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

2023/2051(INL) - 21/11/2023 - Text adopted by Parliament, single reading

The European Parliament adopted, by 433 votes to 100 with 99 abstentions, a resolution 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 (CCS).

Members pointed out that the extent of social security coverage of CCS professionals varies within and between countries, due to differences in sectors and types of work within the sectors, and may lead to differences in living and working conditions. Social and working conditions in the CCS need to be improved drastically. They added that the cultural sector, which employs 3.8% of the European workforce and accounts for 4.2% of GDP, is not sufficiently protected.

Indeed, the living and working conditions of professionals in the cultural and creative sectors are characterised by precariousness and instability, due to the intermittent nature of their work, the unpredictability of their income, weak social bargaining power, the short duration of contracts, weak or non-existent social security cover and lack of access to unemployment benefits.

Parliament has called for a **European framework** combining legislative and non-legislative tools to improve social and professional conditions and create a fair and equal situation for all artists and cultural professionals in the EU.

Members want this framework to include:

- **a directive** on decent working conditions, which contributes to the correct determination of the employment status of professionals in the cultural and creative sectors;

- **one or more decisions** for the collection and publication of relevant data and for encouraging cooperation and the exchange of best practice between Member States, including through the creation of a European platform, with a view to defining quality standards and examining developments concerning the status and situation of professionals in the cultural and creative sectors, taking account of the gender perspective, with the full participation of the social partners, and with a view to recognition at EU level of the special situation of these professionals.

Recommendations

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

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.

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.