



Presentation to the Standing Committee on Finance

**On Budget Bill C-38
and The Abolition of
the Canadian Artists
and Producers
Professional Relations
Tribunal**

May 31st, 2012



Good afternoon,

Thank you for inviting me to testify before you on behalf of the arts, cultural industries and heritage institutions from coast to coast. My name is Alain Pineau, national director of the Canadian Conference of the Arts. Created in 1945 by, among others, members of the Group of Seven, the CCA is a nonprofit, nonpartisan organization composed of members representing nearly 400,000 professionals in the arts, culture and heritage throughout the country. The prospects that the CCA applies to questions of cultural policy are broad and long term. The unique contribution that CCA brings to public debate has been recognized by 46 years of financial support from the federal government.

The abolition of the Canadian Artists and Producers Professional Relations Tribunal and the transfer of its functions to the Canadian Industrial Relation Board is one of many amendment to other Acts found in Bill C-38.

The Tribunal was created in 1993 under the *Status of the Artist Act*. It governs professional relations (labour relations) between self-employed artists and federally regulated producers. It also grants the exclusive right to negotiate scale agreements with producers. A scale agreement specifies the minimum terms and conditions under which producers engage the services of, or commission works from, self-employed artists in a specified sector.

Some of our members were concerned that the Canadian Industrial Relations Board may not understand artists' issues and unique working conditions. We were comforted Monday night when we heard officials from the Department of Canadian Heritage confirm that some of the Tribunal expertise will be moving to the Board and that decisions will be based on the *Status of the Artist Act* and on jurisprudence accumulated since the creation of the Tribunal. Maintaining the *Status of the Artist Act* as a basis for decision is what matters: whether the CIRB or the current Tribunal decides on issues, should not matter much. I will note that Québec has taken a similar path in the administration of its own Status of the Artist legislations without negative repercussions. To sum up, given the guarantees provided by the government, this specific aspect of Bill C-38 is not of major concern.

This said, within the time given to me, I would be remiss not to use this unique opportunity to raise areas of greater concern in the budget:

- Like so many others, we rejoice in the fact that parliamentary appropriations to the Canada Council have been spared. The CCA is a strong protagonist of the importance for our economy, our quality of life and our international reputation, to invest in artists and creators. This being said, a reality check shows that in constant dollars, Parliamentary appropriations to the Canada Council on a per capita basis have actually declined between 1990 and 2010. Obviously, given this renewable and non polluting resource, we need to make more efforts if we don't want to miss opportunities to invest in Canadian creativity.
- Cuts in the audiovisual sector will have repercussions on the whole production sector in Canada. These cuts have many people, including the Quebec Minister of Finance, worry about the impact on the ecology of the system: cutting 10% to Telefilm, the NFB and the



CBC's budgets, not to mention the cumulative effects of past restrictions not yet absorbed, means breaking the balance between creation, public money and private investments. These public funds are often used for productions or for research and development that cannot rely on private money. We also emphasize that documentaries, a genre for which Canada has earned an international reputation, is particularly at risk.

- There is reason to rejoice in the fact that the budgets of the National Museums were also spared this year unlike previous years. But cuts at Library and Archives are major, widespread and have led archivists, a group not particularly prone to terrorism, to rise in protest to defend the budget of \$ 1, 7 M for the National Archival Development Program, which is very important for future historians and researchers. It is ironic that as we celebrate the War of 1812, a founding moment of our history too long neglected, and as we prepare to celebrate the 150th anniversary of our country, we have to fight such small battles in the fields of history.
- Several other cuts will affect the strength of a complex and so important sector in the knowledge and creativity economy;
 - Severe cuts to Statistics Canada kill off the last remains of the Culture Statistics unit, a division of former international reputation;
 - The elimination of the Cultural Human Resources Council and the abandonment of its programs;
 - Finally, cuts in the Canadian Music Fund will weaken creators who are already undermined by technological changes.

Dear Members of Parliament, I thank you for your attention and will be happy to answer any questions.