

Fairness

Arts and Culture in Austria

Interim Report on
the Fairness Process 2020/2021

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To all those who create arts and culture!

The Covid crisis has shaken artistic and cultural life in Austria beyond belief. Divides in arts and culture, which already existed before the crisis, have deepened in its wake. Responding to the Covid crisis, Andrea Mayer, Secretary of State for Arts and Culture, launched the Fairness Process in autumn 2020.

Involving stakeholders in arts and culture, this exemplary cooperation between the federal and Laender level will be continued after its successful start. The Fairness Symposium on 30 September 2021 took stock of the progress achieved so far. This brochure, as well as the website www.bmkoes.gv.at/kunst-und-kultur/fairness, have been created to illustrate the many different aspects of this topic.

“Fairness” in arts and culture affects us in very different ways. Together, we want to ask ourselves: What does fair interaction mean? What does fair pay mean? And what measures can we embrace to achieve more fairness in arts and culture?

Equal access to artistic production and to cultural life is central to the innovative development of arts and culture.

Only together can we improve fairness in arts and culture. This is a call to get involved and spread the significance of fairness in your sphere of influence!

Andrea **Mayer**, *Secretary of State for Arts and Culture*

Hans Peter **Doskozil**, *Governor of Burgenland*

Christopher **Drexler**, *Minister for Culture, Europe, Sports and Human Resource/Styria*

Peter **Kaiser**, *Governor of Carinthia*

Veronica **Kaup-Hasler**, *Executive City Councillor for Culture and Science/Vienna*

Johanna **Mickl-Leitner**, *Governor of Lower Austria*

Beate **Palfrader**, *Minister for Education, Culture, Labour and Housing/Tyrol*

Heinrich **Schellhorn**, *Deputy Governor of Salzburg*

Barbara **Schöbi-Fink**, *Minister for Arts and Culture/Vorarlberg*

Thomas **Stelzer**, *Governor of Upper Austria*

Transparency & Cooperation

Pro-active participation and transparency go hand in hand. This is why the federal government and the Laender are committed to a transparent approach in shaping the framework conditions for arts and culture in Austria.

Following the first stage of the Fairness Process, from September 2020 to September 2021, the **constructive cooperation between the federal government, the Laender and stakeholders will be continued on an institutionalised basis**. From 2022 onwards, the Fairness Working Group of the Laender and the Forum Fairness of the stakeholders will meet annually to exchange information on the progress of the joint efforts and to openly discuss further topics and measures under the Fairness Process. In addition, fairness will be a regular item on the agendas of the cultural officer meetings at Laender level. In this way, the all-important exchange on fairness measures will be embedded in a defined structure, and the open and targeted joint process will be continued.

A sub-page on fairness has been set up on the **website of the Federal Ministry of Arts and Culture, Civil Service and Sport** to share continuously updated fairness measures (e.g. compliance brochure of the Austrian Federal Theatres), to draw attention to upcoming fairness events and provide links to international best practice examples.

In November 2020, the Parliamentary Standing Committee on Culture decided to introduce a broad-based **Gender Report** – a milestone in Austrian cultural policy that was endorsed by all parliamentary parties. Although the implementation of the Austria-wide Gender Report for Arts and Culture is the responsibility of the federal government, meaningful results can only be achieved with the cooperation of the Laender. The Gender Report should be nationwide, cross-sectoral and take into account non-binary gender identities. This will be accompanied by changing the information beneficiaries

have to provide for funding. From 2022, gender will be polled in three categories. The results of the first Gender Report on Arts and Culture should be available in 2022.

Ever since 2018, Care & Repair has been an important pillar of cultural policy in **Vienna**. A process of developing uniform fair pay guidelines in all genres was initiated as early as 2019 at a major symposium in cooperation with stakeholders. The measures developed, such as minimum artists' fees, are now firmly integrated in the culture department's mission statement.

Salzburg has established its own discussion formats so that representatives from the arts and culture sector can be involved long-term in innovation and planning. This ongoing exchange on the cultural future of the land of Salzburg takes the form of regionally organised public panel debates, conferences or round tables with experts.

In **Carinthia** as well, maximum transparency, balance and equal treatment are the main principles that guide the allocation of cultural funding. An important funding objective is to preserve traditional linguistic and cultural diversity, as expressed by the Slovene ethnic group in Carinthia.

In **Upper Austria**, the project call EXTRA 2021, endowed with EUR 95,000 was launched in 2021 as an extension of the existing funding programme. In the future it will be continued as a biennial funding campaign. EXTRA was developed and carried out in cooperation with the Upper Austrian Culture Platform KUPF. The jury meeting is open to the public. All applicants receive a reasoned approval or rejection.

Fair Pay

One of the aims of the Fairness Process is fairer pay for work in arts and culture. For this purpose, a **survey** was commissioned to identify the **fair pay gap** - the difference between actual pay and recommended salaries/fees in the arts and culture sector in Austria. Both the stakeholders as well as the Laender contributed to the design of the survey.

Fair pay is a joint responsibility of all those involved in shaping working conditions in arts and culture. This includes funding bodies, institutions and event organisers, as well as artists and everybody who works in arts and culture in any other function.

Based on the results of the fair pay gap survey, expected by early 2022, the **Fair Pay Focus Group**, which consists of representatives of the Laender, the federal government and stakeholders, will start work on a **Fair Pay Strategy** for Arts and Culture in Austria.

In a first step, the federal government has integrated **fair pay as an eligibility criterion** in all new calls for proposals. Awareness for the applicability of minimum fees in funding applications will be raised among advisory boards and panels of jurors, who will be encouraged to consider fair pay in their evaluation of funding applications. Beforehand, stakeholders had received legal advice by the federal government on how to present the fee recommendations on their websites.

During the initial phase of the Fairness Process, the federal government provided **additional fair pay funding** of approx. EUR 2 million, earmarked for higher salaries and fees. In addition, scholarship funding was stepped up by EUR 1.1 million to help young artists in particular to get off to an easier start in their professional careers.

In **Burgenland**, the *Culture Vouchers* project was launched in a bid to improve the market and earnings situation of artists in the long term, granting public support at a rate of 25% to fund artistic works and production.

In **Carinthia**, *Interessensgemeinschaft Theater Tanz Performance Kärnten Koroška* (IG TTPKK) in cooperation with *Interessensgemeinschaft Freie Theaterarbeit* carried out the project *fairp(l)ay Kärnten Koroška* from 2020 until July 2021 with funding from the Land of Carinthia. Workshops and surveys were organised to address topics such as social security, minimum salaries/fees, and alternative funding models in order to develop model financial templates.

In **Lower Austria**, including a focus on fairness is one of the objectives pursued by the current revision of the guidelines on the Lower Austrian Cultural Promotion Act, gradually raising awareness for this topic and its implementation. Artists are to receive direct support through an increasing number of calls and the award of work scholarships.

Together with the municipalities and the federal government, **Salzburg** has set itself the goal to improve the conditions underlying professional, respect-based and good employment relations in arts and culture. To this end, Salzburg (in addition to other projects such as more part-time and full-time positions) has developed a model for the gradual implementation of a fair pay policy.

In **Styria**, the fee recommendations issued by the stakeholder groups and the principle of fair pay are recognised as a basis for cost calculation and used for plausibility checks in settlement audits. The Styrian guest performance, tour and revival subsidy is an instrument newly created to promote fair pay for performances.

In **Tyrol**, the scholarship system was first expanded in the wake of the Covid crisis and then extended to include all artistic disciplines. Scholarships are now being institutionalised to promote creative work processes, stimulate the development of new artistic concepts and projects, and support freelance artists in their artistic development.

In **Vienna**, fair pay measures were laid down in the Vienna coalition government agreement in 2020. Since 2018, spending on culture and science has risen by more than EUR 50 million or about 20 percent. In 2020, a first set of legislative measures stepped up funding for film-making, exhibitions and festivals with the fair pay principle in mind. In 2021, work scholarships became a permanent feature of the funding programme, with EUR 1.5 million annually set aside for them. An evaluation of the fair pay measures implemented so far is pending.

Funding

The federal government and the Laender are committed to the public funding of arts and culture in Austria. Public funding in this field falls primarily in the remit of the Laender. In line with the subsidiarity principle, the federal government steps in to fund projects and institutions of supra-regional significance for arts and culture in Austria.

Beneficiaries are often faced with inconveniences caused by the concurrent competence for arts and culture of different funding bodies. Where complex funding cases are jointly financed by the federal government and a Land and require close coordination, the Land or the federal government can now schedule joint coordination meetings. **More frequent coordination meetings between the federal government, the Laender and the beneficiaries** are expected to help address challenges jointly and improve concepts for the development of arts and culture in Austria.

For the first time, the federal government and the Laender have worked out joint criteria for the award of multi-annual contracts:

- Annual funding already received, at least in the previous year
- Professional, competent management
- Certainty, to the extent possible, as to programming and cost management for the period applied for
- Reasonable and balanced costing
- Project effectiveness and sustainability
- Regular reporting for the year in which funding was granted

Independently, each level of government defines additional formal requirements and substantive evaluation criteria.

In **Burgenland**, the arts and culture funding system has for several years now been offering multi-annual funding agreements. Especially during the Covid-pandemic, these were an important tool to ensure the economic and financial survival of arts and culture in difficult times. The focus of these arrangements will be on commercially oriented cultural institutions, umbrella organisations and culture festivals.

In **Lower Austria**, culture promotion policies are guided by the objectives laid down in the regional culture strategy for relevant topics such as non-discrimination, equal opportunities and gender mainstreaming, diversity, climate protection, fairness and sustainability. The established practice of multi-annual funding agreements includes all of the criteria listed above and affords certainty to applicants in planning their activities.

Listing sector-specific funding approaches and defining individual assessment criteria for funding applications, the **Vorarlberg** Guidelines governing the Work of Culture Committees provide the basis for the work of designated culture committees. In a next step, the fairness principles will be integrated into these guidelines.

Respectful Cooperation

The federal government, the Laender and the stakeholders are committed to promoting respect-based interaction in arts and culture. Arts and culture can only thrive in spaces that are devoid of fear. Inspiration needs a positive environment.

Therefore, the federal government supports the establishment of an independent **ombuds committee** for persons working in arts and culture who are affected by abuse of power. There is no more tolerance for sexual assault, harassment and discrimination in arts and culture. This ombuds board will be open to everyone working in the field – regardless of whether they are volunteers, employees or self-employed – and also provide guidance and training for those working in arts and culture management functions.

Respectful coexistence is more, however, than just the absence of abuse. Following the example of the Dutch and Belgian Fairness Code, the **Fairness Code Focus Group** will draft a Fairness Code for Arts and Culture in Austria. In a structured, cooperative process, the federal government, the Laender, institutions and stakeholders will, for the first time in Austrian history, lay down a common standard of cooperation. Preliminary work on this topic has identified sustainability, diversity, respect and transparency as key fairness values. Based on this structure, a first draft of the Austrian Fairness Codex is scheduled to be available by early 2022.

For autumn 2022, **Vorarlberg** is planning to host a culture symposium attended by a wider public from the sphere of arts and culture to present and discuss the basic positions of the Fairness Code.

In **Styria**, the foundations for future respect-based cooperation will be laid by the involvement of various stakeholders from arts and culture in the development of a future-oriented culture strategy.

Diversification

The federal government and the Laender are committed to diversity in arts and culture in Austria. In the future, a stronger focus will be placed on the artistic and cultural work of persons from marginalised groups. This goes hand in hand with an Austria-wide examination of ways in which arts and culture can appeal to new audiences. Arts and culture as well as its audiences should be a true reflection of the diversity of Austrian society. Therefore, the improvement of the working conditions of artists from marginalised groups as well as cultural participation of marginalised persons will play a central role both in the **Fairness Code** and in the Federal Government's Arts and Culture Strategy. At the same time **initiatives for a critical analysis of lacking diversity** in arts and culture will receive more funding in the future.

In a first step, the federal government has included **diversity as an eligibility criterion** in all new calls for proposals. Advisory boards and panels of jurors are thus encouraged to give consideration to the diversity of all those involved and to include this criterion in the evaluation of funding applications.

In addition, a **revision of the rules of procedure for advisory boards and panels of jurors** is to help ensure sustainable diversity development. In addition to the envisaged proportionate representation in terms of gender, professional diversity and regional distribution, consideration of all social groups has now been explicitly laid down as a criterion.

Social & Legal Framework

Better legal protection of artists and working conditions in the entire arts and culture sector are further core concerns addressed in the Fairness Process. Since early 2021, a focus group has been dealing with the relevant framework conditions (**Legal committee**).

IG Netz supports independent groups in the field of performing arts through subsidising social security contributions so as to provide an incentive for employment. As a first measure under the Fairness Process, *IG Netz* was expanded in cooperation with the Laender and *IG Freie Theaterarbeit*. The total budget of this support fund was stepped up from EUR 300,000 to EUR 600,000, also with funds provided by the Laender. Not only have more persons become eligible for funding as a consequence, the amount of subsidies per person and month has increased from EUR 200 to EUR 300.

The current legislative period will see the introduction of an overall package to improve labour law and social security in a bid to modernise the governing legal framework in the performing arts sector. A key aspect will be amending the **Theatre Labour Act**, which in parts no longer matches the realities of work.

Implementing the government programme and the EU Copyright Directive, work is currently underway to finalise the **Copyright Amendment 2021**. The main objective of this reform is to contribute to more fairness for creative artists by strengthening their negotiating position and allowing them to draw greater benefits from demand – which has risen sharply, especially online.

People who decide to pursue a career in art need security. The new **Upper Austrian** cultural mission statement stipulates the need for better immediate and long-term financial security. This includes, among other things, nationwide social security cover for artistic work.

In its government programme 2018-2023, **Tyrol** has committed itself to creating the best possible framework conditions for arts and culture, and this plan is being implemented step by step. For example, subsidies in the independent performing sector were increased in line with budgetary constraints to facilitate employment and improve social security for those employed in the sector. Furthermore, the existing funding guidelines are regularly evaluated to adjust them as best as possible to current requirements. These and all other measures are developed in close cooperation with the cultural advisory boards, which are composed of representatives of the various arts and culture sectors in Tyrol.

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