

**MODERN AWARDS REVIEW 2023-24
(AM2023/21)
SUBMISSION COVER SHEET**

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Modern Award Review Stream:

Arts and Culture:
Job Security:
Work and Care:
Usability of awards:

Introduction

1. Thank you for the opportunity to participate in the Modern Award Review 2023-34 for Arts and Culture. I have worked in the visual arts sector for over 4 decades, the last three decades in management roles in small-to-medium arts organisations. I am currently in the role of Director at Contemporary Art Tasmania.

Issues

2. Question 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?**

Visual Art and Design. Why: Current awards do not offer coverage which is meaningful for the visual arts sector nor do they have the clarity the Live Performance Award provides to the performing arts sector. All gallery program and administration positions at our Tasmanian organisation default to the Amusement, Events and Recreation Award 2020 but in practice it is not possible to align the activities and tasks of most positions with the Award.

3. Question 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?**

The visual art and design sector is omitted in the industry list.

Arts and cultural administrators/managers: the degree of specialisation, and the knowledge and skill sets, required by Curators, Conservators, Registrars and in Gallery Education roles should be recognised as distinct occupations.

Digital, Online and Accessibility programs are increasingly important across the arts and cultural sector with employment being created around new programs.

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

The Miscellaneous Award does not align with the specialised roles required in the visual arts and design sector.

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

The Closing Loopholes Bill's recognition of 'employee-like' conditions has real potential to put right the inadequate terms and conditions brought about by the unregulated, short-term contract regime through which Australia's visual artists, designer-makers and related arts-workers produce their work. While artists retain varying degrees of agency in the work they create and perform, the majority of independent artists have low bargaining power with relation to any contract and they receive remuneration far below the rate of an employed worker performing similar work.

Contemporary visual artists are contracted to make artwork that increasingly are not saleable objects and are paid based on a fee extrapolated from an older 'loan' model and for a payment that often recognises only a fraction of the time and material costs expended on developing and making the artwork.

Visual artists and designers need a new and enforceable award model with fair minimum standards for independent artists that may be similar to award conditions for casual employees, and include: minimum payment and expenses rates, base contract conditions, maximum hours of work, etc.

Signature:



Name:

Michael Edwards

Date:

04.12.2023