EU framework for the social and professional situation of artists and workers in the cultural and creative sectors

2023/2051(INL) - 26/10/2023 - Committee report tabled for plenary, single reading

The Committee on Employment and Social Affairs and the Committee on Culture and Education jointly adopted the report by Antonius MANDERS (EPP, NL) and Domènec RUIZ DEVESA (ALDE, ES) with recommendations to the Commission on an EU framework for the social and professional situation of artists and workers in the cultural and creative sectors.

7.7 million people were in cultural employment across the Member States in 2022, amounting to 3.8% of total employment. Regardless of their role or status as a worker or self-employed person, the living and working conditions of cultural and creative sector (CCS) professionals can be characterised by precariousness, instability and the intermittent nature of their work, with unpredictable incomes, weaker bargaining power in relations with their contractual counterparts, short-term contracts, weak or no social security coverage, and a lack of access to unemployment support. Moreover, the extent of social security coverage of CCS professionals varies within and between countries.

Details of the proposed recommendations

The recommendations called for by the Members may be summarised as follows:

Recommendation 1: General objective of the Framework

The general objective of the proposals which the Commission is requested to submit is to establish a Union framework on the social and professional situation of artists and other professionals in the cultural and creative sectors (‘CCS professionals’) (the ‘Framework’) in order to improve their social and professional situation.

Recommendation 2: Instruments comprised in the Framework

The Framework should be composed of the following proposals for legislative instruments, notably:

1) a Directive on decent working conditions;

2) one or more Decisions which contribute to the implementation of, or complementing, the Union acquis in relevant areas and which set up a mechanism for structured cooperation and the exchange of best practices between Member States with a view to formulating quality standards and reviewing relevant developments as regards the status and situation of CCS professionals, including through the establishment of a platform. That mechanism should ensure that the social partners can fully participate at national and Union level.

Recommendation 3: Scope of the proposals for legislative instruments

The Framework should cover all CCS professionals in the different functions, roles and capacities needed for the realisation of cultural and creative expressions and works, regardless of their employment status. It should focus on, *inter alia*:

1) by means of a Directive determining CCS professionals' employment status and developing measures to improve CCS workers' working conditions, in particular to ensure fair and adequate remuneration, decent working conditions and fair working practices;

2) by means of one or more Decisions, including a Decision establishing a European platform on the social and professional situation of CCS professionals, on the following points:

- the improvement of the status of CCS professionals;

- the establishment of criteria for a common understanding and recognition of CCS professionals and their specific situation at Union level;

- the facilitation of CCS professionals' effective access to social security and social protection;

- the introduction of terms and conditions on the use of public funding to ensure the fair remuneration of, and fair working conditions for, CCS professionals;

- the removal of systematic barriers to fight against all forms of discrimination and of gender-based violence and the promotion of gender equality in the cultural and creative sectors;

- the effective guarantee of artistic freedom as part of working conditions for CCS professionals.

Recommendation 4: Establishing a European platform

Members suggested that a European platform should be established which should pursue, inter alia, the following specific objectives:

- improve knowledge on the living and working conditions of CCS professionals, including with regard to the causes of and regional differences in such conditions, by means of evidence-based tools, comparative analysis and relevant methodological instruments for data collection, building on the work of relevant actors;

- improve mutual understanding of different systems and practices, including through a **mapping** of existing definitions of CCS professionals across the Member States, to lower fragmentation and to tackle the issues identified, in particular cross-border aspects and Union-level cultural statistics;

- develop tools, such as application guidelines, handbooks of good practices and shared principles, to improve the situation in all the areas covered by its scope and to evaluate experiences with relevant tools;

- facilitate and support different forms of cooperation between Member States;

- develop an education and training strategy that considers the specificities of the cultural and creative sectors;

- raise awareness on the relevant problems and available solutions among CCS professionals, trade unions and other workers' representative organisations, and relevant Member State authorities.