require clarification.	5	4	3	2	1	8

12. If you answered Strongly Agree or Agree to **Question b** above, please explain your answer.

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13. If you answered Strongly Agree or Agree to **Question c** above, please explain your answer.

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14. If you answered Strongly Agree or Agree to **Question d** above, please explain your answer.

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15. If you answered Strongly Agree or Agree to **Question e** above, please explain your answer.

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**Part D: Impact of the legislation**

This last section of the questionnaire asks for your perspective on the impact of the *Status of the Artist Act*.

16. Please read each statement below and check the response that best represents your opinion.

	<b>Strongly agree</b>	<b>Agree</b>	<b>Neutral</b>	<b>Disagree</b>	<b>Strongly disagree</b>	<b>Don't know/ No opinion</b>
a. The <i>Status of the Artist Act</i> has improved the economic circumstances of professional artists in Canada.	5	4	3	2	1	8
b. The <i>Status of the Artist Act</i> has improved labour relations between my organization and artists' associations.	5	4	3	2	1	8
c. In general, the <i>Status of the Artist Act</i> has improved labour relations between artists' associations and federal producers.	5	4	3	2	1	8

17. What do you think are the main **strengths** of the Status of the Artist Act? Please describe with reference to the experience of your organization.

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88 No opinion/don't know

18. What do you think are the main **shortcomings** of the *Status of the Artist Act*? Please describe with reference to the experience of this organization.

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88 No opinion/don't know

19. What changes, if any, would you make to the Status of the Artist Act?

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00 No changes 88 No opinion/don't know

20. Do you have any other suggestions for how to improve the economic conditions of self-employed artists in Canada?

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88 No opinion/don't know

21. Do you have any other suggestions for how to improve labour relations between producers and artists' associations?

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88 No opinion/don't know

Thank you for taking the time to complete this survey.  
Please return it in the enclosed self-addressed, postage-paid envelope to:  
Prairie Research Associates Inc. (PRA)  
500 - 363 Broadway  
Winnipeg, Manitoba  
R3C 3N9  
1-800-717-5456

## Notes

1. This respondent's organization was not represented by the categories of federal producers listed in the questionnaire.
2. As a part of the evaluation of the Status of the Artist Act, PRA conducted in-depth interviews with 65 key informants.
3. This is based on a scale of 1 to 5 where 1 is strongly disagree and 5 is strongly agree.
4. This is based on a scale of 1 to 5 where 1 is strongly disagree and 5 is strongly agree.