



**NATIONAL
ASSOCIATION
FOR THE
VISUAL ARTS**

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Arts and Culture
Modern Awards Review 2023-2024
Fair Work Commission
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Modern Award Review – Arts and Culture Sector (AM2023-21)

Submission by National Association for the Visual Arts (NAVA)

NAVA welcomes the opportunity to contribute and provide submissions to the Modern Awards Review 2023-2024 through the Fair Work Commission.

Background

The National Association for the Visual Arts (**NAVA**) is an independent membership organisation that brings together the many voices of the visual arts, craft and design sector to improve the fundamental conditions of work and practice. We do this through advocacy, education and the Code of Practice for the Visual Arts, Craft and Design.¹

NAVA was established in 1983 as the peak body for the visual arts. Today, our community is made up of over 50,000 Members, subscribers and followers, consisting of artists, arts workers and arts organisations.

Through the Code of Practice for the Visual Arts, Craft and Design, NAVA sets out good practice approaches for working relationships, ethical industry standards of access and inclusion, and rates of pay for visual artists, craft and design practitioners and arts workers within our sector which are currently not covered by existing industrial instruments under Australian law.

In this submission, the term “artists” is used to encompass visual artists, as well as craft and design practitioners.

In response to the Fair Work Commission’s Arts and Cultural Sector Discussion Paper, NAVA advises the following.

Chapter 2. The arts and culture sector

1. **Are there particular industries or occupations that should form the focus of the Commission's consideration of the arts and culture sector in this Review? If so, why?**
 - 1.1. NAVA advocates for a new award to address the lack of meaningful and consistent award coverage for the visual arts, craft and design sector, providing workers with a sufficient safety net. Current attempts to fit artists and arts workers into existing awards leads to systemic non-compliance, underpayments, wage theft, and a lack of acknowledgement of the proper value of their work.
 - 1.2. Job descriptions within the sector often demand a substantial workload for relatively modest compensation, introducing ambiguity and confusion. Different aspects of an individual's job description may potentially fall under various awards, exacerbating the lack of clarity. This complexity intensifies when determining which award should take precedence, leading to internal confusion within the same organisation and discrepancies between organisations applying different awards to similar positions.
 - 1.3. Over two decades ago, concerns emerged about the absence of standards for working conditions in the contemporary visual arts and craft sector.² The retrofitting of existing awards by organisations in the visual arts, craft and design has resulted in confusion and inconsistency in wage application across roles.
 - 1.4. Recent job postings exemplify this issue, with similar salary offerings for different level positions - a mid-sized non-profit art organisation offered \$65,000 for a full-time art studio program officer, while an art studio advertised a trainee position at \$60,000. This underscores the necessity for clear and consistent guidelines on remuneration, considering experience, expertise and the requirements of the role.
 - 1.5. The application of awards that are not fit for purpose fails to capture the specialised requirements of roles within the visual arts, craft and design. For example, employees in a visual arts or craft and design organisation often engage in diverse activities, such as supporting the production and presentation of bespoke handmade artworks, developing and delivering workshops and talks, and producing or participating in events beyond regular business hours. Existing awards lack the specificity required for these multifaceted activities, necessitating industry-specific knowledge and expertise.
 - 1.6. The establishment of a visual arts award would address long-standing confusion and discrepancies among employers and employees. A fit for purpose award for the visual arts will provide much-needed clarity for both employers and employees, fostering a more equitable and sustainable framework for the growth of the sector as a whole and an appropriate safety net.
 - 1.7. Consideration of the visual arts, craft and design sector must encompass the workplaces of Aboriginal and Torres Strait Islander visual artists, with input from

[Creative Australia](#), the [Indigenous Art Code](#), [Desart](#), [AACHWA](#), [ANKA](#), and other peak bodies representing over 90 Aboriginal and Torres Strait Islander-owned art centres and thousands of artists.

- 1.8. Extending award coverage for the visual arts, craft and design sector offers:
- **Clarity and consistency:** a resolution to confusion and discrepancies for employee terms and conditions.
 - **Legislated safety net:** Guarantees access for artists and arts workers to adequate remuneration, benefits and protections that reflect the proper value of their work.
 - **Supported workforce:** Enhances job security and overall well-being for artists and arts workers.
 - **Sector sustainability:** Improves career pathways and structures, addressing the attraction and retention crisis for professional working artists and arts workers.

2. Are there any industries or occupations that should be added to or removed from our consideration of the arts and culture sector for the purpose of the Review more broadly?

2.1. Current ANZSIC and ANZSCO Codes inadequately encompass the diverse occupations and practices within the visual arts, craft and design. Notably, the concept of design within the visual arts differs from the ‘design services’ ANZSIC Code outlined in the Arts and Cultural Sector Discussion Paper (p. 9). It is essential to include specific considerations for visual arts elements that currently lack representation in the ANZSIC and ANZSCO Codes for the purpose of the Review.

ANZSIC Code	The visual arts industry not included under ANZSIC Code
<u>Design services:</u> commercial art, fashion design, graphic design, interior design service, jewellery design, signwriting, textile design, and ticket writing.	<u>Design:</u> bespoke, handcrafted objects, typically one-off, including ceramics, glass, textiles (eg traditional weaving), and wood.
<u>Museum Operation:</u> includes Art gallery operation (except retail), and Art museum operation (except retail).	<u>Visual arts, craft and design operation:</u> Art organisations with activity beyond art gallery operation, such as studios, First Nations art centres, workshops, residencies, festivals, prizes, service provision, advocacy, and touring exhibitions.

ANZSCO Code	Visual arts occupations not included under ANZSCO Code
<u>Arts Administrators or Managers:</u> <ul style="list-style-type: none"> ● Art Gallery Director ● Community Arts Centre Manager ● Cultural Centre Manager 	<u>Occupations include:</u> Access Coordinator Exhibitions / Collections Conservator / Registrar

	<p>Curators, art directors, producers and programmers Development / Fundraising Educators / Community Engagement / Public Programs First Nations (identified roles) Front of House / Reception / Visitor Services Gallery Assistant Gallery Technician / Preparator / Art Handler / Installer Marketing / Communications / Publicity Membership Manager Retail Manager Studio Assistant / Coordinator / Manager Volunteer Coordinator</p>
<p><u>Gallery or Museum Curators:</u> Plans and organises a gallery or museum collection by drafting collection policies and arranging acquisitions of pieces.</p>	<p><u>Curators</u> not working with collections</p>
<p><u>Visual Arts and Crafts Professionals:</u> arts, craft and design practitioners 211411 Painter (Visual Arts) 211412 Potter or Ceramic Artist 211413 Sculptor 211499 Visual Arts and Crafts Professionals nec (Leadlighter, Multimedia Artist, Quilter, Textile Artist)</p>	<p>The current ANZSCO Codes fail to recognise the breadth of practice and often multidisciplinary nature of work in the visual arts, craft and design including: Drawing, printmaking, works on paper Installation and performance Public art Moving image, video, sound, digital Light, projections Objects design Glass Mosaic Jewellery (i.e. hand-crafted, one-off or limited production)</p>

Chapter 3. What is modern award coverage?

3. **If advocating for a new award to address coverage gaps in the arts and culture sector, how is it proposed that such an award defines its coverage? For example, would the award be expressed to cover employers or employees in an industry or employees in particular occupations and their employers, or both?**
 - 3.1. NAVA endorses the recommendation in the Australian Council of Trade Unions' **(ACTU)** submission to broaden award coverage by encompassing both industry employers and specific occupations, thereby maximising the broadest possible coverage and minimising existing gaps.
 - 3.2. A comprehensive Visual Arts Award must cover industry employers and employees in particular occupations. An award that sets out clear payment rates and terms of

employment is needed so organisations employing artists and arts workers are required to provide minimum terms and conditions, including but not limited to wages, penalty rates, overtime and meal breaks.

- 3.3. As stated in the government's National Cultural Policy — *Revive: a place for every story, a story for every place*,³ the Government invests in arts and culture through a broad range of portfolios – including Infrastructure, Foreign Affairs and Trade, Indigenous Australians, Environment, Home Affairs, Veterans' Affairs and Defence – and using a variety of investment, regulatory, revenue and policy mechanisms.
- 3.4. Limiting award coverage to an employer-centric model would exclude the many businesses and organisations outside of the arts sector that employ artists and arts workers undertaking visual arts work across health, education, IT, the construction industry and more. An employer-centric model would also likely extend coverage for workers such as cleaners and security staff which is not required as they are already covered by existing occupational awards.

4. Are there any responsive views addressing the content in chapter 3?

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Chapter 4. Modern awards with possible coverage in the arts and culture sector

5. Are there employees working in the arts and culture sector that may be covered by an award that has not been included in this chapter?

- 5.1. The visual arts, craft and design sector, along with certain segments of the broader arts industry, operate within a patchwork system of inconsistent award application and encounter misinterpretations of pre-reform awards. The primary issue stems from the absence of an independent standalone award, leading to non-compliance. Currently, the sector relies on various adapted instruments, as there is no dedicated award specifically tailored for visual arts, craft and design. This lack of a dedicated framework results in inconsistency and a lack of clarity regarding remuneration for individuals in the sector.
- 5.2. In Australia, there are hundreds of galleries and arts organisations, with the majority of organisations being small-to-medium not-for-profit businesses operating with limited funds and a small team. Most of them are not covered by an existing award.
- 5.3. According to NAVA's research on the recent Code of Practice revision, employers in the visual arts, craft and design sector often adapt existing awards to fit roles in their gallery or organisation. Some resort to Enterprise Agreements, while others follow the recommended payment standards in NAVA's Code of Practice. A few make up

their own numbers or rely on volunteers to do the work of what should be paid staff. NAVA has heard from employers and employees of multiple issues arising when seeking clarification on award coverage at the Fair Work Ombudsman, leading to ambiguity.

- 5.4. A 2023 NAVA survey of 100 employer groups revealed that nearly 50% use existing awards to set payment rates for some or all employees at their gallery or organisation, and 60% reference NAVA's Code of Practice Payment Standards⁴.

Top awards applied:

- 27% Amusement, Events and Recreation Award 2020
- 14% Local Government Industry Award 2020
- 6% Live Performance Award 2020
- 3% Educational Services (Post-Secondary Education) Award 2020
- 3% Clerks—Private Sector Award 2020
- 1% Broadcasting, Recorded Entertainment and Cinemas Award 2020

- 5.5. NAVA's research highlights a critical issue: organisations applying the same award often categorise jobs differently, leading to inconsistency, especially in the application of the Amusement, Events and Recreation Award 2020, which is often inadequate for various roles in the visual arts, craft and design. Some state galleries fall under a state-based public sector award, while some local government-run galleries employ their staff under the Local Government Industry Award 2020. To address the inadequacy, many turn to NAVA's Code of Practice and or rely on volunteers.

- 5.6. In follow-up meetings with the sector, many explained that it is because the award does not adequately fit but they are trying to make it work.

- 5.7. It is crucial to emphasise that most employers in the visual arts, craft, and design genuinely strive to do the right thing. Clear and consistent minimum standards are essential to verify compliance and instil confidence among employers in the visual arts, craft, and design sectors, reassuring individuals that they are on the right path.

- 5.8. Awards not included in chapter 4 of the discussion paper:

Part-time and casual craft and design makers fall under the Manufacturing and Associated Industries and Occupations Award, excluding glass.

Short course and workshop tutors in the visual arts, craft and design may be classified under the Educational (Post-Secondary Education) Services Award.

Some roles in galleries, studios and other visual arts, craft and design organisations may align with the General Retail Award and the Clerks - Private Sector Award.

Employees in service organisations and peak bodies may be covered under the Social, Community, Home Care and Disability Services Award.

5.9. Awards included in Chapter 4:

Amusement, Events and Recreation Award

The application of this award is inconsistent, particularly in classifying roles within art galleries including Gallery Managers, Curators, Installers and Gallery Attendants.

NAVA was told by one gallery that they employ various positions under this award including:

- Assistant Curator
- Collections
- Curator
- Development (inc sponsorship and philanthropy)
- Exhibitions and Collection Manager
- Education and Public Programs Manager
- Gallery Technician
- Marketing
- Membership Manager
- Registrar
- Retail Manager
- Visitor Services
- Volunteer Coordinator.

Meanwhile, another gallery limits it to Front of House/Visitor Services, excluding the following roles:

- Administration Manager
- Administrative Assistant
- Administrator
- Artist
- Business Development
- Customer Service
- Education and Public Programs Manager
- Educator
- Executive Assistant
- Executive Director
- Gallery Assistant
- Marketing
- Public Programs
- Reception
- Retail Manager
- Studio Assistant
- Studio Coordinator
- Volunteer Coordinator.

- 5.10. There is also confusion regarding installers, as the reference to exhibition technicians in the Amusement, Events and Recreation Award seems to lean towards trade exhibitions at convention centres rather than specialised art handlers, production and install staff or preparators in an art gallery.

- 5.11. It is important to note that before the award modernisation process carried out under Part 10A of the Workplace Relations Act 2006 (Cth), the Federal Exhibition Industry Award 2001 covered roles related to the supply, preparation, marking out, fabrication, installation, erection or dismantling of exhibition stands or associated componentry for the Trades and Public Promotions Industry. This award was combined with the Amusement, Events and Recreation Award.
- 5.12. In this context of the Exhibition Industry Award 2001, an Exhibition Technician refers to someone qualified in a trade required by the employer engaged with in-house preparation, loading or unloading, marking out, carpet laying, fabrication, installation, or the erection or dismantling of exhibition stands. While similar in some aspects, it is crucial to recognise the distinctions in work and specialist art handling skills in a gallery setting.
- 5.13. **Local Government Industry Award**
The Local Government Award falls short in accommodating the diverse nature and scale of galleries, where different roles may be consolidated into a single position. For instance, NAVA was told by one small local government-run gallery that the Gallery Development Officer at level 6 encompasses various responsibilities such as curator, studio manager, specialist technician, installer, gallery director and manager, creating a mismatch with individual positions.
- 5.14. Complications arise from the award's rigid working hours, presenting challenges for after-hours or weekend events at galleries. Reported concerns include disputes over pay rates and role descriptions. Councils struggle to address these issues, as unions may not fully grasp the specialised nature of roles held by arts professionals in local governments.
- 5.15. Given that local governments play a significant role as funders and employers of artists and art workers in Australia, it is crucial to tailor award coverage to the specific needs of workers in this field.
- 6. Are there employees performing work of a similar nature to the work performed in the arts and culture sector that are not currently covered by an award but should be?**
- 6.1. Visual arts occupations, like artists, require an award with the same level of detail and industry recognition as the Live Performance Award 2020 to effectively address the sector's diversity. For the reasons addressed above, award coverage for visual arts occupations is inconsistent and unclear and there are many circumstances where visual arts occupations are not covered by a modern award. Additionally, unions play a crucial role in advancing the performing arts, leading to enhanced government support when performers gain a wage increase through their award process.

Chapter 5. Potential gaps in award coverage of the arts and culture sector

7. **Are there any other occupations in the arts and culture sector not covered by a modern award?**

7.1. Occupations in the arts and culture sector award which are not covered by a modern award include, without limitation:

- Access Coordinator
- Advisory
- Visual Artist, Craft Practitioner and Designer
- Exhibitions and Collections staff
- Conservators and Registrars
- Curators
- Educators and Public Programs
- First Nations (identified roles)
- Front of House and Visitor Services
- Gallery Assistants
- Marketing and Communications
- Membership Managers
- Specialist Technician, Production and Installation
- Studio Assistants, Coordinator and Managers
- Volunteer Coordinators.

8. **Are there any industrial contexts in which occupations, such as a painter, are engaged that fall outside current award coverage?**

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9. **Do parties agree that the Miscellaneous Award may not cover certain workers, such as artistic directors or media producers?**

9.1. The Miscellaneous Award fails to align with sector expectations for an award.

10. **To what extent are workers in the sector who are not currently covered by an award likely to be employees capable of being covered by modern awards?**

10.1. For the reasons that follow, employees in the visual arts, craft and design sector are capable of modern award coverage.

10.2. In various scenarios, employers in the visual arts, craft and design sector implement diverse approaches to provide terms and conditions to employees. Some adapt existing awards or utilise enterprise agreements, while others follow NAVA's Code of Practice, a volunteer framework setting industry and payment standards. Additionally, a significant number of workers, despite regular employment, are

categorised as contractors due to perceived necessity, and a quarter of artists receive casual payments without contracts.⁵ Visual arts, craft and design organisations, including galleries and festivals, rely heavily on contractors and casual staff for short-term projects or peaks in programmed work. For example, art installers may be required full-time two-to-four weeks every three months for changeovers in exhibitions, deinstalling one exhibition and installing the next one.

- 10.3. Unlike the performing arts sector, visual artists lack a specific industry award, necessitating the creation of a modern award tailored to their needs. Such an award would address the existing gaps, inconsistencies, and challenges, ensuring equitable compensation, working conditions, and legal protection. NAVA's Code of Practice, offering minimum pay guidelines, could seamlessly integrate into this modern award structure, having undergone a comprehensive review in 2022. The payment standards were informed and agreed upon through extensive consultation with thousands of artists, arts workers and employer groups over three years. The Code of Practice was endorsed by the Australian Government in January 2023 as part of *Revive*.
- 10.4. The Discussion Paper highlights the exclusion of many visual artists from modern awards due to the intermittent nature of their work. While many artists operate as self-employed or independent contractors, there are occasions when longer or shorter-term employment may be offered, such as an artist-in-residence program.
- 10.5. Case studies such as the ArtKeeper⁶ program at Home of the Arts' (HOTA), exemplify the need for tailored awards for fixed-term employment in the arts. The program employs four artists on the payroll for a fixed term of six months. Without an award, the rate is modelled on the \$750 JobKeeper program during the pandemic, over 3 days per week (22.33 hours). Artists are employed to make new work, share their creative processes, stories and ideas with audiences, and influence HOTA's plans, programs and day-to-day operations.
- 10.6. Beyond sales income, artists are currently paid for labour-based activities, like presenting talks, developing and teaching workshops, working as an artist in residence, attending numerous meetings regarding a commission, contributing to education packs aligned with exhibitions for schools, consulting/giving advice, judging an art prize and peer-assessing grant applications. This type of work may be one-off or regular with the same organisation over several years.
- 10.7. The absence of a standardised framework results in the ad-hoc establishment of individualised pay rates and conditions, potentially enabling exploitative practices. This lack of a formal structure limits artists' ability to enforce fair compensation and working conditions.
- 10.8. NAVA seeks the incorporation of per engagement or pieceworker and commission payments into new or existing awards, drawing inspiration from examples such as the Live Performance Award 2020, the Horticulture Award 2010, the Textile, Clothing, Footwear and Associated Industries Award 2010, the Wine Industry Award

2010 and the Real Estate Industry Award 2010. Piecework involves payment based on the quantity of work completed, offering flexibility. The amount an employee earns each week may vary depending on how much work they do. Some employees may be paid piece rates instead of hourly or weekly pay rates. Further, some employees may be paid by a mixture of piece rates and hourly rates.

- 10.9. Currently, fee payments in Australia rely on voluntary arrangements, resulting in varying levels and methods of compensation for artists' fees, loan fees and exhibition fees. This lack of uniformity sometimes leads to the inclusion of the artist's fees in the installation process cost, a burden often shouldered by the artist.⁷
- 10.10. Drawing parallels with the Mannequins and Models Award 2020⁸, visual artists could benefit from a similar "gig" model for casual employment during exhibitions/programs. These rates could be modelled on NAVA's Code of Practice payment standards on [Artist Fees \(new work\)](#).⁹
- 10.11. Instances of sham contracting persist in the sector, with NAVA receiving reports of misclassification, leading to issues such as unpaid superannuation and mistreatment. Employees who are hired to ongoing positions are often incorrectly told by their employers that they are independent contractors and are required to have an ABN, submit invoices and source their own insurance, with little opportunity to negotiate their pay rate. This occurs across a range of arts spaces including local governments, commercial or not-for-profit studios and workplaces. For too long, art has not been recognised as work and often employers are not aware that they are doing the wrong thing.
- 10.12. Case study: In April 2022, artist Madeleine Thornton-Smith shared the results of an online callout to ceramics and visual arts workers who had experienced sham contracting in *The Journal of Australian Ceramics*¹⁰. She found that wage theft appeared in many forms, 'such as not being able to invoice for all hours worked (like set-up and clean-up), unpaid internships or voluntary shifts for 'experience'. Some workers sent invoices that were never paid; others were paid in cash or required to sign contracts with illegal non-compete clauses or 'exit fees'. For contracted workers, superannuation was rarely paid, with insurance obtained by the worker. Many workers experienced mistreatment for bringing up workplace concerns thus breaking the Fair Work Act 2009 protections for independent contractors against adverse action.'

11. Do the parties have a view about the potential impact of the Closing Loopholes Bill on the arts and culture sector?

- 11.1. The Closing Loopholes Bill, while introducing positive reforms for labour hire and sham contracting, falls short in its application to gig workers in the visual arts, excluding a significant portion of artists and arts workers. The Bill is limited to gig workers who exclusively work on a digital platform, yet there is no digital platform in the visual arts for hiring workers. As explained in the ACTU's submission, these

workers lack bargaining power and face lower remuneration and working conditions without guaranteed minimums.

- 11.2. Despite the government recognising arts workers as the original gig workers in *Revive*, the Bill misses an opportunity to address the unique challenges faced by a large cohort of artists and arts workers on short-term contracts based on project funding.
- 11.3. Although the Bill grants access to the Fair Work Commission for dispute resolution, it is unclear whether artists and arts workers can utilise this mechanism for issues related to labour hire and sham contracting. The provisions addressing "employee-like" workers should be expanded to cover all those facing low bargaining power, job insecurity, and financial risks, especially in the context of the visual arts sector.
- 11.4. NAVA advocates for the inclusion of visual artists and arts workers in the extended powers of the Fair Work Commission, emphasising the need to encompass ongoing contractors in the arts, such as art installers working part-time or full-time on projects, sometimes for multiple businesses.
- 11.5. The Fair Work Commission should establish and enforce minimum standards for artists and arts workers who are involved in employee-like types of work, addressing disputes related to unfair contract terms including:
 - Pay rates
 - Employee-contractor classifications with no corresponding contractual adjustments
 - Inability to negotiate contracts
 - Absence of contract
- 11.6. The Fair Work Commission should assess factors such as:
 - Maximum weekly working hours
 - Minimum hourly pay rates (based on minimum wage or award)
 - Workplace protections, refer to <https://www.fairwork.gov.au/employment-conditions/protections-at-work>

12. Is digital platform work common within the arts and culture sector?

- 12.1. No, not in the visual arts.

Chapter 6. Changing modern award coverage

13. Chapter 6 introduces the modern award objective, now encompassing the promotion of gender equality in the workplace by:
 - ensuring equal remuneration for work of equal or comparable value
 - eliminating gender-based undervaluation of work and
 - providing workplace conditions that facilitate women's full economic participation.

13.1. Although the Commission did not address gender equity in the Discussion Paper questions, NAVA emphasises gender inequity in the visual arts, where women are well-represented in administration and cultural management positions, but significantly underrepresented in leadership positions and major arts institutions.¹¹ Despite over 70% of Australian art school graduates being women,¹² women and gender-diverse people continue to face significant underrepresentation in leadership roles, and collections and exhibitions of major visual arts institutions.¹³ A persistent gender pay gap in the visual arts sector – worse than all other industries – as highlighted by the most recent Throsby Report.¹⁴ Women are underrepresented among artists earning more than \$50,000 in any type of work compared to men, and overrepresented among artists earning less than \$10,000 across all types of work.

13.2. In Australia (2016), women constitute 54% of the estimated 8,600 practising professional visual artists and 58% of the estimated 3,000 craft practitioners. Additionally, three-quarters of all artworks made within Aboriginal and Torres Strait Islander art centres are produced by female artists, while women artists with disability significantly outnumber male artists.

14. Are any of the occupations identified as possible gaps in award coverage in this paper, or by the parties, occupations that could not be covered by awards because of section 143(7)?

14.1. No.

NAVA notes that visual artists and arts workers have historically simply “fallen through the gaps” of award coverage.

15. For the occupations identified as gaps in award coverage in this paper, or by the parties, which awards could be varied to close the gap?

15.1. NAVA urges the creation of a new, specialised award to fill the gap in meaningful recognition and award coverage for the visual arts, craft and design sector. Alternatively, significantly expanding coverage of the Amusement, Events and Recreation Award 2020 and incorporating “Visual Arts, Craft and Design” or “Arts” into its title is a viable option.

16. Are there any other legislative provisions or significant decisions pertinent to the Commission’s consideration of the arts and culture sector in this Review?

Chapter 7—Minimum entitlements in awards

17. Are there any responsive views addressing the content in chapter 7?

- 17.1. Wage underpayment and neglect of entitlements are widespread in the visual arts, craft and design sector, as highlighted by the Fair Work Commission in Chapter 7 of the Arts and Cultural Sector Discussion Paper. The diverse range of terms and conditions across awards leads to inconsistencies when multiple awards are applied in a single workplace. Establishing a legal framework to address this issue would have a tremendous impact on how visual artists and arts workers are compensated and recognised.

Please do not hesitate to contact us for any further information we can provide.

Sincerely,



Penelope Benton
Executive Director

Leya Reid
Advocacy and Communications Manager

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- ¹ Code of Practice for the Visual Arts, Craft and Design <https://code.visualarts.net.au/>
 - ² [Report of the Contemporary Visual Arts and Craft Inquiry](#), 2002.
 - ³ [National Cultural Policy—Revive: a place for every story, a story for every place](#), 2023
 - ⁴ Code of Practice for the Visual Arts, Craft and Design, Chapter 8: Payment Standards <https://code.visualarts.net.au/payment-rates/overview>
 - ⁵ Throsby, D. and Petetskaya, K. [Making Art Work: An Economic Study of Professional Artists in Australia](#), 2017
 - ⁶ ArtKeeper 2024 <https://hota.com.au/whats-on/live/event/artkeeper>
 - ⁷ [Report of the Contemporary Visual Arts and Craft Inquiry](#), 2002. p84
 - ⁸ Mannequins and Models Award 2020 <https://library.fairwork.gov.au/award/?krm=MA000117#viewer-page-heading>
 - ⁹ Code of Practice for the Visual Arts, Craft and Design, Artist Fees (new work) <https://code.visualarts.net.au/payment-rates/fees/artist-fees-creation-of-new-work>
 - ¹⁰ Thornton-Smith, M., Sham Contracting in the Ceramics Sector, The Journal of Australian Ceramics, April 2022, p.112-113 <https://australianceramics.com/shop/the-journal-of-australian-ceramics-vol-61-no-1-april-2022-jac-611>
 - ¹¹ National Gallery of Australia, [Gender Equity Action Plan 2021–2026](#)
 - ¹² The Countess Report <https://countess.report/>
 - ¹³ National Gallery of Australia, [Gender Equity Action Plan 2021–2026](#)
 - ¹⁴ Throsby, D. and Petetskaya, K. [Making Art Work: An Economic Study of Professional Artists in Australia](#), 2017, p.20