

CREATIVES
REBUILD
NEW YORK

The ARTIST
and CULTURAL
WORKERS
Bill of Rights

Abstract

This Bill of Rights for Artists and Cultural Workers was developed through a collaborative process initiated by Creatives Rebuild New York's (CRNY) Artist Employment Program (AEP) from April to June 2024. A working group of 11 stakeholders, co-facilitated by Christopher Mulé and Bathabile Mthombeni, reviewed various existing bills of rights and drew inspiration from the Domestic Workers Bill of Rights. This collaborative effort aims to address the systemic inequities and labor concerns facing artists and cultural workers, emphasizing fair compensation, safe working conditions, and transparent decision-making.

The Bill recognizes the essential, yet often invisible, labor of artists from ideation through creation and beyond and calls for systems to respect and compensate this work. It also advocates for solidarity between artists and cultural workers to foster sustainable cultural ecosystems. Key articles cover artists' rights to recognition as cultural workers, flexible work arrangements, fair wages, transparency, intellectual property protections, and access to resources. This document underscores the need for structural change in arts and cultural institutions and seeks to support artists' transition from gig work to full-time employment.

The Bill sets a framework for artists and organizations to engage ethically and collaboratively, while empowering artists to lead legislative campaigns for rights and protections at local, state, and federal levels. This document aims to inspire artists and cultural workers in New York State and beyond to adapt it to their local needs.

Front Matter

A BIT ABOUT PROCESS

To create this Bill of Rights for Artist and Cultural Workers, we sought expertise and input from CRNY's Artist Employment Program (AEP). From April to June of 2024, eleven stakeholders from the AEP initiative gathered as a working group to outline the objectives and goals of a potential artists and cultural bill of rights. Meetings were centered around understanding the needs and concerns of artists, cultural workers, and organizational leaders. All meetings were co-facilitated and co-designed by Christopher Mulé, CRNY's Director of Strategic Initiatives - Artist Employment Program, and professional ombudsperson [Bathabile Mthombeni, J.D., M.S., PCC](#). During the process, the working group also reviewed over 14 different bills of rights examples and received political education about the [Domestic Workers Bill of Rights](#) from key community organizers involved in its creation. The resulting Artist and Cultural Workers Bill of Rights represents an expansion of the objectives and values (below) captured during those meetings.

WORKING GROUP

- Christine Lewis (Domestic Workers United)
- Cjala Surratt (Black Artist Collective)
- Diana Pryntz (Deaf Refugee Advocacy INC)
- Evelyn D'Agostino (Grupo Cultural Latinos En Rochester, Inc)
- Faith Harper (Domestic Workers United)
- Hayden Haynes (Seneca Nation of Indians: Onöhsagwë:de'Cultural Center)
- Ife Olujobi (New York Shakespeare Festival, d.b.a. The Public Theater)
- Ivy Hest (Columbia County Sanctuary Movement)
- Jana "J.L." Umipig (El Puente de Williamsburg Inc)
- Taij Kumarie Moteelall (Jahajee: Indo-Caribbeans for Gender Justice; Media Sutra)
- Vanessa Bretas (Domestic Workers United)

KEY OBJECTIVES IDENTIFIED BY WORKING GROUP

Define the role of artists who work in community settings and collaborate with both arts and non-arts institutions.

Boost the credibility and status of artists and their work among the general public, arts institutions, and the artists themselves.

Highlight the artistic process—from ideation to creation and beyond—as essential, often overlooked labor that deserves recognition alongside other movements for economic justice.

Expand recognition of artists as cultural workers, positioning them as “knowledge workers” who utilize creativity, specialized knowledge, and intellectual skills, similar to professionals in high-wage, high-impact fields like technology, science, or management.

Establish systems that acknowledge and value artistic contributions.

Connect artists involved in cultural work with workers in cultural institutions, emphasizing their shared goal of preserving culture and sustaining the community’s expressive life.

Advocate for worker-centered non-profits that benefit “other cultural workers” and “artists as workers.”

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The ARTIST and CULTURAL WORKERS Bill of Rights

PREFACE

The COVID-19 pandemic exposed the economic vulnerability of many artists and revealed significant gaps in support systems within the sector. These inequities underscored the need for a safety net and a collective voice to advocate for artists' rights. Drawing inspiration from the Domestic Workers Bill of Rights in New York State and its national campaign, an Artists' and Cultural Workers' Bill of Rights will provide essential protections to ensure artists are treated with the dignity and respect all individuals deserve. This Bill of Rights can help artists and organizations adopt ethical standards that guide fair collaboration and negotiation. It will also create a platform for both parties to build consensus and better understand each other's needs, while increasing opportunities for artists to transition from temporary gig work to full-time employment, if desired. Artists and cultural workers can play a key role in defining these rights and protections, and lead related legislative campaigns at local, state, and federal levels. This working group emphasizes a community-based and community-centered approach in both its process and design.

ARTICLE I:

Recognize Artist Work as Labor, from Ideation to Creation to Consumption

A large subsidy for the cultural sectors comes not from governments, patrons or the private sector, but from artists themselves in the form of unpaid or underpaid labor (UNESCO 6). The artist's labor is often unpaid and dismissed as "not real work." Its product is often attributed to artistic genius, talent, or creativity. While its production is made visible, the direct labor involved in its creation is invisible, undervalued, and misunderstood. It is this mystification of artist labor that conditions its compensation and places their labor outside the standard labor relationship (Praznik 5). While artists are often compensated for their product or performance, their wages often do not reflect the full scope of the direct labor involved in the creation of their expression.



SECTION 1:

Artists have the right to wages or formal acknowledgment commensurate with the full scope of their labor, encompassing all stages from ideation to creation and final consumption. This includes, but is not limited to, compensation for rehearsals, research, preparation, promotion, marketing, creative career administration, and travel.

SECTION 2:

It is recognized that one of the largest subsidies for the arts sector is provided by artists themselves, in the form of unpaid or underpaid labor. The labor of artists shall not be dismissed as “not real work,” nor shall it be solely attributed to artistic genius, talent, or a “labor of love.” While the product of such labor is visible, the labor itself must not be rendered invisible, undervalued, or misunderstood.

ARTICLE II:

Recognize Artists' Status as Cultural Workers and Solidarity with Cultural Workers Employed at Institutions

While the direct labor of artists is often taken for granted and misunderstood, the indirect labor involved in its protection and dissemination is also overlooked and undervalued. In order to enhance the credibility of the full scope of artist labor, hiring institutions need to acknowledge the combination of direct labor practices as an “artist” and indirect labor practices as a “cultural worker.” A cultural worker¹ uses their expertise to create conditions for culture to thrive, making it publicly visible, supported by communities, and preserved or presented with institutional partners. Their work includes grassroots organizing, community care, repairing biased systems, acting as agents of social change, management of communication networks² and sharing localized cultural knowledge. Though often done by artists, this labor is rarely reflected in their wages or scopes of work. It should be recognized on par with cultural workers in permanent institutions³ whose primary occupation supports the arts but does not include artist-related occupations.

1. The term cultural worker has many definitions that can be connected to specific contexts. The authors of this bill of rights referred to a variety of definitions of “cultural worker” and were heavily influenced by the historical context of the term shared by the author Musa in their article Cultural Worker, Not a “Creative” and their view that a cultural worker is accountable to culture while a “creative” is accountable to commerce.
2. Creatives Rebuild New York hired Artist Organizers to serve as an outreach corps that conducted application outreach in communities throughout New York State. This was greatly influenced by Springboard for the Arts definition of “Artist Organizers.”
3. In effort to gain acknowledgement and voice within institutions, permanent cultural workers created AFSCME Cultural Workers United and unionized in 2022. According to their website, “cultural workers are defined as workers that provide vital services for cultural institutions: curators, library assistants, security officers, zookeepers, conservators, facilities workers, and educators. Sparked by the COVID 19 pandemic, these institutional cultural workers organized after finding that cultural “institutions with large endowments and multimillion-dollar budgets grabbed hundreds of millions of taxpayer dollars in taxpayer-funded loans and grants to fill their coffers, then tossed their workers to the curb.”

SECTION 1:

Artists have the right to recognition, respect, and compensation for additional cultural work performed to create and sustain the necessary conditions within their communities for the preservation and celebration of cultural expressions. Such labor shall include, but not be limited to, the distribution of information, the establishment and management of communication networks , community care work, and the preservation and dissemination of localized cultural knowledge and competencies. This labor, often undertaken by artists, shall be formally recognized within their compensation and scope of work.

SECTION 2:

Artists shall be entitled to recognition, respect, and compensation equivalent to that of permanent “cultural workers” who also employ creativity, specialized knowledge, and intellectual skills within institutional settings dedicated to upholding the arts, notwithstanding the exclusion of artists from such occupations.

SECTION 3:

Artists have the right to identify as cultural workers, if they choose, and build solidarity with those in permanent cultural workers employed at cultural institutions. Together, they share the goal of upholding culture and sustaining the expressive life of the communities they serve.

4. Creatives Rebuild New York created an Outreach Corps that served as Artist Organizers to help us do outreach in communities throughout New York State. This was greatly influenced by Springboard for the Arts work definition of “Artist Organizers.”

ARTICLE III:

The Right to Safe Working Conditions

Flexible work hours, remote work, and alternative work arrangements are becoming more common in response

to the changing demands of the modern workforce.

When working with institutions that comply with the 9 to 5 workday, it should be noted that artists' processes and availability often do not line up with this schedule. It is important that hiring institutions lead with trust and be responsive to the project-based nature of artistic labor, fluctuations and uncertainty of artists income, and the special features of artist activity.



SECTION 1:

Artists have the right to flexible work arrangements that respect the unique and often nonlinear nature of their creative process. This includes the ability to set flexible schedules, work remotely, and manage their own time according to the demands of their projects, performances, or collaborations. Artists should be free to structure their work environment in a way that allows for the creative freedom necessary to develop their craft, while balancing other professional and personal responsibilities. Flexible work arrangements recognize the irregular and project-based nature of artistic labor, where inspiration, rehearsal, production, and promotion may not fit within traditional work hours. By granting artists the autonomy to work in ways that support their creative flow, the right to flexibility promotes both artistic excellence and personal well-being, ensuring that artists can pursue their careers without compromising their livelihoods or personal lives. Employers and collaborators are encouraged to engage in open dialogue with artists to establish supportive and flexible working conditions that align with the nature of artistic work and achieve mutually agreed-upon goals.

SECTION 2:

Artists and cultural workers have the right to Non-Retaliation and Open-Dialogues with hiring institutions. Artists and cultural workers often work with non-profits and institutions that are gatekeepers to funding opportunities, performance/gallery space, and performance/exhibition opportunities. The unequal distribution of financial and institutional power can often lead to control or limitation of access to resources, opportunities, and information. Artists and cultural workers have the right to contribute alternative ideas or suggestions without fear of retaliation.

SECTION 3:

Hiring institutions must respect artists' need for rest by allowing them the autonomy to decide when and how much rest they take, while artists, in turn, honor their commitment to completing work as agreed-upon.

ARTICLE IV:

The Right to Fair and Transparent Wages

Artists often work on short-term contracts, freelance jobs, or with inconsistent schedules. Their income is unstable, which leads to lower tax contributions and limited access to social security, pensions, and other benefits. When determining wages, employers need to consider these challenges (UNESCO 6). While fair pay is important, it's even more crucial to have transparency about pay between artists and institutions with different budgets. Employers and collaborators in the arts sector should prioritize clear and accessible communication by providing contracts in plain language and offering translations for multilingual learners. This ensures that all artists fully understand their rights, responsibilities, and agreed-upon expectations, fostering equity and trust in their working relationships.



SECTION 1:

Hiring institutions have an obligation to publish sample work agreements, in plain language and multiple languages for artists and cultural workers. Sample work agreements should clarify categories of compensation that reflect the full creative process, from ideation to creation to presentation (rehearsals, research, preparation) as well as travel (particularly in rural areas). These agreements should also include transparency of payment practices, timeline, and wages for services and be co-designed by artists and cultural workers.

SECTION 2:

Artists and cultural workers have the right to work with hiring institutions to use sample agreements as helpful starting points to facilitate an open discussion about and create a shared understanding of the terms of employment.

SECTION 3:

Hiring Institutions have an obligation to publish sample work agreements, in plain language, that are co - created by artists and cultural workers in their local area. These sample work agreements should be co-created by artists and cultural

SECTION 4:

Organizations contracting or employing artists and cultural workers should recognize their significant challenges in relation to social security, health insurance, retirement benefits and other social programs available to other workers when negotiating wages.

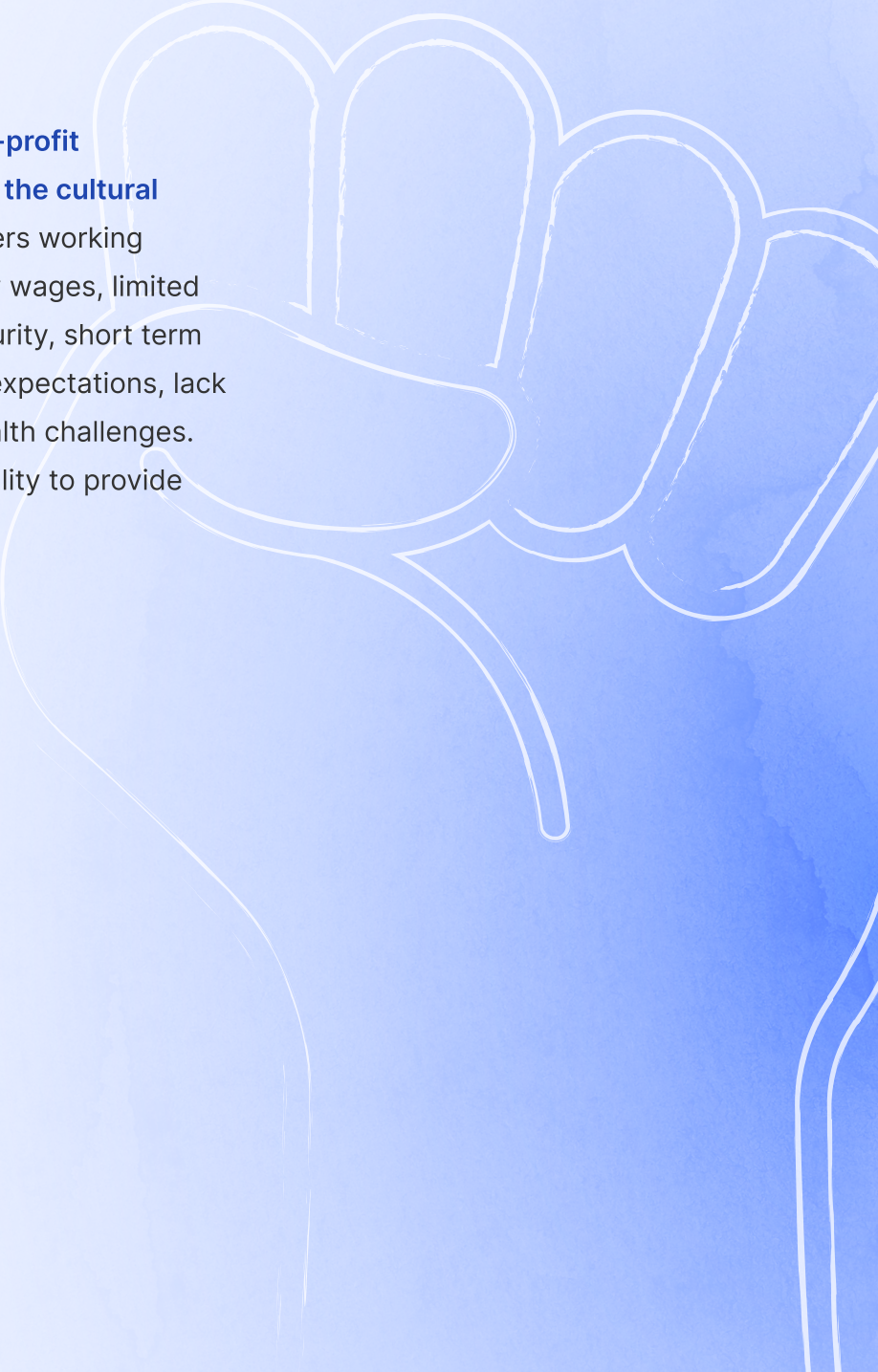
SECTION 5:

Hiring institutions have an obligation to co-create contracts with artists and cultural workers for any amount of services exchanged (both barter and financial).

ARTICLE V:

Right to Transparent Decision Making, Power Sharing, and Accountability

Cultural workers on the front lines of non-profit organizations are vital to sustainability of the cultural sector. Similar to artists and cultural workers working outside of these institutions, they face low wages, limited benefits, overwork and burnout, job insecurity, short term contracts, volunteerism and unpaid work expectations, lack of inclusivity and diversity, and mental health challenges. These conditions limit cultural workers' ability to provide support or consistent payment for artists.



SECTION 1:

Artists and cultural workers (both permanent and temporary) have the right to advocate for a worker centered culture in non-profits in which all workers have the power to influence the programs in which they work, the conditions of their workplace (or institution they contract with), their own career paths, and the direction of the organization as a whole.

SECTION 2:

Artists and cultural workers (both temporary and permanent) have the right to form employee-led groups called Employee Resource Groups (ERG's) that are dedicated to improving their work conditions. More information can be found at GREATPLACETOWORK.com

ARTICLE VI:

Intellectual Property Rights

Safeguarding intellectual property (IP) rights at the outset of any working agreement is essential for artists and cultural workers in order to work confidently in any collaboration. In the arts and cultural sector, this safeguarding also prevents misappropriation of traditional knowledge and culture.



SECTION 1:

Hiring institutions have an obligation to discuss intellectual property rights and knowledge management practices, and the use of AI technologies at the onset of any partnership with an artist or cultural worker.

SECTION 2:

Hiring institutions have an obligation to develop more equitable ways to conceptualize ownership by recognizing intellectual labor, knowledge of local communities, and property rights structures of tribal nations.

SECTION 3:

Hiring institutions collaborating with Indigenous peoples should honor Article 31 of the United Nations Declaration on the Rights of Indigenous Peoples “to maintain, control, protect and develop their cultural heritage, traditional knowledge and traditional cultural expressions, as well as the manifestations of their sciences, technologies and cultures, including human and genetic resources, seeds, medicines, knowledge of the properties of fauna and flora, oral traditions, literatures, designs, sports and traditional games and visual and performing arts.”

ARTICLE VII:

Right of Access to Resources

The Artist and Cultural Workers Bill of Rights advocates for a more equitable grantmaking process that is culturally and linguistically accessible for multilingual learners⁵ as well as Deaf and hard of hearing communities⁶. Grantmakers are encouraged to allocate a percentage of their annual budget to create proper access for artists and cultural workers during solicitation, submission, and support phases of the grantmaking process.

5. According to data from the New York State Office of General Services, over 5.7 million people in New York State report speaking a language other than English.. Of these, 2.5 million report speaking English less than well. Based on the 2020 American Community Survey, the top 12 most common languages among Limited English Proficient New Yorkers are: 1. Spanish; 2. Chinese; 3. Russian; 4. Yiddish; 5. Bangla; 6. Korean; 7. Haitian Creole; 8. Italian; 9. Arabic; 10. Polish; 11. French; 13. Urdu. <https://ogs.ny.gov/new-york-state-language-access-law#:~:text=Top%2012%20NYS%20non%2DEnglish%20Languages,-What%20are%20the&text=Over%205.7%20million%20people%20living,Urdu>

6. Using data from the American Community Survey, conducted by the U.S. Bureau of the Census, which asks residents nationwide whether they are Deaf or have difficulty hearing, researchers at Rochester Institute of Technology's National Technical Institute for the Deaf have just released a study that concludes that Rochester, "with some certainty," indeed has the largest deaf and hard-of-hearing per capita population in the country among those ages 18 to 64. <https://www.rit.edu/news/rochester-areas-deaf-population-better-defined>

SECTION 1:

Grantmakers have an obligation to provide language access services for potential applicants who are multilingual learners during solicitation, submission, and support phases of the grantmaking process.

SECTION 2:

Grantmakers have an obligation to provide American Sign Language (ASL) interpretation for potential applicants who are deaf and hard of hearing throughout the grantmaking process, during solicitation, submission, and support phases of the grantmaking process.

Back Matter

WORK CITED

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LITERATURE REVIEW

- [#FundExcludedWorkers](#)
- [ACRE \(Action Center on Race and the Economy\): Worker Campaigns](#)
- [AFSCME Culture Workers United](#)
- [Artists and journalists at risk: Building synergies to promote freedom of expression](#)
- [City of Chicago: Creative Workers Rights](#)
- [Climate Justice Alliance: Communities United for a Just Transition \(Analysis\)](#)
- [Culture Worker, Not A “Creative”](#)
- [Defending Creative Voices: Artists in emergencies Learning from the safety of journalists](#)
- [Delivery Workers Bill of Rights](#)
- [Domestic Workers Bill of Rights](#)

- [Model Alliance: The RESPECT Program](#)
- National Arts Statistics and Evidence-based Reporting Center (NASERC): Measuring the Arts: Indicator A.1: Who Are the Artists?
- [National Arts Statistics and Evidence-based Reporting Center \(NASERC\): Measuring the Arts: Indicator A.2: Who Are the Other Cultural Workers](#)
- [NYC Consumer and Worker Protection: Worker's Bill of Rights](#)
- [Protect Youth Workers Pledge](#)
- [Protecting Freelance Workers](#)
- [Recommendations for Live Performance Pay & Professional Protections for Working Musicians](#)
- [Sample Employment Agreements for Domestic Workers | US Department of Labor](#)
- [The Accountability Project](#)
- [The Artist Rights Alliance](#)
- [Unemployment Bridge Program](#)
- [Unemployment Bridge Program Fact Sheet: UBP's Impact on Freelance Workers](#)
- [UNESCO Recommendation concerning the Status of the Artist](#)
- [Wages for and against Art Work: On Economy, Autonomy, and the Future of Artistic Labour](#)
- [Worker Boards Across the Country Are Empowering Workers and Implementing Workforce Standards Across Industries](#)
- [Workshop: Catalyzing Change for Workers](#)

Working Group Biographies

Bathabile Mthombeni

is the founder of Untangled Resolutions which provides DEIB (Diversity, Equity, Inclusion, and Belonging) Coaching, Mediation, & Reconciliation Process Design. For CRNY, they provided assistance in the design of our conflict mediation process, provided mediation between collaborations, and facilitated and co-authored the Artist and Cultural Workers Bill of Rights.

Christine Yvette Lewis

A multi-disciplined performing artist, Christine is an actress, poet, musician, organizer, activist, and member of Domestic Workers United (DWU). From advocating for a Domestic Workers Bill of Rights in Albany to hosting poetry pop-ups in the park, Christine amplifies the need for fair labor standards and living wages while championing power and respect for women who live and work in the shadows.

Cjala Surratt

Cjala is a dedicated advocate for equity and restorative justice in the arts and culture sector. An alumna of the College of Visual and Performing Arts at Syracuse University, she brings over 20 years of experience in public relations and community outreach, working with organizations such as Community Folk Art Center, Redhouse, Light Work, Syracuse Community Choir, and Urban Video Project.

Diana Pryntz

Diana is the co-founder of Deaf Refugee Advocacy and currently serves as its Executive Director.

Evelyn D'Agostino

Born in Arraiján, Panama, Evelyn is the Founder and Treasurer of Grupo Cultural Latinos En Rochester. Her work fosters awareness of Latin American folklore while promoting cultural integration and diversity.

Faith Harper

Faith participated in CRNY's Artist Employment Program, collaborating with Domestic Workers United to create a zine by and for domestic workers.

Hayden Haynes

A mixed-media artist specializing in antler carving, Hayden grew up on the Seneca-Cattaraugus territory in Western New York. He is currently the Director of the Seneca Iroquois National Museum and Onöhsagwë:de' Cultural Center in Salamanca, New York.

Ife Olujobi Ife

is a Brooklyn-based Nigerian-American playwright, screenwriter, and editor from Columbia, Maryland. They are a 2020–22 Resident Artist at Ars Nova, a member of the Obie-winning Youngblood at Ensemble Studio Theatre, and a recipient of a 2020 Sloan Foundation commission from Manhattan Theatre Club. Their past accolades include fellowships with The Lark and the Sundance Institute Theatre Lab and artist residencies at Soho Rep and the Public Theater.

Ivy Hest

Ivy is the Co-Executive Director of Columbia County Sanctuary Movement and a community organizer with over 15 years of experience. She excels at quickly learning complex issues, building relationships, strengthening diverse memberships, and increasing grassroots funding.

Jana Lynne (JL) Caldetera Umipig

Jana Lynne is a Cultural Organizer, Cultural Bearer, Creative, and Educator from Honolulu in the Kingdom of Hawaii, now based in Lenapehoking Territory (Bronx, NY). She uses multidisciplinary arts, somatic healing, and decolonial education to support her work in cultural organizing and preserving cultural traditions.

Taij Kumarie Moteelall

Taij is a visionary, healer, and entrepreneur committed to building a solidarity economy rooted in harmony between people and the planet. As an Arts + Activism Resident at Jahajee, she is writing and directing Jahaje's Rising, a TV series exploring gender justice, healing, and restorative justice.

Vanessa Bretas

Vanessa participated in CRNY's Artist Employment Program, collaborating with Domestic Workers United to create a zine by and for domestic workers.