

STATE OF THE ARTIST

CHALLENGES TO THE NEW YORK STATE
ARTS & ENTERTAINMENT INDUSTRY
AND ITS WORKFORCE

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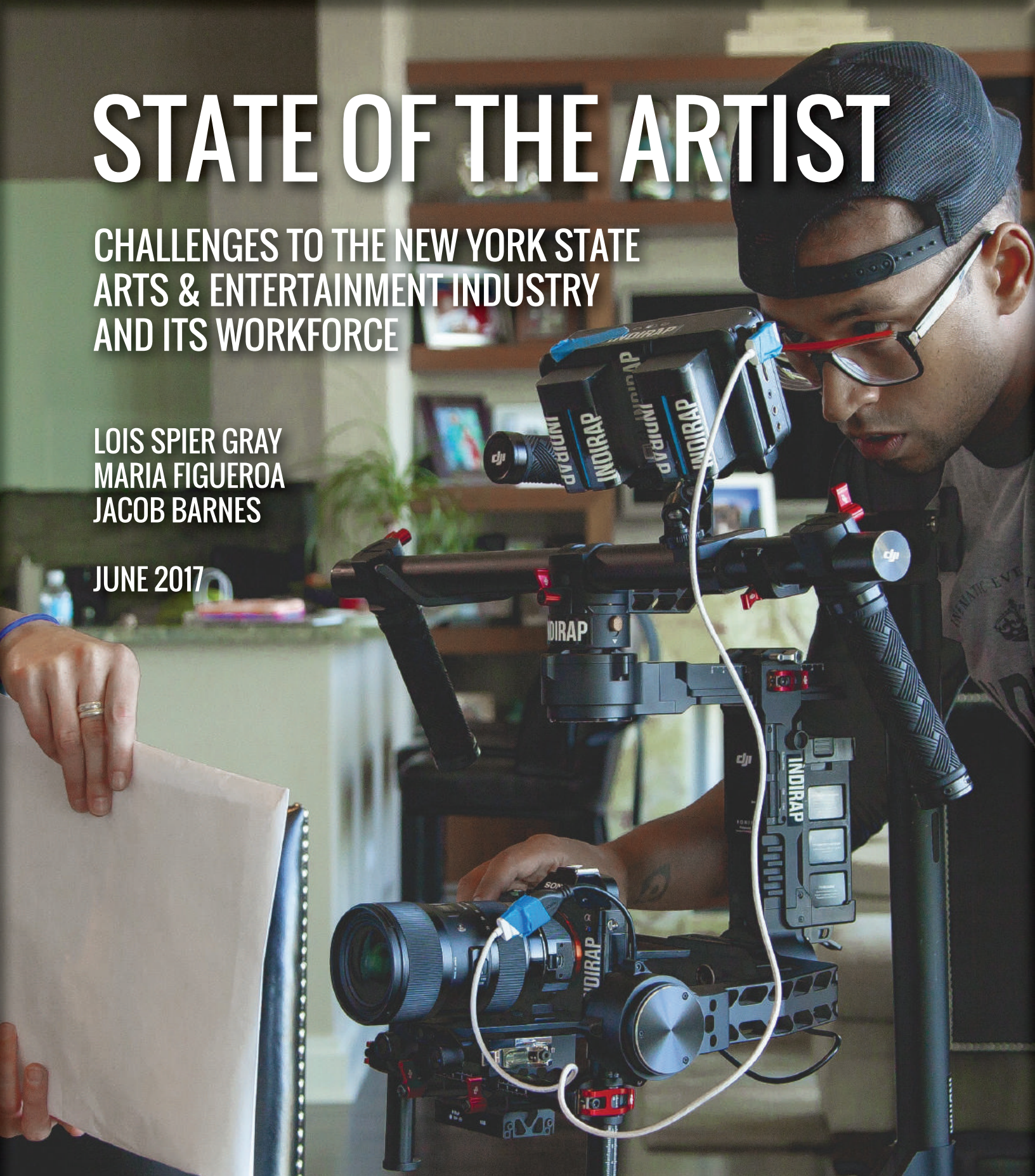




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KEY FINDINGS & POLICY IMPLICATIONS

New York State is a world center for the arts and entertainment industry and its vast and uniquely diversified workforce is its main competitive advantage. Funded by an appropriation from the New York State legislature, this report examines the strengths and the challenges facing this industry and its workforce in the state, identifying issues that offer a potential role for public and private policy.

NEW YORK'S ARTS AND ENTERTAINMENT INDUSTRY

Key Finding: *Arts and entertainment has been and continues to be an engine of growth for New York's economy.*

- New York is a world leader in the production of arts and entertainment, one of the United States' strongest growth and export industries.
- This industry, encompassing electronic media (film, broadcast, sound recording, and video games), live performing arts (theatre, music, and dance), and visual arts (museums, galleries, and art dealers) is a critical segment of the New York State economy. In 2014, A&E contributed over \$50 billion to the state GDP—4 percent of total value added—while employing over 350,000.
- The multiplier effect of A&E on New York's economy includes not only its impact on supplier and related industries, but also its broader impetus to technological innovation, tourism, jobs, and population.

Key Finding: *Arts and entertainment sectors continue to increase in size and impact.*

- Motion picture and television production in New York State employed nearly 55,000 across 3,359 establishments in 2015. Its continued growth is anchored in a skilled workforce and strong infrastructure and bolstered by competitive tax incentives.
- Television and radio broadcasting—including cable networks—accounted for another 34,000 jobs in 2015, with broadcast registering employment growth over recent years and cable losing ground to changes in technology.
- New York City, reflecting its cultural diversity, is a hub for the music industry including live music, concerts, the global recording industry, and basic support services. Emerging is New York's leading role in providing digital music services.
- New York is an international center for live entertainment—including theatre, music and dance—with more than 1,600 establishments employing close to 20,000 in 2015.
- New York is also a leader in visual arts with world-class museums, galleries and auction houses.

- Video game production, a national growth industry, employed over 13,000 New Yorkers in 2017, offering a strong growth potential for New York State.

Key Finding: *Currently New York’s arts and entertainment industry faces a number of critical challenges which threaten its continued growth.*

- Film and television production contends with competition from 34 other states, the District of Columbia, Puerto Rico, and many foreign countries that offer tax incentives and reduced labor costs.
- Worker-displacing technologies continue to upend employment, including number and content of jobs, across electronic media.
- Sound recording is threatened by the dramatic growth of digital distribution and piracy, resulting in declining revenue streams.
- Financial sustainability and scarcity of affordable space cloud the future of nonprofit performing and visual arts as government and foundation support continues to decline.

ARTS WORKFORCE

Key Finding: *The 351,000 New York State arts professionals, including performers, designers, artists, and specialized crafts, have distinctive characteristics as compared with other working New Yorkers.*

- While arts professionals reside throughout the state, they are heavily clustered in New York City and five other centers: Long Island, the Hudson Valley, and the counties of Erie (Buffalo), Monroe (Rochester), and Onondaga (Syracuse).
- Most A&E workers are highly educated. Two out of three have four year or graduate degrees, almost twice the percentage for the New York State workforce.
- Art workers are disproportionately young (under 40), suggesting age-related occupational attrition.
- Minorities and women, in comparison with their representation in the New York workforce, are under-represented in most arts and entertainment occupations, notably in higher paid skilled and professional jobs and at the executive level.

Key Finding: *New York’s highly skilled arts workforce, which is its key competitive advantage in attracting and retaining producers and consumers, may be at risk as a result of unstable employment, irregular income, high cost of living, and lack of a social safety net.*

- Contingent employment is characteristic of this industry where most workers are hired by multiple employers on a project-by-project basis. The proportion of self-employment is over

three times higher than the pattern for the New York workforce as a whole. Part time and part year employment in arts occupations results in multiple job-holding and “moonlighting” outside the industry.

- The median income of A&E workers is \$40,000, which is higher than the median for New York workers (\$30,000). However, this median is low in relation to the educational and skill requirements of the A&E industry.
- There are wide disparities in the income of A&E workers reflecting differences in sectors and occupations. While a small fraction (3.4 percent) report yearly incomes above \$200,000, nearly a third of A&E workers earn \$20,000 or less.

Key Finding: *Industry changes over recent years (2007-2013) have impacted A&E occupational groups with differing results. There are winners and losers.*

- The highest paid occupations are directors, producers, camera operators, and editors with median income of \$60,000.
- Spurred by the growth of film and television production in recent years, camera operators and editors registered among the largest gains in number employed (22.4 percent), full-time employment (9.7), and median income (63.0) as compared with other A&E occupations.
- In contrast, actors—whose traditional employment patterns have been intermittent and median income low—registered a drop in median income of over 10 percent, with almost half now making \$20,000 a year or less.
- Musicians experienced notable gains in number employed (22.0 percent) and median income (23.3). However, their median income (\$29,600) still falls below that of the New York State workforce.
- Dancers registered losses in both total employment (-25.1 percent) and full-time employment (-19.9 percent). However, employed dancers practically doubled their median income over this period (\$27,000), though still falling below the state median for all workers.
- Visual artists held their place over recent years with a median income near the workforce average (\$39,000).

Key Finding: *Diversity in employment is generally lacking throughout the A&E industry but differs by occupation.*

- Minorities are underrepresented in all occupations, a fact recognized by A&E unions, employers, and New York City government who are engaged in a variety of programs to recruit and train underrepresented minorities and women.

- The good news is that, among New York State directors and producers, women reached gender parity with men in 2013, a notable development which contrasts with continuing gender disparity in these occupations at the national level.
- There has been little change in gender representation in other occupations over the studied period. Female dancers, who constitute the majority of their workforce, have increased as a percentage of the total. Actors and artists approach gender parity but musicians remain predominantly male.
- Crewmembers of the skilled trades, traditionally white male, have registered little change in gender and ethnicity.

WORKFORCE ISSUES

Key Finding: Many A&E workers lack the legal protections afforded to most New York workers.

- Irregular and nonstandard employment deprive many A&E workers of the protections afforded to other workers under labor laws (unemployment insurance, minimum wages, and workers' compensation) and increases the risk of wage theft and employee misclassification as independent contractors.
- Many are expected to work without pay, either as interns or as volunteer workers, to acquire professional credentials and recognition.

Key Finding: A&E workers, as a result of irregular employment, lack a social safety net.

- A&E workers, even when covered by union contracts, may not qualify for health and retirement benefits as a result of their intermittent work patterns.

SUPPORT AND ADVOCACY ORGANIZATIONS

Key Finding: Labor unions and other specialized organizations advocate for and provide support for A&E workers.

- Performing arts workers are among the most highly unionized in New York's workforce. Those who belong to unions are covered by negotiated contracts which set minimum terms and conditions of employment. Their irregularity of income is partially offset by pensions, health care coverage, and, for those employed in electronic media, residual payments for reuse of product that help to fill in the income gap between jobs. However, workers in small organizations and in newer sectors (e.g., reality TV, video game production) are less likely to be covered by these protections and unionization is rare in the visual arts sector.
- In addition to unions, a number of support organizations—notably the Freelancers Union and the Actors Fund—provide advocacy for and resources to A&E workers. Arts

organizations throughout New York State provide individual and organizational support including professional development, education and training, legal consultation, industry research, and in a few cases affordable housing and workspace.

PUBLIC POLICIES WHICH SUPPORT THE A&E INDUSTRY

***Key Finding:** Public policies in place or under consideration aim to attract and retain A&E production in New York State but rarely provide direct aid or services to the workforce.*

- New York State and local governments currently provide support to attract and retain A&E production—notably motion picture and television—through tax credit and exemption programs, as well as direct financial aid. Additional policies under consideration would include other A&E sectors and encourage diversity.
- In addition, tax incentive enhancements are currently offered to attract film production to Upstate New York; and the New York State government has invested in promoting job creation in film production in Buffalo and Syracuse.
- New York City passed the Freelance Isn't Free Act in November of 2016, the first of its kind in the United States to tackle the widespread issue of non-payment of agreed-on compensation that freelancers face, and to discourage the misclassification of workers as independent contractors.



ISSUES FOR PUBLIC POLICY CONSIDERATION

Findings of this report raise important issues for public policy with respect to the most effective methods for attracting and retaining the arts and entertainment industry, a vital contributor to the New York State economy.

Issues suggested by industry leaders and suggested by the findings of this report include the following:

- **Tax incentives.** Tax subsidies currently provided to film and television production (including postproduction) might be extended to other sectors of the industry, notably recorded music which has experienced declining revenue in New York State.
- **Protection of intellectual property.** The increasing ease of piracy has negatively impacted the A&E industry at every level. State law offering protections against the illegal use of artists' work would help to ensure fair pay for producers and workers.
- **Labor and Employment Law protection.** More rigorous enforcement of existing labor laws is recommended to prevent misclassification of employees as independent contractors, denying them rights to minimum wage, worker and unemployment compensation and other basic labor protections. Also recommended is increased enforcement of worker compensation and occupational safety laws, which are frequently violated. Consideration should be given to increasing benefits under worker compensation and disability laws as well as enhancing the Consolidated Omnibus Budget Reconciliation Act (COBRA), which provides health benefits between jobs for A&E workers.
- **Subsidies for affordable housing and studio space.** The Center for an Urban Future, in its 2015 report, Creative New York, recommends developing low cost studios and performance space in underutilized public buildings and expanding artists' residences in existing community facilities.
- **Investment in training, including pay for internships.** The costly requirements of training and unpaid labor can serve as barriers to many hoping to break into the industry. Public investment in A&E training and internships would enhance the attraction of top organizations and productions to the region. Consideration must be given to registered apprenticeships on the building trade's model.
- **Incentives to increasing diversity and inclusion in hiring.** The A&E workforce continues to be disproportionately white and male. Minorities, who make up a third of the total state workforce, are underrepresented in almost every A&E occupation. With promising public and private initiatives to increase A&E diversity already underway, state and local governments should consider policies which link tax incentives to diversity efforts and provide support for skill training including diversity outreach.

- **Provision of labor rights and social safety net support for independent contractors.** The growing incidence of workers hired as independent contractors, devoid of the rights and social protections of employees is a trend that disproportionately affects the A&E workforce. Legislation to provide protection of labor rights and provision of social services for the state's independent contractors and self-employed workforce would fortify the A&E industry as well as others in similar employment relations in the New York State workforce.
- **Development of Accurate and Meaningful Data.** Given the importance of the A&E industry to the New York State economy and the paucity and inadequacy of current data, State officials are urged to consider the California model of establishing a center for study and analysis of A&E production and the status of its workforce.



ABOUT THE AUTHORS

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STUDIES CO-AUTHORED BY LOIS SPIER GRAY AND MARIA FIGUEROA

New York’s Big Picture: Assessing New York’s Position in Film, Television and Commercial Productions, funded by the New York Production Alliance, 2006.

Cultural Capital: Challenges to New York State’s Competitive Advantages in the Arts and Entertainment Industry, report to the Alfred P. Sloan Foundation, 2008.

Empire State’s Cultural Capital at Risk? Assessing Challenges to the Workforce and Educational Infrastructure of Arts and Entertainment in New York, commissioned by the New York Empire State Development Corporation, 2009.

The Effects of Technological and Organizational Changes on Employment and Labor-Management Relations in the Electronic Media Industry, Paper presented at the Sloan Industry Studies Annual Conference, 2008.

Film Production Unions Enter New York Politics, chapter in *Unions and the City* edited by Ian MacDonald, Cornell Press, 2017.

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INTRODUCTION

In 2009, with support from Empire State Development (ESD), the Cornell University ILR School published its first report on the state of the New York arts and entertainment (A&E) workforce, *Empire State’s Cultural Capital at Risk? Assessing Challenges to the Workforce and the Educational Infrastructure for New York State’s Arts and Entertainment Industry*. The report analyzed a number of key characteristics of the A&E workforce across electronic media, live performing, and visual arts, identifying the most pressing issues for New York A&E workers and the support structures in place to protect their interests. The report concluded by proposing a number of questions to policymakers to be considered in future legislation.

State of the Artist both updates this analysis of the State A&E workforce and analyzes trends in recent years based on comparable data presented in the 2009 report. The current report draws from government surveys, industry reports, and interviews with key stakeholders to assess the condition of the NYS A&E industry and its workforce, identifying key issues faced by workers in each sector of the industry.

In addition to an extensive review of current literature, data from primary and secondary sources was analyzed to assess the state of the industry and major trends by sector. Survey data from the US Census Bureau and Department of Labor, notably from the American Community Survey (ACS), were retrieved to isolate trends in A&E workforce employment patterns, demographics, and income by occupational group. This analysis, including a conference attended by industry leaders and representatives to assess reactions to preliminary findings, served to identify current challenges facing this vital workforce to the state economy.

Often left out of discussions about precarious workers, many working within the A&E industry continue to face high rates of contingent and project-based employment, low average income, and inadequate employment protections—all of which are explored here. *State of the Artist* concludes with a summary of public policies currently in place as well as those under consideration, providing an updated set of questions for New York policymakers.

THE ARTS & ENTERTAINMENT INDUSTRY IN NEW YORK STATE

IMPORTANCE TO THE NEW YORK ECONOMY

Arts and entertainment (A&E) is a dynamic driver of the New York State economy, contributing over \$50 billion to the GDP in 2014¹ and employing over 350,000. New York is a leading center for A&E industries in the United States and globally; the A&E industry accounted for 3.93 percent of value added to the state GDP in 2014, nearly twice the rate of the national level (2.17 percent).² New York State boasts over eight times the number of live performing arts companies as the national average and the second highest concentration of electronic media in the country (after California). The state is the second largest sound recording center in the country. In the visual arts, New York boasts world-renowned museums, art galleries, and dealers. As shown in the table below, the state's arts and entertainment industry has continued to grow in size and economic impact in recent years.

Table 1: Value Added to NYS Real GDP (Millions of 2014 Dollars)

Industry	2009	2014	% Growth
Motion picture and sound recording industries	16,940	24,804	46.4%
Data processing, internet publishing, and other information services	7,215	10,720	48.6%
Performing arts, spectator sports, museums, and related activities	14,289	14,307	0.1%
Amusements, gambling, and recreation industries	3,582	4,579	27.8%
Total	42,026	54,410	29.5%
Source: Bureau of Economic Analysis (BEA)			

From the global media hub of the Big Apple to rural regions and mid-sized Upstate cities, economic development is increasingly linked to the vitality of arts, entertainment, and cultural activity. The arts and entertainment industry is a driving factor for regional and state economies, not only generating employment within its boundaries, but also attracting highly skilled professionals who work in other key industries.

New York's position in the arts and entertainment industry, based on the depth and breadth of its labor pool, provide the state with unique opportunities to leverage its cultural capital for fostering

¹ Bureau of Economic Analysis (BEA). NOTE: Excludes "broadcasting and telecommunication"; although including broadcast and cable industries—both within our definition of the A&E industry—the large majority of this group's contribution to GDP comes from telecommunication industries not included within our definition of arts and entertainment, such as internet access and cable and satellite television distribution services.

² Bureau of Economic Analysis (BEA).

economic development. Both the direct and indirect economic effects of the A&E industry are essential factors to the health of the state's economy and supporting industries.

This report examines the components of New York State's A&E industry and current challenges to its survival and future growth. Income, employment patterns and demographic characteristics of the industry's workforce are further discussed, including a discussion of the most important issues facing the workforce today. Support organizations and relevant state and local legislation are discussed, concluding with an identification of issues which merit attention by policymakers.



INDUSTRY SECTORS

For the purposes of this study, the arts and entertainment industry encompasses three broad categories: electronic media (film, television, sound recording, and internet), performing arts (theatre, music, and dance), and visual arts (museums, galleries, and art dealers).

ELECTRONIC MEDIA

This industry category includes film and television content production, broadcasting and cable, sound recording, internet and video games. Electronic media is one of the most dynamic sectors of the United States economy, but it is also characterized as financially risky as it requires high levels of investment on products that may not provide immediate returns or profits.³ Content production for electronic media outlets has always been geographically mobile, a trend which has intensified as a result of digital technology and the increasing globalization of production and distribution.

Trends and Challenges

Key challenges facing electronic media in New York State include:

- **Domestic and international competition:** competition from other states and locations outside the United States is of particular importance to film and TV production, but also has a wide ranging impact on sound recording, video games, and other new media. New York State has increased tax incentives to film production and post-production companies in recent years to better compete with both other states and foreign countries.
- **Labor-displacing technology:** digitalization has impacted employment negatively because of its labor-saving effects. Advanced equipment and software in TV broadcasting have given rise to the “backpack journalist,” allowing one worker to often fill the roles of reporter, photographer, videographer, and editor in lieu of full production crews. In both the sound recording and live music sectors, new production software and technologies have made it significantly easier for artists to work and perform without the aid of sound crews or studios. While this may benefit early-career artists, these new developments have diminished the work available to sound engineers and shifted much of the production cost to artists themselves.
- **The digital distribution threat to revenues and intellectual property rights:** digital technology has challenged all forms of electronic media to re-think existing business models in order to avoid the loss of control over product distribution. New technology facilitates content distribution through new platforms, thus creating challenges for content producers and distributors to capture new revenue streams and exacerbating threats to intellectual

³ Lois Gray and Ronald Seeber, *Under the Stars: Essays on Labor Relations in Arts and Entertainment* (Ithaca: ILR Press, 1996).

property rights. Digital theft continues to prove a significant drain on artist revenue with Americans making 9.86 billion visits to film and TV piracy sites in 2015, more than any other country.⁴

Further, the rise of on-demand subscription streaming services in recent years has dramatically changed artists' compensation. The new reign of streaming applications in the music industry, while making distribution and promotion easier, has ushered in a new royalty system often earning artists just fractions of a penny for each listen. In film and television, online subscription services such as Netflix and Amazon have given rise to the "cord cutting" phenomenon, driving consumers away from cable and transforming the way major industry players generate revenue. Consequently, record labels and artists, as well as film and TV producers, are being forced to adjust their business models to stay competitive.

- **Financial Health:** major film studios are continuing to battle for profitability as the Hollywood blockbuster business model is increasingly undermined by new ways to watch filmed entertainment. According to Michael Cieply and Brooks Barnes of *The New York Times*, one way production behemoths are attempting to increase their bottom line is "... by dropping deals that shift too much income to business partners, and by investing less and slashing overhead while hundreds of millions of dollars from library sales continue to roll in."⁵ This strategy has led major film companies in recent years to focus their production efforts on large-scale, low-risk productions, such as sequels of major franchises.⁶ The concentration of funding into few "tent pole" productions, along with the decline of industry sectors like publishing and sound recording, have left many creatives struggling to secure funding for new initiatives.

Independent artists are increasingly turning to alternative sources of backing such as crowdfunding to finance new projects. Crowdfunding websites such as Kickstarter and Indiegogo have given artists of all disciplines a way to bypass traditional industry gatekeepers by creating a platform for casual investors to contribute to the seed funding of a project.⁷ Over 300,000 projects have been launched on Kickstarter since its founding in 2009, the most popular categories including film & video (56, 892 projects), music (47,303), publishing

⁴ Muso, *Global Film & TV Piracy Market Insight Report 2016*, July 2016. Retrieved from Todd Spangler, "Piracy: Streaming Video Accounts for 74% of Illegal Film and TV Activity, Study Finds," *Variety*, July 28, 2016. Accessed July 29, 2016. <http://variety.com/2016/digital/news/piracy-streaming-video-illegal-film-tv-1201825766/>

⁵ Michael Cieply and Brooks Barnes, "Strong Profit Margin at Paramount Pictures Underlines a Hollywood Shift," *The New York Times*, December 22, 2013. Accessed July 29, 2016. <https://nyti.ms/2mmNrBj>

⁶ Ibid; Amanda Ann Klein and R. Barton Palmer, "Spinoff City: Why Hollywood Is Built on Unoriginal Ideas," *The Atlantic*, March 20, 2016. Accessed March 21, 2016. <http://www.theatlantic.com/entertainment/archive/2016/03/cycles-sequels-spinoffs-remakes-and-reboots/474411/>

⁷ The Center for an Urban Future, *Creative New York*, June 2015, 22.

(32,665), and games (25,572).⁸ More than 11 million backers have raised \$2.5 billion for Kickstarter campaigns since its creation seven years ago,⁹ several of which have gone on to win Grammy¹⁰ and Academy Awards¹¹.

- **Virtual reality:** the emerging world of virtual and augmented reality holds the potential to completely transform the arts and entertainment industry, although how it will has yet to be seen. As major tech and media companies continue to invest heavily in creators of virtual reality headsets and apps, the entertainment industry must now determine how to fit and compete within the new model. The advent of virtual reality will not only impact electronic media and the way film, TV and video games are produced, but will also change the way consumers interact with live entertainment such as theatre and music.¹² The impact these changes will have on employment and wages for both talent and crew is still to be determined.

FEATURE FILM AND TELEVISION

In 2015, 3,359 establishments were involved in the motion picture industry in New York State. Including distribution, postproduction, and exhibition, the New York State motion picture industry generated a total 54,832 jobs in 2015.¹³ New York has the second largest concentration after California of film and television production in the United States, accounting for 15.3 percent of total industry employment in 2013.¹⁴ This sector includes major commercial and nonprofit companies and hundreds of smaller organizations producing filmed content for television and cinema, as well as for industrial (business) clients. According to Boston Consulting Group, film production spending in New York City declined between 2011 and 2014 at an annual rate of 13.6 percent, with less than \$1 billion spent in the city in 2014. Television production today is by far the largest sub-sector, accounting for over half of the filmed production industry's \$8.7 billion spending in New York City in 2014. Spending on TV production grew at an annual rate of 17.8 percent between 2011 and 2014; the number of scripted television shows produced in New York City alone grew from 29 in 2013 to

⁸ "Stats," *Kickstarter*, accessed July 19, 2016. <https://www.kickstarter.com/help/stats?ref=footer>

⁹ *Ibid.*

¹⁰ Ben Sisario, "Kickstarter as a Path to Grammy Nominations, Far Beyond the Indie Scene," *The New York Times*, February 2, 2016. Accessed July 19, 2016. <https://nyti.ms/2q6083e>

¹¹ Sam Hockley-Smith, "Kickstarter Films at the Oscars," *The Kickstarter Blog*, February 20, 2015. Accessed July 19, 2016. <https://www.kickstarter.com/blog/kickstarter-films-at-the-oscars>

¹² Janko Roettgers, "Live Nation Will Stream Hundreds of Concerts in Virtual Reality," *Variety*, May 4, 2016. Accessed July 19, 2016. <http://variety.com/2016/digital/news/live-nation-nextvr-vr-live-streams-1201766027/>

¹³ Quarterly Census of Employment and Wages (QCEW), Bureau of Labor Statistics, U.S. Dept. of Labor.

¹⁴ New York State Department of Labor, *New York's Motion Picture Industry: A Statewide and Regional Analysis*, June 2014.

46 in 2014.¹⁵ While film and TV production concentrates in New York City, there is significant activity, particularly involving smaller budget productions, in suburban counties of New York City and in Rochester, Buffalo, and Syracuse.

The main attraction of New York for film production is its unique pool of talent and technical professionals resulting from the wide range of A&E sectors clustered in the state. According to the Boston Consulting Group, New York City is one of only three cities in the world with a workforce capable of making a production without needing to bring any roles in from outside.¹⁶ Talent is widely available because of the wide range of Broadway theatres, television production studios, and musical centers within the city and state. These industry anchors also yield a large pool of highly skilled and experienced technical professionals qualified to work in film and TV.

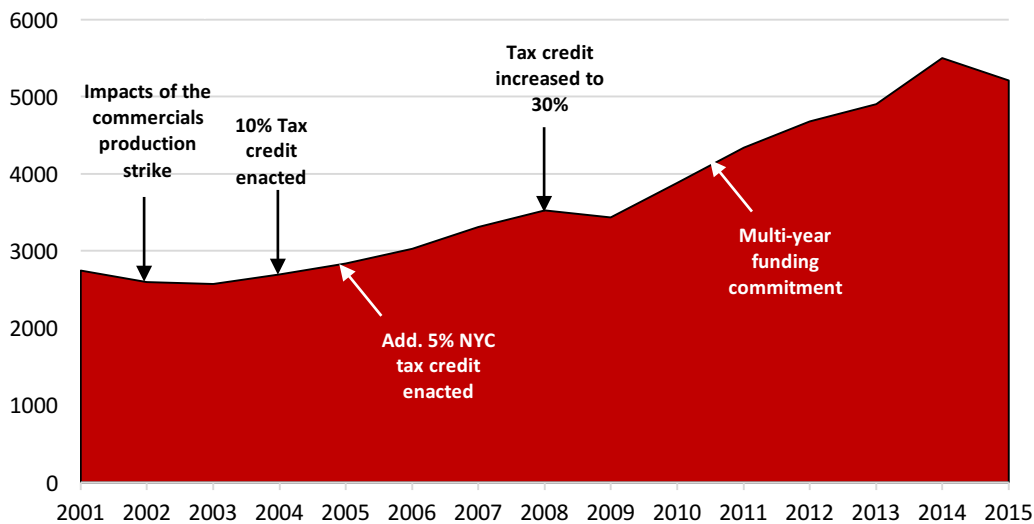
In addition to its labor pool, New York City's ranking as a world entertainment center and its unique scenery for film shooting are considered important factors for location decisions by film producers. New York's many production studios have proven to be an essential asset for attracting productions. Silvercup Studios, one of the city's major production facilities, recently completed its third location in the South Bronx. The new studio is expected to create 400 production jobs, in addition to the 100 construction jobs created in converting the former warehouse into the new facility.¹⁷ Other major studios within the five boroughs include Kaufman Astoria Studios in Queens, Broadway Stages in Brooklyn, and Steiner Studios at the Brooklyn Navy Yard.

¹⁵ Boston Consulting Group, *The Media and Entertainment Industry in NYC: Trends and Recommendations for the Future*, October 2015, 9.

¹⁶ Ibid.

¹⁷ Addie Morfoot, "Cuomo announces the completion of Silvercup North in the South Bronx," *Crain's New York Business*, August 17, 2016. Accessed August 18, 2016. <http://www.crainsnewyork.com/article/20160817/ENTERTAINMENT/160819877>

Chart 1: Total Wages, New York State Film & TV Production (\$Millions)



Source: Quarterly-Census of Employment and Wages (QCEW), US Dept. of Labor, Bureau of Labor Statistics

Film and TV production in New York State has been threatened by competition from other U.S. states and from foreign countries. Tax incentives instituted by New York State and New York City beginning in 2004 and 2005 were developed to reverse a declining production trend that started in 2000. Since the state program began in 2004, employment in the state film industry has grown by 49 percent; the production and post-production tax credits generated over \$4 billion in earnings and \$12.5 billion in spending within New York State in 2015 and 2016 alone.¹⁸ Film and TV production is highly mobile, hence the importance of these positive locational developments. However, the state’s gains continue to be challenged by intensifying competition from 34 states¹⁹ now offering tax and workforce incentives to attract production.

Changing technology is another key challenge facing firms and employees in film production. The way consumers receive film and TV entertainment has transformed in recent years with the proliferation of new technologies such as smartphones and connected TVs. According to Nielsen, the average time spent by Americans on tablets and smartphones rose 63 and 60 percent, respectively, between the first quarters of 2015 and 2016. During the same year, live TV viewing fell

¹⁸ Empire State Development, EMSI, Camoin Associates. Retrieved from Camoin Associates, *Economic Impact of the Film Industry in New York State—2015 & 2016*, January 2017.

¹⁹ Film Production Capital, “U.S. Tax Incentive Info,” accessed October 3, 2016. <http://www.filmproductioncapital.com/taxincentive.html>

1 percent.²⁰ It is now easier than ever for the consumer to watch what they want, whenever they want, and wherever they want, bringing rise to new trends such as “binge-watching” and “cord-cutting” that are profoundly affecting the industry.

The rising dominance of digital players in both distribution and production have fueled these trends of time and place shifting. Tech behemoths such as Netflix and Amazon that entered the film and television industry as platforms for distributing video content have expanded their operations rapidly over past years to become major players in content production. Between 2013 and 2015, the two companies’ combined annual expenditures on programming exploded from \$3.6 billion to \$7.6 billion, surpassing that of CBS, Turner, and HBO.²¹ Aside from the occasional limited theatrical release to qualify productions for award consideration, the vast majority of this content lives online outside of traditional theatrical releases and television bundles, leading more and more consumers simply to subscribe to one or more of these inexpensive services in lieu of paying for a cable TV package. Broadcast and cable networks now face the issue of retaining their audiences amidst growing competition from these services and other video content powerhouses such as YouTube, Facebook, and Snapchat. Major players in broadcast (Walt Disney, 21st Century Fox, Comcast) teamed up several years ago to create the joint venture Hulu, a subscription-based service, to directly compete with these new power players. Some companies are turning to strategies such as limiting commercial interruption and posting online content accessible only to cable subscribers.²²

BROADCASTING AND CABLE

Comprising radio and television broadcasting, this sector’s 475 establishments employed over 34,000 in 2015.²³ The New York metropolitan area ranks first among the top television and radio markets. It has 23 TV stations²⁴ and 72 radio stations.²⁵ All major TV networks (ABC, CBS, NBC, Fox) and leading cable networks such as CNN and Fox News have studios in New York City.

²⁰ Nielsen, *The Total Audience Report, Q1 2016*, June 27, 2016.

²¹ Business Wire, “Netflix and Amazon Outspend CBS, HBO and Turner on TV Programming, IHS Markit Says”, October 17, 2016. Accessed October 18, 2016. <http://www.businesswire.com/news/home/20161017005692/en/Netflix-Amazon-Outspend-CBS-HBO-Turner-TV>

²² Fox Broadcasting recently became the first major company to announce it would begin livestreaming its primetime entertainment programming on digital platforms for pay-TV subscribers. (Source: Daniel Holloway, “Fox Broadcasting Launches Primetime Live Stream,” *Variety*, July 11, 2016. Accessed October 18, 2016. <http://variety.com/2016/tv/news/fox-broadcasting-primetime-live-stream-1201811893/>)

²³ Quarterly Census of Employment and Wages (QCEW), Bureau of Labor Statistics, U.S. Dept. of Labor.

²⁴ Station Index, “New York TV Channels,” accessed October 3, 2016. <http://www.stationindex.com/tv/markets/new+york>

²⁵ New York Radio Guide, “FM Stations listed by frequency,” “AM Stations,” accessed October 3, 2016. <http://www.nyradioguide.com/index.shtml>; includes AM and FM

A major challenge for broadcasting and cable is the increasing competition from new media, including digital and satellite radio and internet-based streaming services. As discussed in the previous section, increases in technology and digital subscription services have left networks struggling to retain their audience as more and more continue to “cut the cord” and end their cable subscription. After falling from 25,108 in 2006 to 22,382 in 2013, employment in broadcasting went up substantially in 2014 to 24,050. Conversely, after reaching a high of 17,654 in 2012 after years of consistent growth, employment in cable dropped sharply to 10,203 in 2014.²⁶

SOUND RECORDING

The music industry continues to be an important contributor to the New York State A&E industry and greater economy. According to the Boston Consulting Group, the New York City music industry—including local artist communities (e.g., musicians, music educators), mass music consumption (e.g., broadcast, concerts and venues, festivals), infrastructure and support services (e.g., recording, instruments) and the record business (e.g., record labels, management)—supports nearly 60,000 jobs within the city, generating some \$5 billion in wages and \$21 billion in total economic output.²⁷ Of particular importance to the current report are musicians (included under live performing arts) and the sound recording workforce. Defined by the Census Bureau as “establishments primarily engaged in producing and distributing musical recordings, in publishing music, or in providing sound recording and related services,”²⁸ sound recording establishments operating within New York State dropped by 11 percent from 619 in 2007 to 550 in 2015.²⁹ Likewise, the number working within the industry fell from 3,972 in 2007 to 3,194 in 2015.³⁰ The share of the workforce that were self-employed rose during this same span from 30.8 percent to 38.8 percent,³¹ suggesting that the majority of this dropout came from layoffs and firm closings. Even with this notable decline in employment, wages and output of the New York City recording industry have grown by 43 and 62 percent respectively over the past decade.³² New York State remains second only to California in national share of the workforce, home to nearly one out of five employees within the industry in 2015.³³

²⁶ Quarterly Census of Employment and Wages (QCEW), Bureau of Labor Statistics, U.S. Dept. of Labor.

²⁷ Boston Consulting Group, *Music in New York City: Economic Impact, Trends, and Opportunities*, March 2017.

²⁸ 5122 Sound Recording Industries, 2012 North American Industry Classification System (NAICS).

²⁹ Quarterly Census of Employment and Wages (QCEW), Bureau of Labor Statistics, U.S. Dept. of Labor.

³⁰ *Ibid.*

³¹ *Ibid.*

³² Boston Consulting Group, *Music in New York City: Economic Impact, Trends, and Opportunities*, March 2017.

³³ Quarterly Census of Employment and Wages (QCEW), Bureau of Labor Statistics, U.S. Dept. of Labor.

Recent trends in consumers' consumption of recorded music, such as the advent of streaming services and digital theft, are quickly creating a challenging environment for the recording musician trying to create a living. The rising ubiquity of smartphones and "apps culture"³⁴ have influenced millions to shift from purchasing physical CDs and digital downloads to paying a relatively low monthly fee for on-demand music streaming apps, such as Spotify and Apple Music. These streaming services—which often pay artists less than a hundredth of a cent per play—have exploded in popularity over recent years; streaming as of 2016 comprised the majority of industry revenue at 51.4 percent, compared to just 9 percent only five years earlier.³⁵ U.S. music sales from streaming increased by 68 percent from 2015 to 2016 alone.³⁶ Moreover, New York City has become a center of these music-related digital service companies; the city now holds the largest concentration of such organizations in the world, with over 70 start-ups involved in digital music services.³⁷ While streaming is becoming a boon for the music industry, it has yet to be determined how this trend has impacted the income of the working musician.

The ease of digital theft continues to pose a serious threat to the music industry. Market research firm MusicWatch estimates that 57 million Americans today acquire unlicensed music from unsanctioned sources.³⁸ Piracy and changing revenue streams have proven detrimental to industry revenues; according to the RIAA, U.S. music sales have been cut almost in half since the turn of the millennium, from \$14.6 billion in 1999 to \$7.7 billion in 2016.³⁹ New York artists continue to compete for live performance slots to supplement falling income from record sales.⁴⁰

The major union representing recording musicians, the American Federation of Musicians (AFM), has felt the effects of industry change and decline to a severe extent. The national union's membership declined by over 17 percent from 92,404 in 2010 to 76,290 in 2015, while New York City Local 802's membership waned from 7,968 to 7,441, or 6.6 percent, over the same period. In addition to the discussed factors, the union and its jurisdiction have been wounded by the outsourcing of film scores to foreign countries, a practice employed by production companies to access cheaper labor than union rates in pursuit of greater profit. The national union has sued

³⁴ Kristen Purcell, Roger Entner and Nichole Henderson, "The Rise of Apps Culture," *Pew Research Center*, September 14, 2010. Accessed February 22, 2016. <http://www.pewinternet.org/2010/09/14/the-rise-of-apps-culture/>

³⁵ Recording Industry Association of America (RIAA). Retrieved from Joshua P. Friedlander, *News and Notes on 2016 RIAA Shipment and Revenue Statistics*, Recording Industry Association of America, 2017.

³⁶ *Ibid.*

³⁷ Boston Consulting Group, *Music in New York City: Economic Impact, Trends, and Opportunities*, March 2017.

³⁸ Russ Crupnick, "Bad Company, You Can't Deny," *MusicWatch*, February 22, 2016. Accessed February 22, 2016. <http://www.musicwatchinc.com/blog/bad-company-you-cant-deny/>

³⁹ RIAA Year-End Revenue and Shipment Reports, Recording Industry Association of America.

⁴⁰ Boston Consulting Group, *Music in New York City: Economic Impact, Trends, and Opportunities*, March 2017.

several major film production companies over recent years, including Warner Bros., Paramount, and MGM, for offshoring score production and thus violating collective bargaining agreements.⁴¹

The declining number of sound recording establishments within New York State may also relate to the rise of music production tax incentive programs in other states. Several states have enacted tax credit programs for the recorded music industry similar in structure to those seen within the film industry. Currently, New York includes music production within its Excelsior Jobs program, providing a credit of 6.85 percent of wages per new job for production firms creating at least five net new jobs.⁴² However, as many firms within music production employ only a handful of workers, the structure of this incentive arguably is not ideal for this industry, nor does it yield any benefit for AFM members.

VIDEO GAMES⁴³

Video game production is one of the fastest growing segments of the entertainment industry. According to the Entertainment Software Association (ESA), the industry added over \$11.7 billion nationally to U.S. GDP in 2015 and grew at a rate of 3.7 percent per year from 2013 to 2015 (compared to 2.5 percent annual growth of the U.S. economy during the same period).⁴⁴ New York ranks fourth among states in economic impact, contributing nearly \$380 million to the economy in 2012.⁴⁵ According to industry site Gamedevmap, there are 85 companies working in video game developing and publishing in New York State. The majority are headquartered in New York City, with other notable hubs in Albany and Rochester.⁴⁶ Among those headquartered in New York is Take-Two Interactive, known ubiquitously within the industry as one of the most prolific studios within gaming and producer of several extremely popular franchises (e.g., Grand Theft Auto, 2K Sports).

⁴¹ American Federation of Musicians, “AFM Sues Warner, Paramount, & MGM for Job Offshoring,” April 27, 2015. Accessed February 22, 2016. <http://www.afm.org/2015/04/musicians-union-sues-warner-paramount-mgm-for-job-offshoring/>

⁴² Empire State Development, “Excelsior Jobs Program,” accessed August 16, 2016. <http://esd.ny.gov/businessprograms/Excelsior.html>

⁴³ It should be noted that the state’s video game workforce is not completely captured within the statistics presented in the quantitative analysis of the New York State A&E workforce. Due to the industry’s relative infancy as an important component of the U.S. economy and the interdisciplinary nature of its workforce, the Standard Occupational Classification (SOC) system used by the Census Bureau does not include separate categories specific to video game production occupations. Animators and voice-over actors are included within our analysis under the broader categories of “artists and related workers” and “actors,” respectively. Other occupations essential to video game production like programmers and engineers, however, are stuck within much larger groups such as “software developers” and “computer programmers,” and thus not included within our analysis of the A&E industry. The need to reorganize antiquated classification systems to provide more accurate and meaningful data on the A&E workforce is an important issue within industry research. For related questions for research, see the “conclusions and policy implications” section at the end of the report.

⁴⁴ Stephen E. Siwek, *Video Games in the 21st Century: The 2017 Report*, Entertainment Software Association, February 2017.

⁴⁵ Entertainment Software Association, *Games: Improving the Economy*, 2014.

⁴⁶ Gamedevmap, accessed November 17, 2016. <https://www.gamedevmap.com/index.php>

Development studios require a diverse set of skills and experience to create the best content possible. Game developers can be grouped into three main categories: designers, who provide the overall vision of the project; artists, who conceptualize designers' ideas and create the game's "aesthetic;" and programmers, who use coding expertise to build the final product.⁴⁷ These groups represent a complex group of engineers, writers, artists, and more, all of whose knowledge and talents are vital to the creation of a successful product. Voice and motion-capture actors are frequently employed in the making of a game, many of them members of SAG-AFTRA working under the union's interactive media agreement. Audio professionals, quality assurance personnel, and executive management further play a crucial role within the development studio.⁴⁸

Aspiring game developers have a number of opportunities for training within the state. Twenty New York colleges and universities currently offer video game degrees, including eleven bachelor and five master programs. Several of these institutions are located within the five boroughs, including New York University (NYU), New York Film Academy, the New School, Hostos Community College, and Bramson ORT College. Programs of note in Upstate New York include Rochester Institute of Technology (RIT), Rensselaer Polytechnic Institute (RPI), and Cornell University.⁴⁹ Three of these universities—NYU, RIT, and RPI—were recently selected by Empire State Development (ESD) to receive \$450,000 each to develop digital gaming hubs, seeking to promote collaboration and opportunity among students and entrepreneurs within the industry. "These awards will make New York more competitive in this \$70 billion a year global industry, which includes \$25 billion in the U.S.," claims New York State Senator Martin J. Golden. "This industry is larger than movies, music, and other digital downloads, and these three New York universities receiving the awards graduate some of the top designers and computer engineers in the world. Unfortunately, too many of these graduates and the companies they start move to other states, including California, Texas and Washington . . . Funding these three hubs will . . . encourage entrepreneurs who are creating the next generation of games to come or remain, and grow in New York."⁵⁰

LIVE PERFORMING ARTS

The live performing arts sector includes both the commercial (for profit) and the nonprofit segments of theatre, music, and dance. There are more than 1,600 establishments and companies employing close to 20,000 in the performing arts in New York State as of 2015.⁵¹ The sector includes

⁴⁷ Bureau of Labor Statistics, *Work for play: Careers in video game development*, Fall 2011.

⁴⁸ Ibid.

⁴⁹ Entertainment Software Association, "College Video Game Programs," accessed October 27, 2016. <http://www.theesa.com/about-esa/courses-certificates-degree-programs/>

⁵⁰ Empire State Development, "Empire State Development Announces More than \$1.3 Million in Funding Awarded to Establish New Digital Gaming Hubs Across New York State," January 25, 2016.

⁵¹ Quarterly Census of Employment and Wages (QCEW), Bureau of Labor Statistics, U.S. Dept. of Labor.

a wide range of organizations, including such long established centers as the Chautauqua Institution in Southwestern New York, Shea's Performing Arts Center in Buffalo, the Glimmerglass Opera in Cooperstown; in addition to New York City's Metropolitan Opera, Lincoln Center, Broadway, and hundreds of clubs and other venues. There are festivals and cultural events in virtually all of the 62 counties in the state.

THEATRE

Theatre in New York State runs the gamut from large-production musicals to one-person plays. In dollar terms, Broadway is dominant, especially when the impact of returns to the New York economy from Broadway touring companies is considered. The nonprofit and commercial Broadway and Off Broadway theatre in New York City share the workforce of creative, technical, and administrative talent, and a network of specialized suppliers. In addition, the boundaries between these sub-sectors are very porous. Productions may start out in nonprofit Off Broadway theatre and end up in commercial Broadway theatre, and it is not uncommon for commercial producers to help subsidize nonprofit productions through "enhancement deals."

Broadway theatre comprises 40 theatres with 500 or more seats in Manhattan's theatre district. During the 2015-16 season, Broadway made record-breaking gross revenues of \$1.373 billion and had the highest number of playing weeks (1,648) in history. Broadway grosses have grown notably in the past three years, bringing in \$1.139 billion during the 2012-2013 season.⁵² However, much of this can be attributed to several cornerstone productions; the top five grossing shows in 2016 brought in almost \$450 million alone.⁵³ According to employer representatives, Broadway productions continue to face rising costs, leaving many struggling to extend their run in an attempt to recoup their investment (and often failing to do so). In addition, family-oriented shows and other forms of live performance outside of the traditional theatre and Broadway format (e.g., Cirque du Soleil, Urban Circuit) have experienced significant growth and profitability.

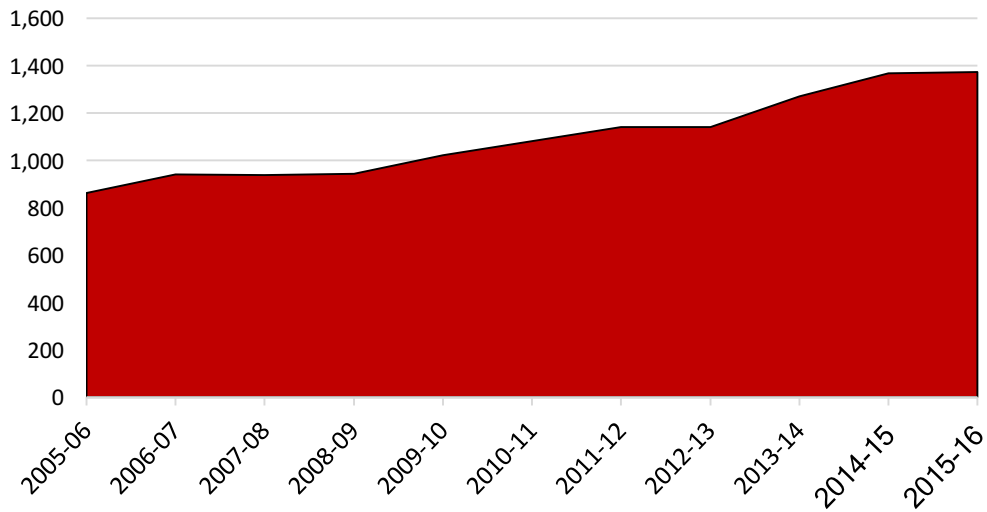
Of all the A&E industry segments in New York, Broadway theatre has the most significant measurable effect on tourism. Unlike Off and Off-Off Broadway theatre and other live performing arts, most of the Broadway audience comes from outside of New York City. During the 2014-2015 season, 10.8 million admissions for Broadway shows were made by those living outside New York City, comprising 82.3 percent of total admissions (13.10 million). "Broadway Tourists," or those defined by The Broadway League as "people who did not live in NYC who said that Broadway was a very important reason in their coming to the city," contributed over \$9.8 billion in spending to the city economy during the 2014-2015 season; Adding show expenses and theatre capital expenses to

⁵² Broadway League, "Broadway Season Statistics," accessed March 22, 2017. <https://www.broadwayleague.com/research/statistics-broadway-nyc/>

⁵³ Broadway World, accessed March 16, 2017. <http://www.broadwayworld.com>

this total shows that Broadway contributed a total of \$12.6 billion to the city’s economy during this period, a 4.2 percent increase from 2012-2013 and a 6.1 percent increase from 2010-2011.⁵⁴

Chart 2: Broadway Grosses (\$Millions)



Source: The Broadway League

Another way Broadway contributes to the economy of New York City is through returns from Broadway touring companies. In the 2012-2013 season, 45 Broadway touring shows generated \$3.2 billion in spending, with roughly 12 percent (\$397.4 million) impacting the New York City area.⁵⁵

Off Broadway is defined by smaller theatres with 100-500 seats, with smaller-scale, sometimes experimental productions for a largely local audience. Off Broadway theatres are predominantly nonprofit, but include several commercial productions at any given time. Off-Off Broadway is defined as productions in theatres of fewer than 100 seats and is entirely nonprofit. In terms of expenditures, Off and Off-Off Broadway theatre is dwarfed by Broadway theatre, but nonprofit theatre constitutes an important cluster in its own right.

The **League of Resident Theatres (LORT)** includes 72 professional, not-for-profit theatres throughout the country. The League issues more Actors’ Equity Association (AEA, Equity) contracts than Broadway and commercial tours combined, and administers collective bargaining agreements with the Stage Directors and Choreographers Society (SDC) and United Scenic Artists (U.S.A.). Seven members of LORT are located within New York State: Lincoln Center Theater, Manhattan

⁵⁴ Broadway League, *Broadway’s Economic Contribution to New York City 2014-2015*, April 2016.

⁵⁵ Broadway League, *The Economic Impact of Touring Broadway 2012-2013*, May 2015.

Theater Club, Roundabout Theatre Company, and Theatre for a New Audience in New York City; Capital Repertory Theatre in Albany; Geva Theatre Center in Rochester; and Syracuse Stage in Syracuse. These theatres each hold an important place within the state’s performing arts industry, each servicing tens of thousands of patrons and bringing in millions of dollars in income every year.

Outside New York City, theatre is primarily nonprofit, with significant clusters in Westchester, Suffolk, and Onondaga (in and around Syracuse) counties and an especially dense concentration of 21 theatre companies in the city of Buffalo.⁵⁶ Live theatre attracts primarily local audiences in these areas. The expansion of cultural tourism is both a current economic reality and the hope of future revitalization for Upstate cities. Interestingly, *American Style* magazine’s 2012 ranking of top 25 arts destinations lists New York City at the top spot for large cities, with Corning and Buffalo making the list for small and mid-sized cities, respectively.

MUSIC

Music includes opera, symphony, other classical music forms as well as jazz and other popular music. **For-profit live music** is a growing sector in New York State and the country as a whole. It involves a wide range of performances in large venues such as sports arenas along with intimate jazz and independent music venues. As symphony orchestras and other classical music groups struggle to maintain their audiences, for-profit concerts and live performances at club venues have experienced new growth over recent years. Live Nation Entertainment, owner of both Live Nation and Ticketmaster, had a record year in 2015 with revenue of \$7.6 billion (up 11 percent from 2014) and 530 million tickets sold.⁵⁷ While these figures represent national growth, the economic significance of this sector to New York City and the greater State has been documented in recent reports. According to a 2017 report released by the Mayor’s Office of Media and Entertainment (MOME), “mass music consumption”—including major concerts, festivals, and professional performing groups, as well as radio broadcasts, digital streaming, and retailers—contributes nearly 50 percent of the total music ecosystem’s direct economic output within New York City.⁵⁸ Of unknown size and impact is the proliferation of musicians and musical performances in the informal economy throughout the state.

According to GuideStar,⁵⁹ there were 1,503 **nonprofit music organizations** across New York State in 2016.⁶⁰ Half of these organizations are within the five boroughs, with smaller clusters Upstate within

⁵⁶ Based on membership in the Theatre Alliance of Buffalo (TAB).

⁵⁷ Live Nation Entertainment, *Annual Report 2015*.

⁵⁸ Boston Consulting Group, *Music in New York City: Economic Impact, Trends, and Opportunities*, March 2017.

⁵⁹ GuideStar is an information service specializing in reporting on U.S. nonprofit companies.

⁶⁰ Includes organizations categorized under NTEE codes A68 Music, A69 Symphony Orchestras, A6A Opera, A6B Singing Choral, or A6C Music Groups, Bands, Ensembles.

the metropolitan areas of Buffalo, Rochester, Syracuse, and Albany. These organizations span a wide range of budget sizes. The largest, New York City’s Metropolitan Opera, spent \$312.9 million alone in 2014. Comparatively, the three largest in terms of expenditures besides the Met—Carnegie Hall, the New York Philharmonic, and Jazz at Lincoln Center—spent a combined \$187.4 million. Just 56 of these 1,503 organizations had expenses greater than \$1 million in 2014, while 1,087 had incomes of less than \$100,000. The largest are primarily concentrated within New York City; of the 56 organizations in the state with expenditures of over \$1 million, only 11 are outside of the city, many of which are still within the metropolitan area.⁶¹ However, even the most renowned organizations are subject to financial troubles. One of the state’s most celebrated music organizations, the New York City Opera, filed for bankruptcy in 2013, resuming limited performances in 2016.⁶² Growing expenses, shrinking audiences, and the effects of the financial crisis led the Metropolitan Opera in 2014 to ask the 15 unions representing its employees for a substantial pay cut. The ensuing conflict resulted in a lockout of the Opera’s employees, lasting several months before a four-year contract could be agreed upon.⁶³

DANCE

There are 582 nonprofit dance organizations in New York State.⁶⁴ The three largest, New York City Ballet, the American Ballet Theatre, and the Alvin Ailey American Dance Theater—all located in New York City—had 2014 expenditures of \$66.5 million, \$42.3 million, and \$37.1 million, respectively. Only one other organization’s expenses barely reached \$10 million (Joyce Theater). Most nonprofit dance companies are very small. Of the 582 organizations within the state, 380 had a 2014 income of less than \$100,000, with just 34 bringing in greater than \$1 million. Similar to music organizations, dance companies are highly concentrated within New York City, with almost 4 in 5 located within the five boroughs. Just one of the 34 organizations with an income greater than \$1 million—the National Museum of Dance in Saratoga Springs—was located outside of New York City.⁶⁵ Dance/U.S.A. and its New York chapter Dance/NYC are the primary advocacy groups in this discipline.

TRENDS AND CHALLENGES IN THE NONPROFIT SECTOR

The performing arts operate in a different milieu from other forms of entertainment. Most production companies are nonprofit and depend on outside support; even those that are for-profit

⁶¹ Guidestar, accessed November 16, 2016.

⁶² Michael Cooper, “New York City Opera Will Return, and Soon, Under Reorganization Plan,” *The New York Times*, January 12 2016. Accessed January 13, 2017. <https://nyti.ms/2m3pg8B>

⁶³ James B. Stewart, “A Fight at the Opera,” *The New Yorker*, March 23, 2015. Accessed January 13, 2017. <http://www.newyorker.com/magazine/2015/03/23/a-fight-at-the-opera>

⁶⁴ GuideStar, accessed November 16, 2016; Includes organizations categorized under NTEE codes A62 Dance or A63 Ballet

⁶⁵ Guidestar, accessed November 16, 2016.

tend to operate in the red. The classic study of the economics of performing arts by Professors William Baumol and William G. Bowen described this sector as one with limited demand (mainly upper income individuals). Although costs for labor, capital and rent continue to go up, live performance continues to be labor intensive and, given the risks of these productions, capital costs are high. In contrast to electronic media, little can be done to offset these costs by increasing productivity through substituting technology for labor or increasing individual output.⁶⁶

The main challenges facing live performing arts in New York State, particularly in the nonprofit segment, include financial sustainability, economic pressures on the workforce, audience development, and affordable workspace.

- **Financial Sustainability:** Most pressing is the fact that performing arts companies in every discipline face rising costs and limited avenues for increasing income. Both union and employer representatives agree that the reduction in government funding has heavily impacted nonprofit performing arts. Funding received by New York City arts organizations from the New York State Council on the Arts (NYSCA) and National Endowment of the Arts (NEA) dropped by 20 and 40 percent respectively between 2009 and 2015 after adjusting for inflation.⁶⁷ Shrinking support from public sources have created increased competition among arts organizations for private funding and an increased reliance on earned income to survive.⁶⁸ According to a 2015 survey of 125 theatres by the Theatre Communications Group, 43 percent did not have sufficient income over the past fiscal year to cover expenses.⁶⁹

Some believe that competition has yielded an unfair funding system, leading the bulk of government assistance to go to the largest, most prominent organizations. “The current state of the arts in this country is a microcosm of the state of the nation. Large mainstream arts institutions, founded to serve the public good and assigned nonprofit status to do so, have come to resemble exclusive country clubs. Meanwhile, outside their walls, a dynamic new generation of artists, and the diverse communities where they live and work, are being systematically denied access to resources and cultural legitimation,” asserts Andy Horwitz in a January 2016 article for *The Atlantic*. “As the NEA’s budget has been slashed, private donors and foundations have jumped in to fill the gap, but the institutions they support, and that receive the bulk of arts funding in this country, aren’t reaching the people the NEA was founded to help serve. The arts aren’t dead, but the system by which they are funded is

⁶⁶ William J. Baumol and William G. Bowen, *Performing Arts: The Economic Dilemma* (New York: Twentieth Century Fund, 1966).

⁶⁷ Center for an Urban Future, *Creative New York*, June 2015, 21.

⁶⁸ *Ibid.*

⁶⁹ Zannie Giraud Voss & Glenn B. Voss, *Theatre Facts 2015*, Theatre Communications Group, November 2016, 4.

increasingly becoming as unequal as America itself.”⁷⁰ Currently there is a serious possibility that the NEA will be defunded.

- **Supplemental Income:** The issue of financial sustainability is changing the whole character of organizations of all sizes. Mary Schmidt Campbell, former chair of the New York State Council on the Arts (NYSCA), stressed the need for organizations to look to their strategic strengths to develop increased revenues or allay costs in order to manage what she termed “a harrowing business model.” Performing arts organizations are accomplishing this through different means including partnering with universities for real estate, seeking commercial transfers and enhancement funds, pooling costs, and developing other sources of earned income such as restaurants in the theatres.

The Theatre Communications Group estimates that the total income generated by U.S. nonprofit theatre in 2015 was split evenly between earned and contributed income.⁷¹ In addition to a direct subsidy, the nonprofit theatre gets the chance to draw royalties from a possible commercial run. The commercial producers benefit from being able to test shows at smaller venues. This phenomenon has become commonplace in recent years as sources of funding for nonprofits have become increasingly scarce.

Other production companies curtail costs by “piggybacking,” a practice of sharing stages, lighting, sound equipment and crew. In the Metropolitan Opera, General Manager Peter Gelb introduced the filming of performances with distribution through local movie theatres, adding an additional revenue stream. Symphony orchestras, operas, and musical theatres partner with recording companies to secure supplemental income for their organizations and performers through sale of the recordings of their productions.

Deviating from the Baumol and Bowen thesis that income from live performance is fixed, New York theatre has begun to offer live streams of select performances in an attempt to break down the geographic restraints of theatre and create a new stream of revenue. BroadwayHD, a new venture created by Stewart F. Lane and Bonnie Comley, seeks to finance the live-streaming of theatre performances. The company has streamed several Off Broadway shows including *Buried Child* and *Old Hats* as well as the first live-stream of a Broadway show, presenting a performance of the musical revival *She Loves Me* earlier this year.⁷² The streaming of major theatrical productions, as it grows in popularity and practice, will have a significant effect on compensation for the performing arts workforce. An increase

⁷⁰ Andy Horwitz, “Who Should Pay for the Arts in America?” *The Atlantic*, January 31, 2016. Accessed November 16, 2016. <http://www.theatlantic.com/entertainment/archive/2016/01/the-state-of-public-funding-for-the-arts-in-america/424056/>

⁷¹ Zannie Giraud Voss & Glenn B. Voss, *Theatre Facts 2015*, Theatre Communications Group, November 2016, 6.

⁷² Michael Paulson, “She Loves Me to Be Streamed Live, a Broadway First,” *New York Times*, June 15, 2016. Accessed June 16, 2016. <https://nyti.ms/2m3tlcy>

of performance streams may have a positive effect on employment opportunities for camera operators, editors, and sound engineers. It has yet to be seen what impact live-streaming will have on ticket sales, number of performances and overall participation rates, and how these changes will affect compensation for both talent and crew.

- **Retaining and Attracting Audiences:** A key challenge for the nonprofit performing arts is the graying audience and the consequent need for new business models. Subscribers, who have long been the essential core of audience development, are disappearing quickly. They are important because it is much more efficient to sell a series of tickets to the same people year after year than to sell one single ticket at a time; moreover, subscribers often become donors.

The challenge of audience development extends from subscription versus single-ticket buyer to stagnation in the overall number of tickets sold. Even connecting with the traditional audience for the performing arts has become a challenge. According to the National Endowment for the Arts, New York State residents attend performing arts events at a higher rate than the national average; 40.3 percent of NYS adults attended a live performing arts event in 2012, compared to 37.4 percent nationally.⁷³ However, after a sharp decline in overall arts attendance between 2002 and 2008, national attendance rates stagnated from 2008 to 2012 in jazz, classical, opera, Latin/Spanish or salsa music, outdoor performing arts festivals, ballet, and other dance.⁷⁴ Administrators, who once worried about the graying of the audience, now wonder where the graying baby boomers are, as they fail to replace their parents' generation.

- **Scarcity of Affordable Space:** The real estate boom of recent years has had an enormous impact on both performing arts organizations and individual performing artists. Organizations that do not own their performing and rehearsal space have seen rents climb steeply. Susan Rothchild, general counsel to the New York City Department of Cultural Affairs, observed that the benefits of dedicated rehearsal/performance space and real estate costs have often led performing arts groups to mixed-use development only to find themselves hostage to the larger purpose of that real estate project.

VISUAL ARTS

The visual arts sector encompasses museums, art galleries, and art dealers, and employs a range of occupations, including fine artists (painters and sculptors), photographers, and designers. New York

⁷³ National Endowment for the Arts, "Arts Data Profile #5. States of Engagement: Arts Participation by U.S. Geography," January 2015. Accessed January 13, 2016. <https://www.arts.gov/artistic-fields/research-analysis/arts-data-profiles/arts-data-profile-5/arts-data-profile-5>

⁷⁴ National Endowment for the Arts, *A Decade of Arts Engagement: Findings from the survey of public participation in the arts, 2002-2012*, January 2015.

State is home to world-renowned museums, including the Metropolitan Museum of Art, the Museum of Modern Art, and the Albright-Knox in Buffalo, as well as major auction houses such as Christie's and Sotheby's. Although the majority of the museums and galleries concentrate in New York City—with over 1,400 galleries within the five boroughs⁷⁵—there are important visual arts centers in Buffalo, Syracuse, the Mid-Hudson Valley, Westchester, and Long Island. Museums employed over 11,000 statewide in 2015.⁷⁶

The visual arts workforce shares the same challenges of unstable employment and income as the workforce of other A&E sectors. The labor market in visual arts is highly stratified with a few superstars at the top, the so-called bestsellers in the next tier, and the majority of visual artists at the bottom, struggling to make a living from the sale of their work. “London and New York each have about 40,000 resident artists, and probably more than that in Berlin, Los Angeles, and Beijing combined,” explains economist Don Thompson. “Of the 80,000 in London and New York, 75 might eventually become mature artists with seven-figure incomes, and another 300 might show in mainstream galleries and earn six-figure incomes from their art. On the next tier are several thousand artists with some gallery representation who supplement their income waiting on tables, teaching, or writing, or who receive support from their domestic partners or from their local welfare authority. That leaves thousands of artists in London, New York, and elsewhere, who offer their work through artist cooperatives, on the Internet, or privately. Most will move on from the professional art world after two or three years, to be replaced by a new cohort of graduates.”⁷⁷ The advent of arts-specific e-commerce websites such as Etsy and growth of major arts festivals have opened up an entirely new international market for New York visual artists.⁷⁸ In 2015, 1.6 million artists sold their work on Etsy, generating gross merchandise sales of \$2.4 billion.⁷⁹

Visual artists and arts organizations also continue to struggle with reduced funding from both government and private donors as well as insufficient and costly work/live space, particularly in the New York City area. As noted by the Center for an Urban Future, many are now choosing to take advantage of collectives and co-working spaces “as a way to pool resources and allow more fluid partnerships on complex projects,” leading to reduced production costs and increased collaboration among visual artists.⁸⁰

⁷⁵ Earl Bateman, *galleriesofnewyork.com*, accessed March 16, 2017. galleriesofnewyork.com

⁷⁶ Quarterly Census of Employment and Wages (QCEW), Bureau of Labor Statistics, U.S. Dept. of Labor.

⁷⁷ Don Thompson, *The Supermodel and the Brillo Box: Back Stories and Peculiar Economics from the World of Contemporary Art* (New York: Palgrave Macmillan, 2014), 115-116.

⁷⁸ Etsy was founded in Brooklyn in 2005 and is currently headquartered in the borough's DUMBO district. It is a public company traded on NASDAQ.

⁷⁹ Etsy, Inc., *Form 10-K 2015*.

⁸⁰ Center for an Urban Future, *Creative New York*, June 2015, 23.

Despite significant changes affecting the state’s arts and entertainment industry in recent years, New York remains one of the leading entertainment capitals of the world. Anchored by robust television production, stalwart Broadway theatre, and a strong museum and gallery scene across the state, the arts continues to increase its impact on the state economy both directly and through the support of other industries. New York’s distinctive pool of talent and technical professionals, along with its myriad of landmark studios and venues, support the sustained growth of the A&E industry throughout the state. New York City remains one of the premier sound recording capitals of the world, even with a significant drop in recording work over recent years. Other growing industry sectors such as live music and video game production further anchor this invaluable industry to the state economy.

Several trends within the greater arts and entertainment world present challenges often unique to the New York State industry. Across electronic media, other states and countries continue to adopt competitive incentive programs to attract producers and talent, increasing competition both within the U.S. and abroad. Performing and visual arts organizations face declining government support and growing competition for private funding, leading to new strategies for increasing revenue and cutting expenses like live-streaming performances and pooling costs. Individual artists struggle to cope with similar funding issues by sharing space and equipment.⁸¹

Advancing technologies have profoundly affected the ease with which entertainment is created and consumed. The growth of crowdfunding (e.g., Kickstarter, Indiegogo) and art-centric e-commerce sites (e.g., Etsy) have opened up new revenue streams across the A&E spectrum, while the advent of virtual reality brings with it substantial potential to transform the world of entertainment. However, while emerging technologies have expanded access and increased opportunity in many ways, the displacement of some occupations and depression of revenue continues to be threatened within recorded music. Individual players across arts and entertainment are now faced with the challenge of attracting and maintaining an audience amidst the proliferation of content available to consumers, all while competing for shrinking financial resources.

The greatest asset of New York’s A&E industry remains its highly-skilled workforce.

⁸¹ Ibid, 21-23.

THE ARTS AND ENTERTAINMENT WORKFORCE

New York's arts workforce is its key competitive advantage in attracting arts and entertainment producers and consumers. According to a study by Americans for the Arts, New York State has the highest percentage of jobs that are arts-related (3.47 percent), and is second only to California in number of arts-related jobs.⁸² New York City's share of national employment grew between 2003 and 2013 in all major A&E sectors, including music production (15 to 17 percent), film and video (11 to 15), performing arts (10 to 11), broadcasting (8 to 10), visual arts (8 to 9), and independent artists (5 to 7).⁸³ While the deep talent pool is a key factor for attracting employers, the state's uniquely diversified arts industry also represents an advantage for employees who have more opportunities to work across multiple sectors here than in any other center in the United States, including California— where employment is concentrated in film and television.

Arts and entertainment production is labor intensive, i.e., labor accounts for a major portion of the cost of production. This has important implications for both business locational decisions and for public policy. For mobile sectors of the industry including film and television production and video game development, the availability and cost of labor are major factors in location decisions.

According to a study by the Center for an Urban Future, New York cannot take this large pool of talent for granted because of the many challenges it faces, including but not limited to high costs of living and lack of affordable workspace.⁸⁴ The analysis presented in this section reveals the assets and vulnerabilities of the A&E workforce, as well as the areas that offer a potential role for public policy to assist in addressing the key issues.

SIZE OF EMPLOYED WORKFORCE BY OCCUPATION AND SECTOR

In New York State, there are approximately 351,000 individuals that identify themselves as artists or entertainment professionals (Table 2).⁸⁵ By far the largest occupational group is designers, which includes graphic designers, set and exhibit designers, and all other commercial, industrial, and artistic designers. The second largest group consists of writers and authors, followed closely by editors, artists and related workers, and producers and directors.

⁸² Data Source: Dun & Bradstreet, January 2015. Data Analysis: Americans for the Arts, February 2015. www.AmericansForTheArts.org/CreativeIndustries

⁸³ Economic Modeling Specialists International (EMSI) database. Retrieved from Center for an Urban Future, *Creative New York*, June 2015.

⁸⁴ Ibid.

⁸⁵ Although the arts and entertainment industry employs a number of workers and professionals in administrative, clerical, and service occupations, their skill sets are not specific to arts and entertainment. This study focuses on those occupations whose skill sets directly relate to arts and entertainment and are not easily transferable to other industries.

Table 2: NYS Arts and Entertainment Workforce

Occupation	Total, 2007	Total, 2013	Percent Change
Total All Occupations	332,448	351,036	5.59%
Announcers	3,591	4,430	23.36%
Television, Video, and Motion Picture Camera Operators and Editors	5,357	6,559	22.44%
Musicians, Singers, and Related Workers	19,423	23,693	21.98%
Miscellaneous Media and Communication Workers	7,652	9,330	21.93%
Miscellaneous Entertainment Attendants and Related Workers	18,166	21,443	18.04%
Entertainers, Performers and Related Workers, All Other	4,412	4,996	13.24%
Photographers	17,835	19,854	11.32%
Broadcast and Sound Engineering Technicians and Radio Operators	9,868	10,981	11.28%
Producers and Directors	25,011	27,680	10.67%
Writers and Authors	27,790	29,479	6.08%
News Analysts, Reporters and Correspondents	11,308	11,933	5.53%
Designers	86,902	91,610	5.42%
Artists and Related Workers	28,787	28,594	-0.67%
Archivists, Curators, and Museum Technicians	5,402	5,278	-2.30%
Actors	11,662	11,380	-2.42%
Editors	30,937	28,823	-6.83%
Agents and Business Managers	7,397	6,462	-12.64%
Ushers, Lobby Attendants, and Ticket Takers	5,727	4,552	-20.52%
Motion Picture Projectionists	1,058	839	-20.70%
Dancers and Choreographers	4,163	3,120	-25.05%
Source: American Community Survey, 2005-2007, 2011-2013, Census Bureau			

The composition of the New York State arts and entertainment workforce has changed since our original report, *Empire State’s Cultural Capital at Risk? The A&E workforce grew 5.59 percent to over 350,000 between 2007 and 2013. Several occupations grew by over 20 percent—including musicians, announcers, camera operators and editors—while others lost more than 20 percent of their population during the same period, including dancers and choreographers, motion picture projectionists, ushers, lobby attendants, and ticket takers.*

Occupations showing job growth of over 10 percent include producers and directors, broadcast and sound engineers, and photographers.

These changes largely reflect a quickly morphing industry landscape due in large part to emerging technologies. Shifts in employment are further modeled when employment is broken down by industry sector, as shown in Chart 3. Factors including the proliferation of internet-connected devices and the rise of online news hubs have led the internet publishing and broadcasting workforce to explode in recent years by almost 150 percent. While the motion picture and video workforce also experienced growth, the sound recording industry suffered a 40.1 percent drop in employment.

Chart 3: Percentage of NYS Arts Workforce by Region, 2013



Source: American Community Survey, 2005-2007, 2011-2013, Census Bureau

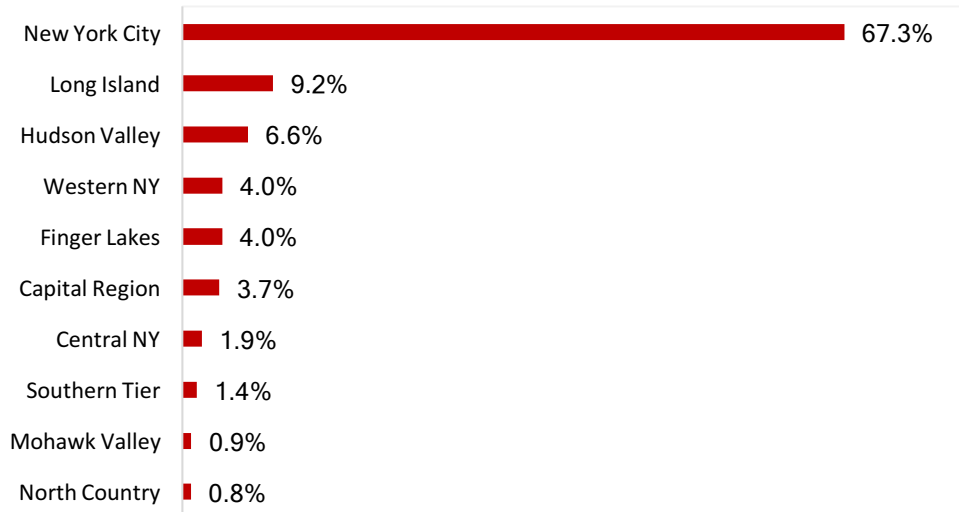
LOCATION

Chart 4 shows the place of residence of the New York State arts workforce by region, with roughly 63 percent of the workforce living in New York City. Other major arts hubs outside of New York City include the counties in Long Island, the Hudson Valley, and the counties of Erie (Buffalo), Monroe (Rochester), and Onondaga (Syracuse). Buffalo, an example of major art centers outside of New York City, is ranked the top mid-sized arts destination city in the country by AmericanStyle magazine.

New York State’s A&E workforce has become even more centralized in New York City in recent years. More than two out of every three workers in the industry live in New York City as of 2013,

compared to 61.3 percent five years earlier. No other New York region increased its share of this workforce during this period.⁸⁶

Chart 4: Employment, Select A&E Industry Sectors, NYS 2007-2013



Source: American Community Survey, 2005-2007, 2011-2013, Census Bureau

WORKFORCE CHARACTERISTICS

Arts workers tend to be younger and more highly educated than the average for New York State's workforce. Women and minorities are a major component of the arts workforce but remain underrepresented in most occupations and sectors of the industry, including higher paying jobs.

EDUCATIONAL ATTAINMENT

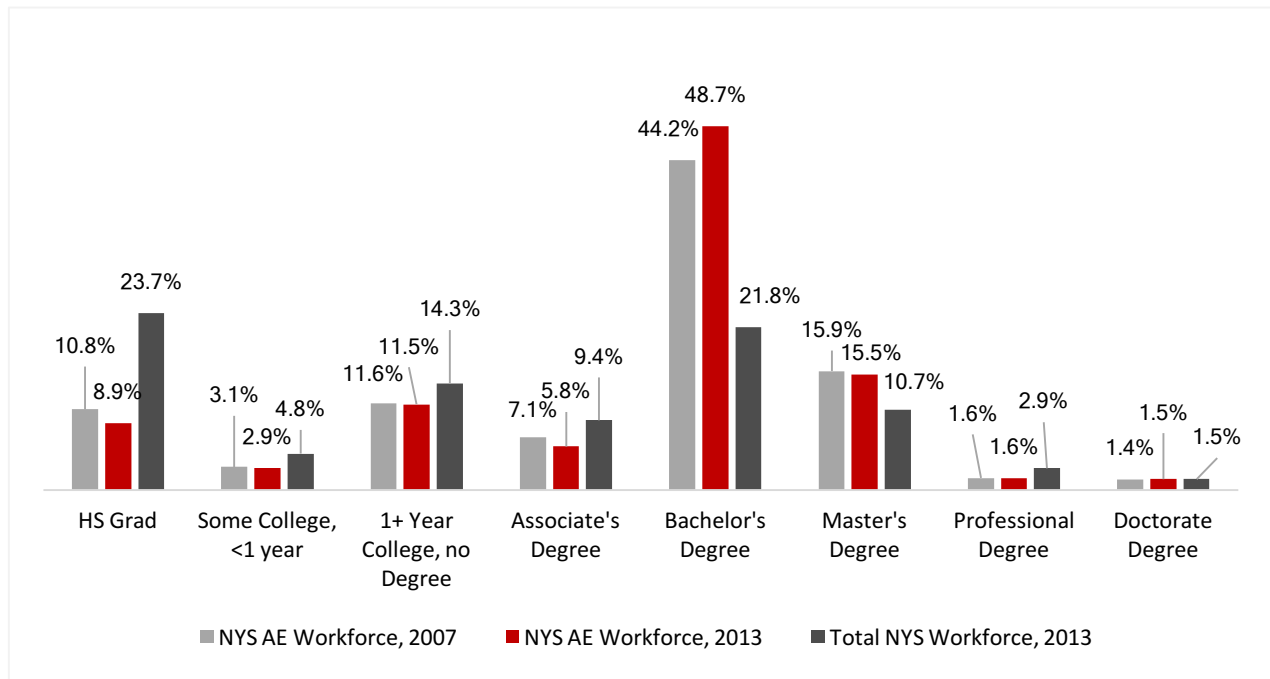
AE workers have levels of educational attainment well above the average for the New York workforce. As shown in Chart 5, over two thirds have completed a bachelor or graduate degree, almost twice the percentage of the state workforce. Among arts occupations (see Appendix I), writers and authors have the highest levels of education (89.6 percent with bachelor or graduate degrees) followed closely by editors (88.5 percent), news analysts (88.3 percent), and producers and directors (87.6 percent). The only arts occupations to show lower levels of educational attainment than the state workforce are motion picture projectionists (29.2 percent with bachelor or greater), ushers, lobby attendants, and ticket takers (22.3 percent), and miscellaneous entertainment attendants and related workers (13.6 percent). Rand Corporation's report that there has been an

⁸⁶ NYS Department of Labor, Division of Research & Statistics.

increased emphasis on credentialization for emerging visual artists may be reflected in the 70.3 percent of fine artists holding at least a bachelor’s degree.

Compared with the past, the New York State A&E workforce continues to be much better educated than the greater state workforce (Chart 5), with the gap in educational attainment widening in recent years. Over two-thirds (67.3 percent) of the A&E workforce held at least a bachelor’s degree in 2013, compared to 63.1 percent in 2007. Only 36.9 percent of the total state workforce had at least a bachelor’s degree in 2013 in comparison. The share of the state workforce without a college degree in 2013 was nearly double that of the A&E workforce at 42.8 percent. Occupations within the A&E industry that have made notable gains in educational attainment since 2007 include designers, actors, photographers, camera operators and editors. For data on educational attainment within the A&E workforce by occupational group, see Appendix I.

Chart 5: Educational Attainment of the NYS A&E Workforce



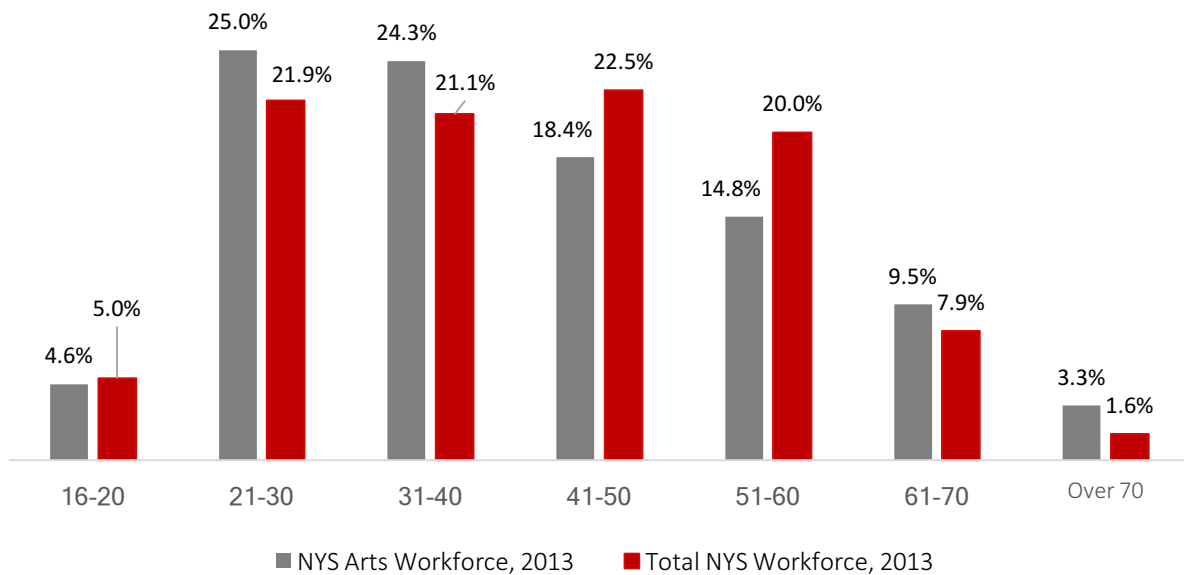
Source: American Community Survey, 2005-2007, 2011-2013, Census Bureau

AGE

Arts workers tend to be younger than the overall New York State workforce. As shown in Chart 6, 53.9 percent of the arts workforce is under the age of 40, compared to 48 percent of the overall New York State workforce. In contrast, only 33.2 percent of A&E workers are in the 40-60 age range, compared with 42.5 percent of the overall workforce. Heavy concentration of arts employment in the under 40 years suggests that arts workers and technicians who experience low incomes and unstable work prospects in their youth tend to shift careers as they grow older. On the other hand, A&E workers are more likely than other New Yorkers to be represented in the workforce after age

61. Occupations with a majority of workers over the age of 40 include fine artists, musicians, writers, and photographers. Dancers and choreographers are the only group to have a majority under 30 years of age due to the physical demands involved, similar to professional athletes. See the appendices for complete 2013 data on age distribution by A&E occupation (Appendix II) and comparative data from 2007 (Appendix III).

Chart 6: Age Distribution of the NYS A&E Workforce



Source: American Community Survey, 2011-2013, Census Bureau

GENDER

Women comprise roughly 42 percent of the arts workforce. Reported by sector as shown in Table 3, every major A&E sector has a lower percentage of women in comparison with the total New York State civilian labor force (48.4 percent).

Female representation exceeds the average for the total NYS civilian workforce in ten occupational groups, including actors, producers and directors, dancers and choreographers, and writers and authors (Chart 7). Notable occupations that fall below the state share of female jobholders include artists and related workers, musicians, photographers, camera operators and editors, and broadcast and sound engineering technicians. In several occupations—including announcers, camera operators and editors, broadcast and sound engineering technicians, and motion picture projectionists—the percentage of women is 20 percent or less. It should be noted that females are employed in talent occupations at a much higher rate than in crew jobs.

Table 3: Gender Composition of NYS A&E Employment by Sector

Industry Sector	Male	Female
Total, All Sectors	57.6%	42.4%
Sound Recording Industries	69.0%	31.0%
Broadcasting, Except Internet	59.0%	41.0%
Motion Picture and Video Industries	58.4%	41.6%
Performing Arts, Spectator Sports, and Related Industries	58.2%	41.8%
Internet Publishing and Broadcasting and Web Search Portals	54.0%	46.0%
Museums, Art Galleries, Historical Sites, and Similar Institutions	53.1%	46.9%
Source: American Community Survey, 2011-2013, Census Bureau		

The gender differential is even more pronounced when analyzed by rank in organizational hierarchies. For arts workers employed in firms, males are predominate among A&E executives and senior managers, as well as in craft and operative jobs, while clericals are largely female.⁸⁷

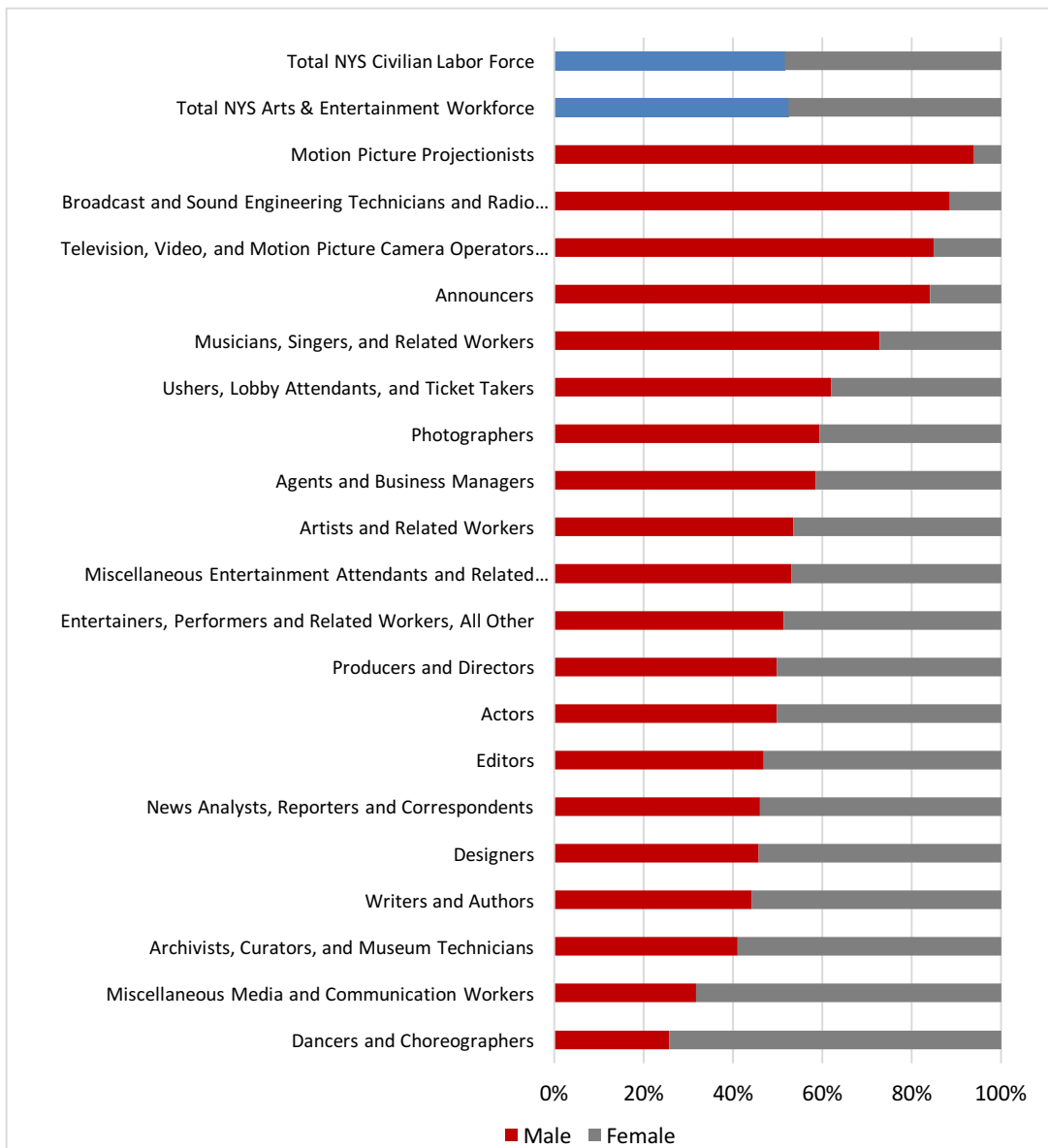
From 2007 to 2013, there has been little change in gender distribution within the industry. Men continue to make up the majority of those working in every New York State arts and entertainment sector. Performing arts and motion picture and video made small gains in terms of gender balance, but still remain majority-male. The greatest change came in internet publishing and broadcasting, dropping from 62.3 percent male in 2007 to 54 percent in 2013. Museums and art galleries, broadcasting, and sound recording all became less gender-equal during the same period.

More notable changes in gender balance can be observed by occupation, as shown in Appendix IV. While the gender composition of the entire A&E workforce stayed roughly the same—as did the total New York State civilian labor force—several occupations experienced shifts greater than 10 percent. Actors, producers and directors, and news analysts and reporters all moved from majority-male in 2007 to majority-female in 2013. The majority-female status of producers and directors is particularly notable for its stark contrast to what has typically been found on a national level. No occupations shifted in the other direction to majority-male during the same period. Dancers and choreographers became considerably more female-dominated, dropping from approximately 40

⁸⁷ U.S. Equal Employment Opportunity Commission (EEOC), 2014 Job Patterns for Minorities and Women in Private Industry (EEO-1).

percent male in 2007 to roughly 25 percent male in 2013. As of 2013, nine occupations within the New York State arts and entertainment industry hold a female majority, while eleven hold a male majority.

Chart 7: Gender Composition of Select A&E Occupations, NYS

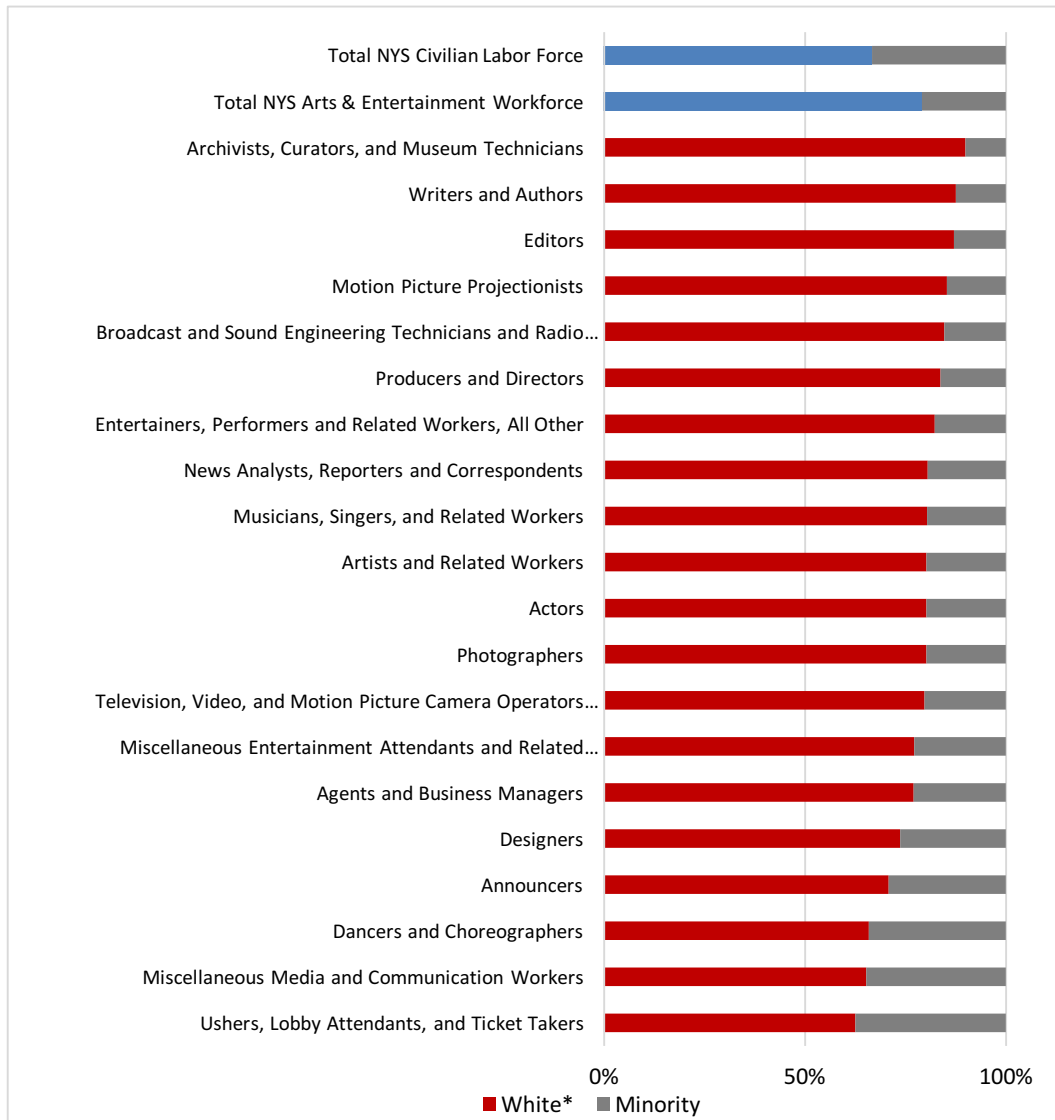


Source: American Community Survey, 2011-2013, Census Bureau

ETHNICITY

Racial and ethnic minorities in the arts professions (Chart 8) are underrepresented relative to their percentage of the total NYS civilian workforce in almost all occupations. Exceptions include dancers and choreographers, ushers, lobby attendants, and ticket takers, and miscellaneous media and communication workers.

Chart 8: Racial and Ethnic Composition of Select A&E Occupations, NYS, 2013



Source: American Community Survey, 2011-2013, Census Bureau

*White non-Hispanic

When employment is analyzed by organizational level, minorities are rarely found at the top and are heavily grouped in service and office work at the low end of the status and income spectrum.

African-Americans and Latinos hold less than 10 percent of executive positions and 16 percent of technician and craft jobs.⁸⁸

Racial diversity within the workforce also shows little overall change from 2007 until broken down by occupation (see Appendix V). Between 2007 and 2013, the percent of the total New York State civilian labor force identifying as white non-Hispanic dropped by over two points to 66.7 percent, while that of the A&E workforce stayed higher at roughly 80 percent. Nine occupational groups within the industry became less diverse during this period, with the most significant change in dancers and choreographers and technicians. Eleven occupations became more diverse in the same years, with notable changes among announcers and motion picture projectionists.

Diversity in the arts workforce and equal opportunity for advancement have been matters of expressed concern to employers, unions, and legislators.⁸⁹ What are the barriers to employment and upward mobility for women, minorities, and people with disabilities in this industry? The Center for an Urban Future's 2015 report *Creative New York* attributes the lack of diversity within the city's creative sector to the rise of unpaid internships in arts organizations, keeping low-income minorities and immigrants from entering the industry. The significant decrease in city funding for arts education has only exacerbated this trend, disproportionately affecting schools in low-income neighborhoods heavily attended by non-white children.⁹⁰ A 2008 article by Susan Christopherson focusing on media employment patterns in the United States makes a similar point about "exclusionary networks"—entrenched social networks within sectors of the industry dominated by white males for generations, restricting women and minorities from making connections crucial to upward mobility and employment.⁹¹

In October 2016, The New York City Cultural Agenda Fund in The New York Community Trust announced a \$500,000 grant to advance racial equity within the City's cultural institutions. The majority of the grant will fund an 18-month training series and technical assistance program through Race Forward, coaching representatives from 60 local arts groups to create plans to promote racial equity within their organizations.⁹² Several other private organizations—as well as city agencies such as the Mayor's Office of Media and Entertainment (MOME)—have launched initiatives to combat racial and gender inequity within New York's cultural sector.

⁸⁸ Ibid.

⁸⁹ For example, Cynthia Littleton, "New York Legislators Approve Groundbreaking TV Diversity Tax Credit," *Variety*, June 22, 2017. Also see websites of corporations and unions.

⁹⁰ Center for an Urban Future, *Creative New York*, June 2015, 45-48.

⁹¹ Susan Christopherson, "Beyond the Self Expressive Creative Worker. An Industry Perspective on Entertainment Media," *Theory, Culture and Society*, vol. 25, 2008.

⁹² The New York Community Trust, "Cultural Agenda Fund Awards More than \$500,000 in Grants to Advance Cultural and Racial Equity," October 11, 2016. Accessed October 13, 2016.
http://www.nycommunitytrust.org/Newsroom/LatestNews/tabid/626/ArticleId/294/_10-11-16-Cultural-Agenda-Fund-Awards-More-than-500-000-in-Grants-to-Advance-_Cultural-and-Racial-Equi.aspx



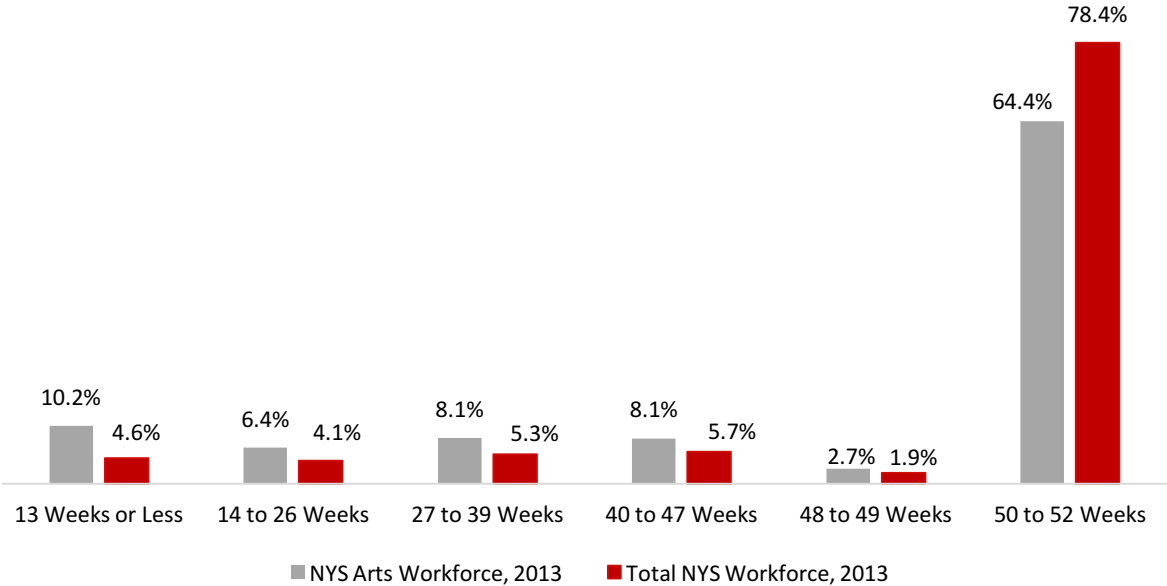
EMPLOYMENT AND INCOME

EMPLOYMENT PATTERNS

The New York State arts workforce is less likely to be employed year-round, and more likely to be self-employed, as compared with the overall state workforce. About 64 percent of all artists and entertainment professionals are employed year-round (50 weeks+), compared to about 78 percent of the overall New York State workforce (Chart 9). Roughly one in six workers in the arts and entertainment industry work fewer than 26 weeks a year. These nontraditional employment patterns have significant consequences for income levels and stability, as well as access to health care and other benefits, including unemployment insurance and pensions.

Overall, contingent employment is characteristic of this industry, which operates as a gig economy. A&E workers move from project to project and are likely to experience prolonged unemployment between projects. To survive contingent employment with its unstable or low income levels, A&E workers often engage in multiple job-holding and cross over between the commercial and nonprofit sectors and work outside of the arts and entertainment industry.

Chart 9: Full-Year & Part-Year Employment for the NYS A&E Workforce, Percent of Workforce by Number of Weeks Worked



Source: American Community Survey, 2011-2013, Census Bureau

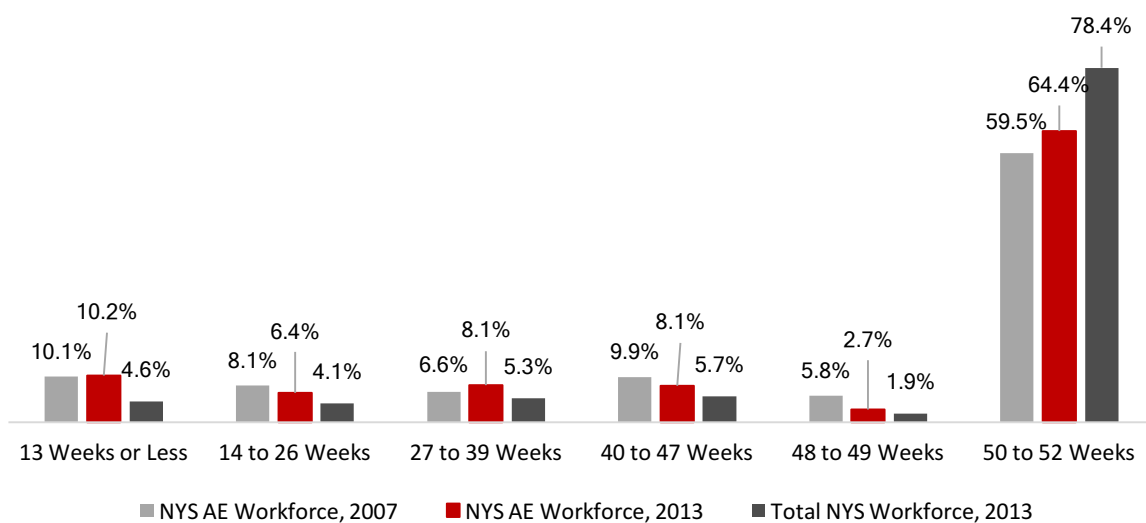
As shown in Appendix VI, which portrays New York A&E employment patterns by occupation, actors tend to experience the lowest levels of full-year employment among all A&E occupations. Only 27.4 percent of actors work for the full-year, and one in three (the highest percentage among all occupations) work in their profession 13 weeks a year or less. Other occupations showing notably low levels of full-year employment include dancers and choreographers, motion picture projectionists, ushers, lobby attendants, and ticket takers.

News analysts, reporters and correspondents show the highest percentages of full-year employment with 82.4 percent working 50 weeks a year or more (see Appendix VI). Other occupational groups with high rates of full-year employment include producers and directors, broadcasting and sound engineering technicians, designers, editors, archivists, and curators.

There has been an upward trend in regularity of employment for a sector of job seekers (Chart 10). Although roughly the same percentage of the workforce are working thirteen weeks or less as in 2007, the share working fifty weeks or more climbed from 59.5 percent to 64.4 percent. However, A&E employees still are employed for shorter periods of the year than the typical New York State worker, with 78.4 percent of the total state workforce working fifty or more weeks per year.

Among occupations, dancers and choreographers experienced the greatest decline in full-year employment (see Appendix VI), dropping from 59.1 percent in 2007 to under 40 percent in 2013. Actors, artists, dancers and choreographers, announcers, writers and authors, and motion picture projectionists each suffered notable increases in those working 26 weeks or less.

Chart 10: Full-Year & Part-Year Employment for the NYS A&E Workforce, Percent of Workforce by Number of Weeks Worked



Source: American Community Survey, 2005-2007, 2011-2013, Census Bureau

Several occupations associated with the booming film and television production sector, including actors, producers and directors, camera operators and editors, and sound engineering technicians saw significant increases in full-year employment. The Boston Consulting Group's October 2015 report for the Mayor's Office of Media and Entertainment (MOME) highlights several ways current production trends are benefiting the New York City workforce. Simply put, the explosion of TV production within the past several years has dramatically increased the amount of work available, turning a once highly seasonal industry into sustainable, year-round work. These changes have further led to a more free-flowing labor pool— both in talent and crew—between feature film and TV production, increasing both opportunity and stability for those working in the industry.⁹³

EMPLOYMENT STATUS

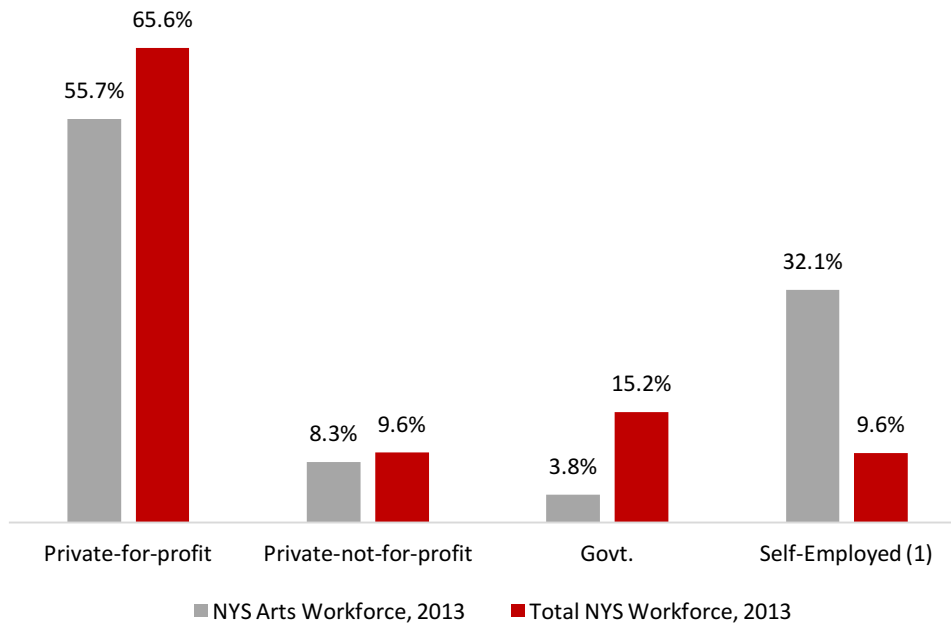
Self-employment is a key characteristic of the labor market in arts and entertainment. In New York State, the percentage of self-employment for the arts workforce (32.1) is over three times that of the overall workforce (Chart 11), and higher than the national rate of 29 percent. For those who are not self-employed, the majority work for private for-profit employers (55.7 percent). Relatively few arts workers are employed by nonprofit private employers (8.3 percent) and by government (3.8 percent).

By occupation, self-employment is over 50 percent among artists and related workers, musicians, singers, and related workers, writers and authors, and photographers (see Appendix VII). Employment in the commercial sector (private for-profit) is over 70 percent for producers and directors, news analysts, reporters and correspondents, ushers, lobby attendants, and ticket takers, and miscellaneous entertainment attendants and related workers. Compared with other arts occupations, archivists, curators, and museum technicians are more likely to be employed in the nonprofit sector (45.3 percent). Other occupations with relatively high percentages employed in nonprofits include dancers and choreographers (20.6 percent) and musicians, singers, and related workers (23.9 percent).

There has been little change in the share of A&E workers employed in private, for-profit firms, with roughly one third self-employed (see Appendix VII). By occupation, producers and directors, dancers and choreographers, and actors all made a notable shift away from self-employment and into employment by for-profit firms. In contrast, announcers, editors, and motion picture projectionists each moved increasingly toward self-employment over these years.

⁹³ Boston Consulting Group, *The Media and Entertainment Industry in NYC: Trends and Recommendations for the Future*, October 2015.

Chart 11: Employment of the NYS A&E Workforce by Type of Employer



(1): Self-Employed includes “Working without pay in family business or farm”

Source: American Community Survey, 2011-2013, Census Bureau

INCOME

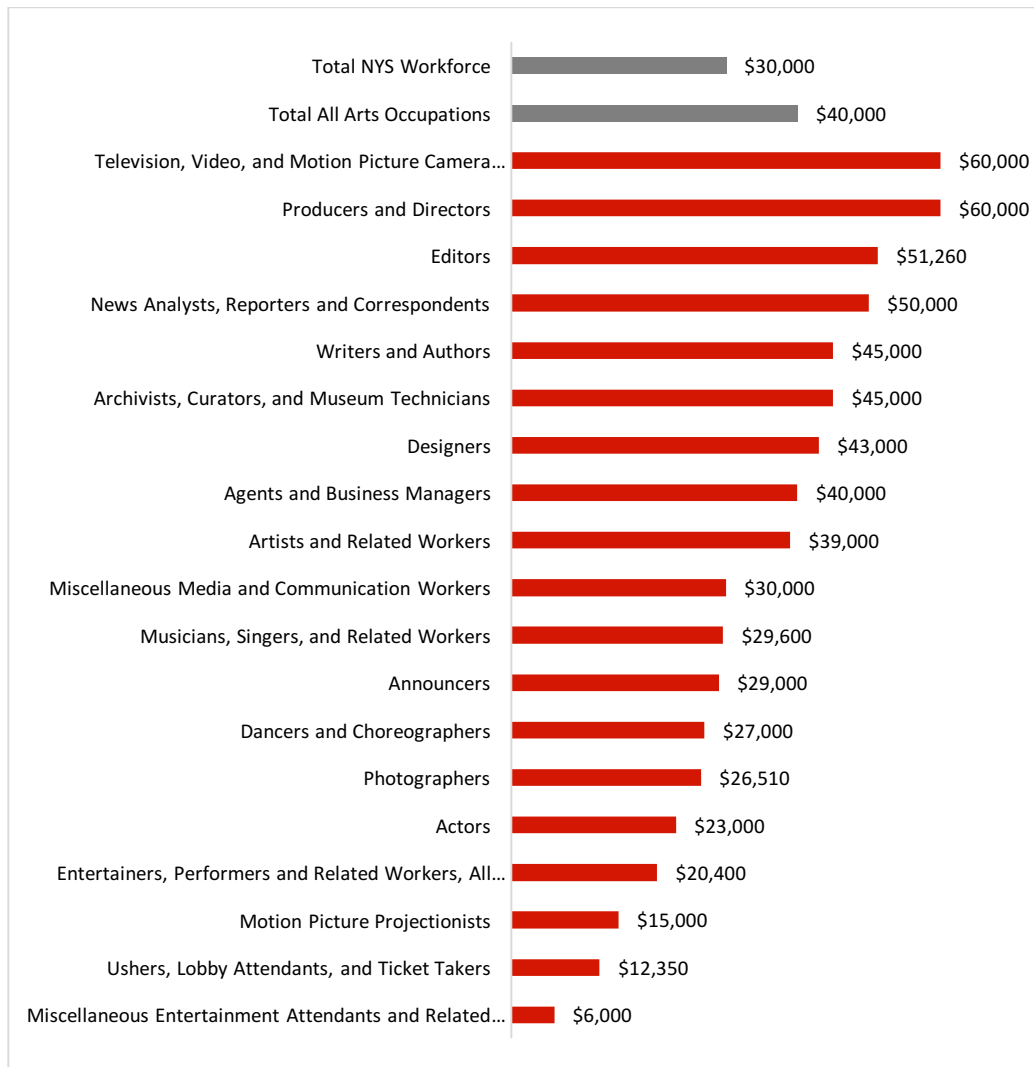
The employment patterns of the New York State A&E workforce, as described above, have adverse effects on incomes, which are highly unstable. As shown in Chart 11 below, the median income of the arts workforce (\$40,000) exceeds that of the total state workforce (\$30,000).⁹⁴ However, income varies greatly by occupational group, with many arts occupations—including musicians, dancers and choreographers, photographers, and actors—falling well below the state median.

The income distribution of the New York State arts workforce as a whole is skewed toward the bottom, with almost one out of three earning \$20,000 or less annually and less than a percent reporting annual incomes above \$500,000 (Chart 13). This income distribution pattern applies to all occupations, except producers and directors (see Appendix VIII). While the share of A&E workers making \$20,000 or less per year (32.5 percent) mirrors that of the NYS workforce (32.1 percent), the investment in training and education commonly expected to compete within the A&E industry is uncharacteristic of other occupations with such large percentages of low-income workers, putting

⁹⁴ “Total income” is the sum of the amounts reported separately for wage or salary income; net self-employment income; interest, dividends, or net rental or royalty income or income from estates and trusts; Social Security income; Supplemental Security Income (SSI); public assistance or welfare payments; retirement, survivor, or disability pensions; and all other income. This includes all income from the past 12 months from all jobs worked.

many A&E workers at a severe disadvantage. The majority of workers in three occupations with minimal skill and educational requisites—motion picture projectionists (52.6 percent), ushers, lobby attendants, and ticket takers (66.4), and miscellaneous entertainment attendants and related workers (76.8)—make \$20,000 a year or less. Over 40 percent of actors (47.7 percent), dancers and choreographers (44.2), photographers (44.2), and announcers (40.4) fall within this low income level. Occupations with similar shares of workers making \$20,000 or less a year include bartenders (50.3 percent), janitors and building cleaners (47.5), receptionists and information clerks (47.4), and taxi drivers and chauffeurs (44.0), all of which typically require far less education and training. Less than a single percent of A&E workers make it to the top of the income distribution. The highest percentages for incomes of more than \$200,000 are writers and authors (9.7 percent), and television, video, and motion picture camera operators and editors (8.4 percent).

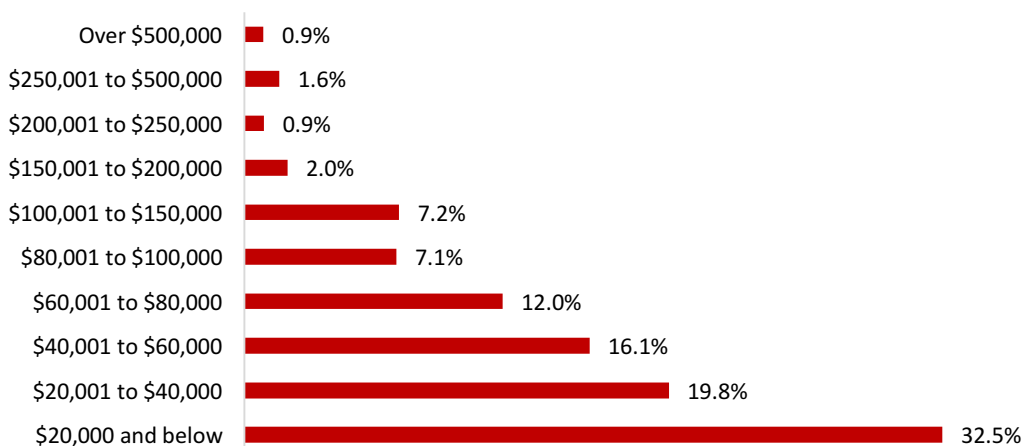
Chart 12: Median Income by Select A&E Occupations, NYS, 2013



Source: American Community Survey 2011-2013, Census Bureau

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Chart 13: Percent of Total A&E Workforce by Income Range, NYS



Source: American Community Survey, 2011-2013, Census Bureau

According to the online gaming publication *Gamasutra*, U.S. salaried video game developers earned an average annual salary of \$83,060 in 2013, ranging from \$54,833 for quality assurance testers to

\$101,572 for those in business and management positions.⁹⁵ As favorable as these numbers may be, statistics fail to portray an industry rife with abuse and substandard working conditions including wage theft and long, unpredictable hours. Independent game developers—comprising 48 percent of the gaming workforce, according to a 2014 survey by the International Game Developers Association (IGDA)⁹⁶—earned an average of just \$11,812 in 2013.⁹⁷

Nearly one in three of those working in the arts and entertainment industry continue to earn an income of \$20,000 or less a year. This puts almost a third of those within the industry below or near the poverty line, before taking account of the high cost of living in New York City, where over two-thirds in the industry work.

As shown in Chart 14, the median income of the A&E workforce has shown little change.⁹⁸ The majority of occupational groups within the industry have seen an increase in income, with the most significant increases occurring for camera operators and editors, dancers and choreographers. Actors and photographers both decreased in income level over this span. For complete data on median income by A&E occupation, see Appendix IX.

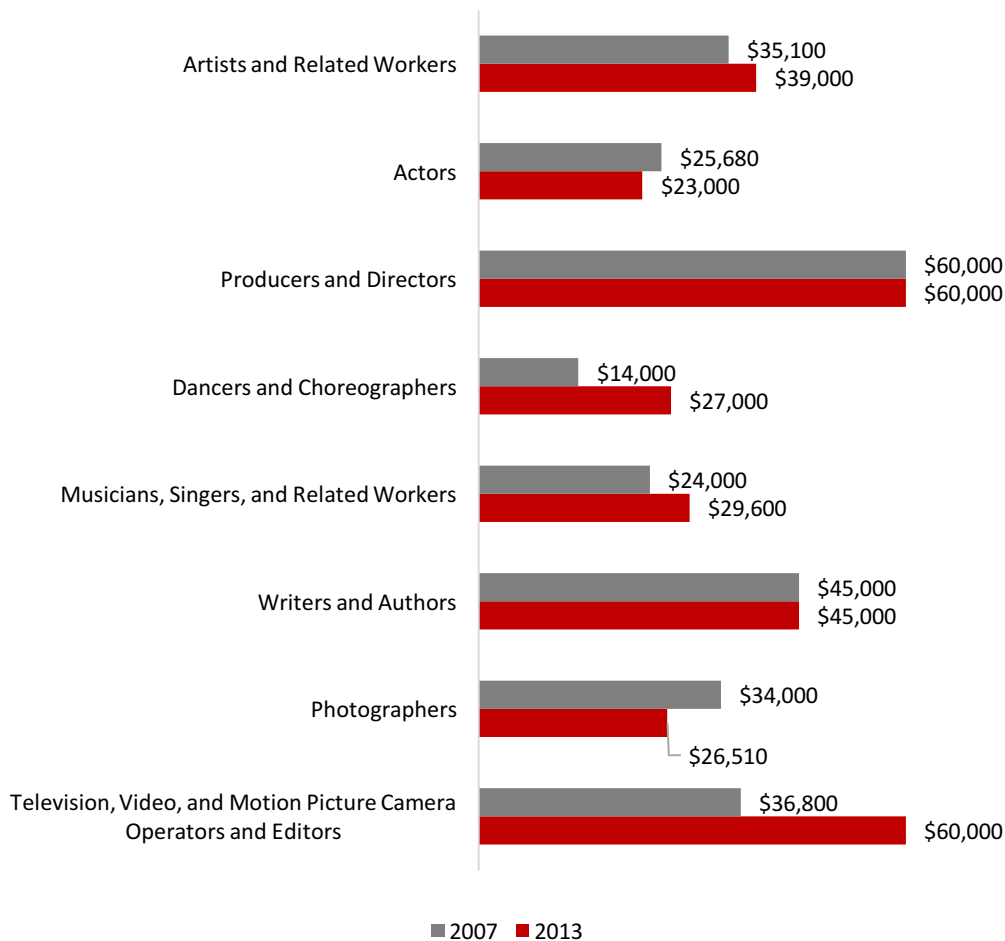
⁹⁵ Gamasutra, *Gamasutra Salary Survey 2014*, 2014.

⁹⁶ International Game Developers Association, *Game Developers at a Glance 2014: Results from the IGDA's Game Developer Satisfaction Survey*, 2014.

⁹⁷ Gamasutra, *Gamasutra Salary Survey 2014*, 2014.

⁹⁸ Accounts for every arts occupation included within definition—for complete statistics for each occupation, see Appendix IX.

Chart 14: NYS Median Income by Select A&E Occupations



Source: American Community Survey, 2005-2007, 2011-2013, Census Bureau

The uneven distribution of income in this workforce is explained by the stratification of the industry’s labor market, which in turn reflects the structure and dynamics of the arts and entertainment industry. Most of this industry’s sub-sectors tend to be stratified and bifurcated, with large budget productions (e.g., blockbuster films and TV shows, Broadway shows) on the high end and small budget productions (e.g., independent films, Off-Off Broadway, and regional theatre) on the low end. In the case of the visual arts, the rise of superstars exhibited in museums and auction houses during the 1970s and 1980s has been associated with the increase in income disparity in that sector. The outcome for artists and entertainment professionals is high income concentration at the top and crowding at the low end, with half of the workforce earning less than 40,000.

The combination of excess supply and income disparity is described and analyzed in Robert Frank and Phillip Cook’s *The Winner Take All Society*, of which cultural markets are a leading example. This

type of market is “one in which the value of what gets produced depends on a few top performers who are paid accordingly.” One consequence of a “winner take all market” is the attraction of too many contestants; for example, 90 percent of actors never make a living at their craft. Continuing attraction to a market with high rewards for a few is the well documented human frailty of over estimating one’s chances of winning (as illustrated by lottery sales). Losers may get nothing. The authors cite aspiring rock musicians who are willing to pay the full cost of producing and distributing their first albums. Motives for free and low paid labor add to the lure of entering this labor market, aspirations for fame and devotion to one’s craft or profession.⁹⁹

The analysis presented in this chapter suggests that New York State’s arts and entertainment workforce continue to live and work in precarity. Data from the U.S. Census Bureau’s American Community Survey indicates that the workforce has continued to grow to over 350,000 today. The A&E workforce has become somewhat more centralized in New York City, despite policy efforts to attract more business Upstate. Contingent employment remains a serious issue among artists and entertainers. Despite being much better educated than the overall state workforce, almost one in three A&E workers make less than \$20,000 a year. Women and minorities remain underrepresented in many skilled and higher-paying A&E occupations—the notable exception being producers and directors—while white men continue to hold the majority of high-paying executive, technical, and craft jobs within the industry.

It is clear from the data presented above that many within the A&E workforce are in serious need of a safety net. The next chapter outlines major work-related issues affecting arts and entertainment workers, and follows with an analysis of actual and potential sources of support.

⁹⁹ Robert H. Frank and Phillip J. Cook, *The Winner-Take-All Society* (New York: The Free Press, 1995).

SELECT OCCUPATIONAL PROFILES

The following analysis highlights trends in employment, income and demographic composition for select occupations within the A&E workforce.

PRODUCERS AND DIRECTORS

Producers and directors, among the highest paid and highest prestige occupations, have made gains in both number and full-year employment since 2007. Notable is the rise in representation of women, who now equal men in share of jobs. This is in stark contrast to national trends reported in recent research, which show men continue to dominate this occupation in electronic media.¹⁰⁰ Minorities continue to be underrepresented.

Table 4: Producers and Directors

	2013	Change, 2007-2013
Number	27,680	10.67%
50-52 Weeks Worked per Year	70.60%	7.50%
Median Income	\$60,000	0.00%
Male	49.80%	-7.30%
White	83.60%	-2.90%
40 or Under	65.40%	10.50%
Bachelor's Degree or Greater	87.60%	4.50%
Source: American Community Survey, 2005-2007, 2011-2013, Census Bureau		

TELEVISION, VIDEO, AND MOTION PICTURE CAMERA OPERATORS AND EDITORS

Camera operators and editors are among the “winners” in terms of growing employment and income, reflecting the significant growth in television production and filmed entertainment in recent years. Increasing employment opportunities have led to a 63 percent gain in income and a 10 percent increase in full-year employment since 2007, with an expansion of the workforce by over 22 percent. However, the profession continues to lack diversity; roughly 4 in 5 camera operators and editors are white males.

¹⁰⁰ See Martha M. Lauzen, *The Celluloid Ceiling: Behind-the-Scenes Employment of Women on the Top 100, 250, and 500 Films of 2015*, Center for the Study of Women in Television & Film, San Diego State University, 2016; *Women in Independent Film, 2015-16*, Center for the Study of Women in Television & Film, San Diego State University, May 2016; *Boxed In 2015-16: Women On Screen and Behind the Scenes in Television*, Center for the Study of Women in Television & Film, San Diego State University, September 2016.

Table 5: Television, Video, and Motion Picture Camera Operators and Editors

	2013	Change, 2007-2013
Number	6,559	22.44%
50-52 Weeks Worked per Year	59.70%	9.70%
Median Income	\$60,000	63.04%
Male	84.90%	6.70%
White	79.70%	-4.00%
40 or Under	64.20%	-2.40%
Bachelor's Degree or Greater	68.90%	6.00%
Source: American Community Survey, 2005-2007, 2011-2013, Census Bureau		

ACTORS

Actors have registered a substantial drop in pay since 2007, with median income now at just \$23,000 per year and 47.7 percent making \$20,000 or less. This occupation has achieved gender parity but remains predominantly white (80 percent).

Table 6: Actors

	2013	Change, 2007-2013
Number	11,380	-2.42%
50-52 Weeks Worked per Year	27.40%	6.60%
Median Income	\$23,000	-10.44%
Male	49.70%	-11.80%
White	80.20%	0.40%
40 or Under	52.80%	-4.10%
Bachelor's Degree or Greater	63.70%	7.00%
Source: American Community Survey, 2005-2007, 2011-2013, Census Bureau		

MUSICIANS, SINGERS, AND RELATED WORKERS

Despite the fact that the New York sound recording industry has been shrinking in recent years, musicians have moved forward, experiencing sizable increases in employment and income. While their earnings increased since 2007, their median income remains lower than that of the state workforce. Ethnic and gender diversity among New York musicians remains an issue.

Table 7: Musicians, Singers, and Related Workers

	2013	Change, 2007-2013
Number	23,693	21.98%
50-52 Weeks Worked per Year	56.70%	5.00%
Median Income	\$29,600	23.33%
Male	72.90%	6.80%
White	80.30%	2.10%
40 or Under	41.10%	-1.20%
Bachelor's Degree or Greater	58.80%	-2.60%
Source: American Community Survey, 2005-2007, 2011-2013, Census Bureau		

DANCERS AND CHOREOGRAPHERS

Dancers and choreographers, while dropping notably in number, experienced a significant rise in median income since 2007. Nonetheless, their earnings remain well below overall state levels. Dancers and choreographers in 2007 were the only A&E occupation to hold a majority of non-white workers. Today, they are predominantly female (74 percent) and white (66 percent).

Table 8: Dancers and Choreographers

	2013	Change, 2007-2013
Number	3,120	-25.05%
50-52 Weeks Worked per Year	39.20%	-19.90%
Median Income	\$27,000	92.86%
Male	25.80%	-14.90%
White	65.90%	18.50%
40 or Under	88.70%	0.50%
Bachelor's Degree or Greater	39.80%	-3.80%
Source: American Community Survey, 2005-2007, 2011-2013, Census Bureau		

ARTISTS AND RELATED WORKERS

Visual artists have experienced little change in employment and demographic composition since 2007, with a small increase in annual income.

Table 9: Artists and Related Workers

	2013	Change, 2007-2013
Number	28,594	-0.67%
50-52 Weeks Worked per Year	61.60%	-1.00%
Median Income	\$39,000	11.11%
Male	53.50%	2.50%
White	80.30%	-2.20%
40 or Under	40.20%	-2.20%
Bachelor's Degree or Greater	70.30%	-0.30%
Source: American Community Survey, 2005-2007, 2011-2013, Census Bureau		

ARCHIVISTS, CURATORS, AND MUSEUM TECHNICIANS

Archivists, curators, and museum technicians experienced similar changes as that of artists, with even greater gains in earnings. They remain majority-female and 90 percent white.

Table 10: Archivist, Curators, and Museum Technicians

	2013	Change, 2007-2013
Number	5,278	-2.30%
50-52 Weeks Worked per Year	71.50%	1.50%
Median Income	\$45,000	28.57%
Male	41.00%	1.10%
White	89.90%	1.70%
40 or Under	39.20%	-9.90%
Bachelor's Degree or Greater	76.00%	-3.10%
Source: American Community Survey, 2005-2007, 2011-2013, Census Bureau		

KEY WORKFORCE ISSUES AND CHALLENGES

The arts and entertainment workforce confronts a range of pressing issues and needs, many of which result directly from the employment and income instability that is characteristic of this industry. Most A&E workers lack health and pension benefits, job placement assistance, networking structures, and affordable housing and workspace, while facing high costs for training and education. A result of the irregular and contingent nature of employment in this industry is that many workers do not receive the legal protection afforded to other members of the New York workforce.

HEALTH AND PENSION BENEFITS

Because of the nontraditional employment patterns that predominate in the arts and entertainment industry, health insurance coverage and pension benefits provided through employers are not available to a large proportion of the arts workforce in New York State. Through political action, art and entertainment unions were able to obtain special provisions under COBRA to extend health insurance between jobs, but affordability remains an issue. A 2013 survey of over 3,400 artists across disciplines conducted by the Future of Music Coalition (FMC) and The Actors Fund's Artists' Health Insurance Resource Center (AHIRC) found that 43 percent of respondents did not have health insurance, with 88 percent citing affordability as the primary reason they remained uninsured. Of those who did have health insurance, 39 percent paid for coverage themselves.¹⁰¹ The passing of the Affordable Care Act (ACA) by the Obama administration opened new doors for low-income artists to become insured through its expansion of government-subsidized healthcare, although the true impact on the A&E workforce has yet to be assessed and the future of this safety net is in question.

AFFORDABLE HOUSING AND WORKSPACE

The lack of affordable housing and workspace is a key challenge for the arts workforce particularly in New York City. Dramatic rent increases continue to influence creatives and creative businesses to move to more affordable areas within the city or to leave the five boroughs altogether.

Throughout the state, the effects of rising housing prices have been felt by A&E workers. Between 2000 and 2012, the number of households in New York State above the affordability threshold¹⁰² increased for rental households and homeowner households by 25.7 percent and 86.2 percent,

¹⁰¹ Kristin Thomson and Jean Cook, *Taking the Pulse in 2013: Artists and Health Insurance survey results*, October 15, 2013.

¹⁰² Defined as housing prices consuming 30 percent or more of household income.

respectively.¹⁰³ Many A&E workers are coping with rising rents by taking advantage of co-working spaces, pooling resources to reduce workspace and production costs.¹⁰⁴

JOB PLACEMENT ASSISTANCE/CAREER SUPPORT AND NETWORKING STRUCTURES

AE workers lack adequate job placement structures. This is particularly important because of the highly contingent nature of employment in the industry and the need of artists and entertainment professionals to continuously look for projects to stay employed. Talent, including performers, directors and writers, and higher-paid technicians typically hire agents to secure employment, a significant expense for those struggling to find work. Networking with peers and potential employers is key to success and even survival in this industry. These challenges facing artists and entertainment workers are exacerbated in Upstate New York by the lack of national exposure.

LEGAL PROTECTION

Due to the predominance of contingent employment, and high levels of self-employment in the arts and entertainment industry, workers in this sector are more likely to lack protections under labor and employment laws, compared to workers laboring under traditional employment arrangements. Contingent or project-by-project employment is a labor market characteristic that arts and entertainment workers share with workers in industries such as construction, where contingent or non-standard work arrangements have traditionally prevailed. Non-standard work includes temporary work, moonlighting, contract work, part-timing, and on-call work. This wide reaching trend is increasingly known as work in the on-demand economy or the “gig economy.”

Like most contingent workers, arts and entertainment workers are likely to be excluded from coverage by labor and employment laws because they may not always fit the definition of employee under the various statutes. They may be misclassified as independent contractors, or may not work enough hours for the same employer during the period of a week. In fact, 32 percent of the arts workforce is self-employed, a proportion that is three times the rate of 9.6 percent for the total workforce in New York State. As a result of working as independent contractors or as on-demand workers, arts and entertainment workers lose protections under minimum wage and overtime laws (Fair Labor Standards Act, and state codes), workers compensation insurance, Social Security, and unemployment insurance. If classified as independent contractors, arts and entertainment workers are not protected by the National Labor Relations Act (NLRA) to form a union or take other collective actions. In addition, independent contractors are not covered under Title VII of Civil Rights Act, Family Medical Leave Act, and the Occupational Safety and Health Act (OSHA).

¹⁰³ Thomas P. DiNapoli, *Housing Affordability in New York State*, Office of the NYS Comptroller, March 2014, 4.

¹⁰⁴ Center for an Urban Future, *Creative New York*, June 2015.

EDUCATION AND TRAINING

Arts and entertainment professionals and technicians, as noted above, are highly educated. Specialized education is a commonly expected qualification for employment in most occupations, and the costs are born by individual aspirants with a paucity of sources for financial support. The high cost of preparatory training is a key challenge across disciplines and throughout the state. According to the U.S. Dept. of Education, 14 of the 20 most expensive¹⁰⁵ private not-for-profit 4-year colleges in the U.S. are arts schools.¹⁰⁶ In addition to required pre-employment investment in training and education, continuous training is expected in order to maintain skills and compete for assignments across many A&E occupations, including actors, musicians, and singers. The cost of post-employment training is an additional financial burden.

LONG HOURS AND WAGE THEFT

Artists often work more than the conventional forty hour workweek. While those employed under a union contract are compensated for overtime, workers in newer sectors lacking collective representation are frequently expected to work free for experience or are subject to inadequate compensation and wage theft. A 2013 study by the Writers Guild of America East (WGAE) found that 84 percent of reality TV writers and producers work more than 40 hours a week almost every week, but 85 percent never receive overtime pay.¹⁰⁷

Long hours remain one of the most significant challenges among both salaried and independent video game developers. A 2014 survey conducted by the International Game Developers Association (IGDA) found that one in five within the industry work fifty or more hours during a typical week.¹⁰⁸ Long an entrenched practice within gaming, “crunch time” refers to the period before a title release—ranging from several weeks to several months—where workers are expected to sacrifice nights and often weekends in pursuit of getting the title out at the announced release date. Over 60 percent of developers report working 50 or more hours a week during crunch time, though less than half of those surveyed receive extra compensation during these periods.¹⁰⁹

¹⁰⁵ Net Price after Scholarships and Grant Aid, 2013-14

¹⁰⁶ U.S. Department of Education, National Center for Education Statistics, Integrated Postsecondary Education Data System (IPEDS), Fall 2014, Institutional Characteristics component and Winter 2014-15, Student Financial Aid component.

¹⁰⁷ Writers Guild of America East, *The Real Cost of Reality TV*, 2013, 3.

¹⁰⁸ International Game Developers Association, *Developer Satisfaction Survey 2014: Summary Report*, June 25, 2014.

¹⁰⁹ Ibid.

UNPAID LABOR

Arts organizations are turning to unpaid labor to increase their bottom line. A recent survey conducted by the Strategic National Arts Alumni Project (SNAAP) found that over half of those who graduated from an undergraduate arts major between 2009 and 2013 have been an unpaid intern at one point in their career, compared to just 15 percent of those graduating before 1984. Those who majored in the media arts had among the highest rates of unpaid internships at 70 percent.¹¹⁰ Aspiring artists undertake unpaid internships to gain valuable experience in the field and form relationships with industry insiders, hoping to graduate from college with the knowledge and resources for success.

Unpaid labor in arts and entertainment goes beyond the internship model. Businesses across sectors seeking new economic strategies have turned to unpaid labor to both save on wage costs and bypass any “employer-type obligations.”¹¹¹ Many artists continue to submit to this type of work for the reasons of networking and exposure that keeps the unpaid internship model afloat. Off-Off Broadway productions are largely fueled by volunteer actors hoping to get their foot in the door and establish their place within a highly competitive industry. Likewise, musicians often perform in bars, clubs, and subway stations for little to no pay hoping it leads to a promising career.

All unpaid labor, whether interning at a production company during college or writing free content for an online publication, is fueling the lack of diversity within the industry. As the Center for an Urban Future points out in *Creative NY*, only those with established financial support systems are able to take low paid or unpaid positions, rendering a disproportionate amount of minority aspirants unable to take advantage of an important door into many sectors of the industry.¹¹²

¹¹⁰ Strategic National Arts Alumni Project, “Spotlight on Internships,” Vol. 3, No. 1, 2015.

¹¹¹ Andrew Ross, “In Search of the Lost Paycheck,” in *Digital Labor: The Internet as Playground and Factory*, ed. Trebor Scholz (New York: Routledge, 2013), 21.

¹¹² Center for an Urban Future, *Creative New York*, June 2015, 45-46.

SUPPORT STRUCTURES

UNIONS

New York's arts and entertainment workforce (with the exception of the visual arts sector) is highly unionized. Actors, dancers, musicians, singers, writers, directors, and choreographers, as well as skilled technicians, stagehands, cinematographers, electricians, costumers, carpenters and teamsters belong to unions that negotiate minimum terms and conditions of employment for their members along with health, welfare and pension coverage. While accurate statistics are not available, both unions and employers report that union density in this industry far exceeds the pattern for all industries and, in contrast to the trend for most other industries, membership in entertainment unions continues to grow.

Unions represent a wide range of occupations. Guilds representing talent encompass directors, managers, writers and performers. Unions of skilled technicians and behind the scene workers, include camera operators, sound engineers, mechanics, editors, makeup and costume artists, stagehands, background actors, teamsters, and building crafts.

Table 11 lists major unions for this industry along with the occupations each represents. It is worth noting that over half of these national unions representing the A&E workforce are headquartered in New York State; even those unions headquartered in Los Angeles have major offices in New York.

Major theatres are under contract to both talent guilds and technician unions with differential terms for Broadway theatres as compared with smaller venues. All of the major symphony orchestras in New York State are represented by American Federation of Musicians (AFM) and the venues in which they play are mostly under contract with the International Alliance of Theatrical and Stage Employees (IATSE). The Metropolitan Opera negotiates with multiple craft unions. The two major ballet companies in New York City are represented by the American Guild of Musical Artists. In other parts of the state, Glimmerglass Opera in Cooperstown and small opera and ballet companies are nonunion.

In recent years, unions representing electronic media workers have been challenged by the growth of new media (primarily the internet and interactive games) which have yet to be organized and inter-union relations are plagued by jurisdictional disputes about which union will represent workers in the new sectors.

The visual arts sector—composed of museums, art galleries, and auction houses—is almost entirely nonunion. Exceptions are the unionized maintenance employees in several not-for-profit museums represented by the Service Employees International Union (SEIU) and the International Union of Operating Engineers (IUOE) and white collar and maintenance workers employed by city supported museums (The Metropolitan Museum of Art and the Brooklyn Museum of Art) represented by locals affiliated with District 37, the American Federation of State, County, and Municipal Employees (AFSCME). Clerical and professional employees (including conservators and assistant curators) of

the Museum of Modern Art and the Bronx Museum of Art are represented by the United Automobile Workers Union (UAW).

Table 11: Major Unions in Electronic Media and Performing Arts

Union	Represents	Headquarter in NY
Actors Equity Association (AEA)	Actors, singers, dancers, and stage managers in theatrical live performances	X
American Federation of Musicians (AFM)	Musicians in all forms of entertainment, except concerts	X
American Guild of Musical Artists (AGMA)	Singers and dancers in opera and dance, and all solo artists	X
American Guild of Variety Artists (AGVA)	Performers in night clubs, circuses and variety shows	X
Screen Actors Guild - American Federation of Television and Radio Artists (SAG-AFTRA)	Actors, announcers, and newscasters in motion pictures, television, TV productions, broadcast and internet	
Directors Guild of America (DGA)	Directors in motion pictures and broadcast	
Writers Guild of America East (WGAE)	Writers for television, movies, and radio on the east coast	X
Writers Guild of America West (WGAW)	Writers for television, movies, and radio on the west coast	
Society of Stage Directors and Choreographers	Directors and choreographers in live performances	X
International Alliance of Theatrical and Stage Employees (IATSE)	Skilled production and technical workers and scenic designers in movies, TV production and theatres	X
International Brotherhood of Electrical Workers (IBEW)	Broadcast technicians in radio and television, sound technicians in sound recording	
National Association of Broadcast Engineers and Technicians (NABET)	Technicians in radio and television	
International Brotherhood of Teamsters (IBT)	Drivers and production workers in motion pictures, television, and live productions	
Other Basic Crafts (AFL-CIO Building Trades Unions)	Construction crafts in motion picture production	
Source: Lois Gray and Ron Seeber, <i>Under the Stars</i> , 1996 (updated).		

Workforce Support Provided by Union Contracts

In the arts and entertainment industry union contracts specify minimum rates of compensation and working conditions. In practice, directors, writers and performers (as well as many technicians) negotiate pay above contract minimums. Labor-management contracts also spell out detailed work rules, including lunch and rest periods, rehearsal times, and size of crews. Union negotiated benefits include health and pension coverage for those who qualify in terms of time worked. Increasingly

important is pay for replay of product (residuals). Unions do not generally assist members in finding jobs but many offer training for upgrading or adapting to changing technology.

Union Management Relations

Periodic conflicts between unions and electronic media producers stem from rapid technological changes which threaten existing jobs and create new occupational classifications. Proliferating platforms of product distribution raise questions about dividing the revenue. Pay for reuse of product is a leading issue in electronic media collective bargaining negotiations with talent unions. As technology creates new systems of distribution, those who produce the original product contend for a share of the proceeds, as when films are replayed on television, cable and DVDs and released to foreign markets. IATSE and AFM also negotiate to share in replay revenue; IATSE invests this share in pension enhancement, and AFM uses its share to create jobs for members by providing free performances for the public.

While disputes and work stoppages grab headlines, the long standing collective bargaining relationships in this industry have resulted in a generally stable system of employee relations. Unions and employers share a common interest in growing the industry and collaborate in activities designed to increase revenue and jobs (for example lobbying for state tax incentives). Protection of products from piracy is another issue of common concern. Unions and management frequently cooperate to strengthen the viability of their industries. For example, the recent lockout of Metropolitan Opera, which aimed to reduce costs, resulted in agreement for unions to share budget information.

Unions offer basic support to a large sector of New York State's A&E workforce, helping to mitigate the contingent nature of employment and providing a partial safety net for frequent gaps in income. Two other organizations help to protect the interests of A&E workers through advocacy and provision of services:

- **The Freelancers Union** is a nonprofit organization consisting of more than 250,000 independent workers nationwide, including artists, consultants, temporary and part-time workers, independent contractors, and other self-employed individuals. This organization offers group rate health insurance to its members, as well as dental, life, and disability insurance. The Freelancers Union also has a 401k plan available to its members to provide retirement benefits. The Union's Freelancers Medical initiative has partnered with One Medical to provide members access to their seven primary care facilities across Manhattan and Brooklyn with a \$0 copay. Other benefits of membership include discounts on services and networking with other freelancers to exchange strategies and job leads.

The Freelancers Union is also an advocacy organization which has achieved gains and benefits through legislative action, proving instrumental in the recent passage of the **Freelance Isn't Free Act** by the New York City Council. Designed to combat widespread non-payment of promised compensation, the Act requires a written contract between employer and freelancer for which

compensation is at least \$800 over a four-month period. The Act also doubles damages for freelancers proven to be victimized by wage theft.¹¹³ This new legislation is designed to bring stability and predictability to work and income for many artists and entertainers working freelance.

- **The Actors' Fund** is a national organization headquartered in New York City that provides performing arts and entertainment professionals of all disciplines—talent and crew—with a variety of services, including health insurance information, employment and training programs to supplement artists' income, financial and career counseling, housing support, and emergency assistance. The Fund provides free healthcare to uninsured and underinsured artists and entertainers through its Al Hirschfeld Free Health Clinic, as well as supportive housing at The Dorothy Ross Friedman Residence and The Schermerhorn in NYC and assisted living and senior care through the Lillian Booth Actors Home. The organization also advocates for public policy changes on behalf of performers. The Fund played a key role in the successful campaign to pass the Consolidated Omnibus Budget Reconciliation Act (COBRA) in New York State, providing an adaptation of unemployment insurance to the irregular employment patterns of performing arts. Current advocacy efforts focus on affordable housing for artists.

OTHER SUPPORT ORGANIZATIONS

- **Creative Capital** provides financial and advisory support to individual artists. Since its creation in 1999, the organization has committed \$40 million to 511 projects representing 642 artists. Creative Capital also runs a professional development program for artists, hosting workshops, webinars, and career coaching, among other services.
- **Independent Filmmaker Project (IFP)** is an organization of independent filmmakers representing 10,000 members in New York and abroad. IFP provides workshops, seminars, mentorships, conferences, and networking opportunities for individual independent filmmakers. In collaboration with other cultural organizations, it promotes independent features through the Gotham Awards and through screenings. In 2013, IFP partnered with the Mayor's Office of Media and Entertainment and the New York City Economic Development Corporation to open the Made in NY Media Center. A collaborative workspace in DUMBO, the Center provides members with a number of resources including workspace, classes and workshops, artists- and experts-in-residence, and a mentorship program. Members also receive the benefit of having a growing network of artists affiliated with the Center to collaborate and network with.
- **The New York State Council on the Arts (NYSCA)** provides over 1,800 grants each year to arts organizations in every discipline throughout the state. While NYSCA does not offer resources to individual artists, some of the organizations in its vast network do. A number of regional arts

¹¹³ Noam Scheiber, "As Freelancers' Ranks Grow, New York Moves to See They Get What They're Due," *The New York Times*, October 27, 2016. Accessed October 31, 2016. <http://nyti.ms/2dNj8kB>

councils award small grants to both arts organizations and individual artists throughout the state. Referred to as decentralization (DEC) sites, these organizations are given funding by NYSOA to promote local arts initiatives across disciplines with grants of up to \$5,000. Besides financial backing, these organizations also support the arts workforce through workshops, networking events, advocacy, and professional development. A complete list of DEC sites can be found at https://www.nysca.org/public/resources/local_funding.htm.

- The **New York Foundation for the Arts** awards fellowships to New York based artists across disciplines and provides information about resources for emergency assistance, employment services, unions, and training programs. The organization also runs several professional development programs such as one-on-one consultations, entrepreneurial training, and mentoring for immigrant artists.
- **Fractured Atlas** is a national organization supporting artists through fiscal sponsorship, insurance programs, assistance finding workspace, and advocacy. The organization also runs Artful.ly, a user-friendly online system aiding artists and artist organizations in managing tickets, donations, and contacts. Headquartered in New York City, Fractured Atlas has served over 520,000 artists and organizations since its founding in 1998, with over a quarter of its 60,000 active members residing in New York State.
- **The Field** provides New York City artists across disciplines with residencies and subsidized rehearsal space, as well as management and career workshops, college outreach, and assistance seeking out fiscal sponsorship. According to The Field's 2014 annual report, the organization supported roughly 700 artists during the same year, helping over 1,450 new works and over 1,700 productions come to fruition. The 326 artists participating in The Field's fiscal sponsorship program in 2014 raised more than \$2.65 million for their creative projects.
- **Volunteer Lawyers for the Arts** provides free or low-cost legal assistance for artists and arts organizations, as well as a number of courses and offerings on topics related to career development.
- **Theatre Communications Group (TCG)** provides more than \$2 million in grants each year to theatres and actors, as well as for aspiring playwrights, designers, and directors. TCG also serves as an important source of research on the state of national not-for-profit theatre and advocate on policy issues affecting theatre, including increased government funding of arts and arts education.
- **Theater Resources Unlimited** offers members workshops, legal consultation, a producer development & mentorship program, and networking through monthly educational panels, among other events.
- The **Alliance of Resident Theatres/New York (A.R.T./New York)**, the service and advocacy organization for nonprofit theatres in New York City, provides technical assistance workshops, low interest loans, and affordable office, performance, and meeting space to its affiliates.

A.R.T./New York recently announced the opening of A.R.T./New York Theatres, a facility on West 53rd Street and 10th Avenue including two theatres furnished with the latest sound, lighting and projection equipment for use by theatre companies with operating budgets below \$1 million. Rent for these spaces will be roughly 30 percent less than standard rates, to be offset by a 25-year rent subsidy fund raised by the organization.¹¹⁴

- The **New 42nd Street Studios** provides rehearsal space to all types of performing arts organizations, including Broadway and Off-Broadway musicals and plays, dance companies, local and regional theatre companies, choral and opera groups, and orchestras. By renting studios to commercial productions, the organization is able to subsidize rehearsal space for nonprofit groups with more modest budgets.
- Organizations that provide services to new media workers such as multi-media artists and web designers include the **Downtown Alliance**, the **New York Angels**, , and **East Coast Digital**, which provides post-production services and resources.
- **Artspace** is a national organization that works with local governments and community groups to develop affordable housing and studio space for artists and their families. In 2007, Artspace partnered with the Belmont Shelter Corporation to create 60 units of affordable housing in the Midtown neighborhood of Buffalo, including a two-level community gallery managed by residents. Since the opening of the Buffalo location, Artspace has developed two new locations in East Harlem and Patchogue, Long Island to support artists living and working in the metro area.

¹¹⁴ Miriam Kreinin Souccar, "Small theater companies find new performance space on far West Side," *Crain's New York Business*, November 7, 2016. Accessed November 10, 2016.
<http://www.crainsnewyork.com/article/20161107/ENTERTAINMENT/161109898/small-theater-companies-find-new-performance-space-on-far-west-side>

PUBLIC POLICIES IMPACTING THE ARTS & ENTERTAINMENT INDUSTRY AND ITS WORKFORCE

FILM & OTHER ELECTRONIC MEDIA

The New York legislature has enacted a number of policies in recent decades to support the arts and entertainment industry and promote its growth throughout the state. The most extensive of these initiatives is the **film tax credit program**, including the **film production credit** and the **post production credit**. Currently this program provides credits of \$420 million to eligible productions each year, offering production companies a 30 percent refundable credit on specified production and post-production costs. Of the total, \$25 million is set aside for the post production credit to be used on expenses such as visual effects and animation. The rest is dedicated to production costs that qualify for the film production credit, consisting primarily of below-the-line expenses including crew, camera equipment, and construction. To promote the growth of the industry Upstate, the program provides an additional 5 percent credit on post-production costs spent outside of New York City and Nassau, Rockland, or Westchester counties, as well as an additional 10 percent credit on specified labor expenses to Upstate productions with budgets over \$500,000.¹¹⁵ Empire State Development reports that over the two year period of 2015 and 2016, the film production and post production credits generated \$12.6 billion in spending and over 70,000 jobs throughout the New York State economy.¹¹⁶ Moreover, the program produces a positive return on investment; for every dollar New York State paid in production credit incentives during these years, it received \$1.15 in tax revenue. These positive economic effects are felt disproportionately within New York City. Over 90 percent of spending by credit-eligible projects in 2015 and 2016 occurred within the five boroughs.¹¹⁷

Apart from tax incentives, New York State has launched several other projects within recent years to attract more of the film industry Upstate. As part of the ongoing Buffalo Billions initiative to revitalize the city's economy, Governor Cuomo in 2013 announced a new partnership between Daemen College and the newly formed company Empire Visual Effects. In exchange for a \$4.5 million capital grant from the State, the company pledged to create 150 new visual effects and post-production jobs by 2018 in an effort to attract more of the industry to Western New York.¹¹⁸ In the year following the announcement of the partnership, Gov. Cuomo announced a \$15 million

¹¹⁵ Empire State Development, "Film Tax Credit Program," accessed August 16, 2016. <http://esd.ny.gov/businessprograms/filmcredit.html>

¹¹⁶ Empire State Development, EMSI, Camoin Associates. Retrieved from Camoin Associates, *Economic Impact of the Film Industry in New York State-2015 & 2016*, January 2017.

¹¹⁷ Ibid.

¹¹⁸ Governor Andrew M. Cuomo, "Governor Cuomo Announces Empire Visual Effects and Daemen College to Bring Visual Effects/Post-Production Hub and 150 New Jobs to Buffalo," July 11, 2013. Accessed October 7, 2016. <http://www.governor.ny.gov/news/governor-cuomo-announces-empire-visual-effects-and-daemen-college-bring-visual-effectspost>

investment in a new nanotechnology hub outside of Syracuse to be called the Central New York Hub for Emerging Nano Industries. The movie business is to be one of three major foci for the hub (along with the medical device industry and energy sector), with its first major tenant being film production company The Film House.¹¹⁹

The **Mayor's Office of Media and Entertainment (MOME)** was created by Mayor John Lindsay in 1966 to facilitate entertainment production within the five boroughs. Under the Bloomberg administration, MOME was redesigned to develop more business-friendly policies and programs, including streamlined permit processes, sales tax exemptions, traffic control, and marketing aid to the industry. The Office in recent years has partnered with A&E organizations on a number of initiatives to further promote the growth of the industry and its workforce.

To address the lack of diversity within film, television and theatre, MOME and Brooklyn Workforce Innovations together run the **“Made in NY” Production Assistant Training Program**. Launched in February 2006, the program seeks “to provide individuals from diverse communities with training for entry-level positions in film production and access to employers in New York City’s production industry, and to teach production assistants how to work collaboratively with local communities when they shoot on location throughout the five boroughs.”¹²⁰ The program also serves as an incentive to attract employers to New York City to take advantage of its skilled workforce.¹²¹

The Mayor’s Office announced in September 2016 a series of initiatives to promote the production of projects “by, for, or about women.”¹²² The new initiatives include a fund providing \$5 million in grants to support women-focused projects over the next 5 years; a film finance lab to connect filmmakers and producers with potential funders; a script-writing competition; new women-focused programming on NYC Media’s Channel 25; and a report analyzing the role of gender in directors’ career paths and eventual success.¹²³ The Mayor’s Office further promotes diversity within the industry through its “Made in NY” Fellowship in partnership with the Independent Filmmakers

¹¹⁹ Kevin Tampone, “DeWitt nano hub: Quick facts,” *Syracuse.com*, March 13, 2014. Accessed October 7, 2016. http://www.syracuse.com/news/index.ssf/2014/03/dewitt_nano_hub_quick_facts.htm

¹²⁰ Mayor’s Office of Media and Entertainment, ““Made in NY’ PA Training Program,” accessed October 7, 2016. <http://www1.nyc.gov/site/mome/initiatives/pa-training-program.page>

¹²¹ *Ibid.*

¹²² Mayor’s Office of Media and Entertainment, “New York City Launches Groundbreaking Series of Initiatives Targeting Underrepresentation of Women in the Film and Television Industry,” September 29, 2016. Accessed September 30, 2016. http://www1.nyc.gov/site/mome/news/womens_initiatives.page

¹²³ *Ibid.*

Project¹²⁴ as well as its “Made in NY” Writers Room program with the NYC Department of Small Business Services (SBS) and the Writers Guild of America, East (WGAE).¹²⁵

A bill recently passed by the New York State Senate and Assembly would create an incentive program to promote the hiring of women and minorities in key positions within television production. Sponsored by State Senator Marisol Alcantara and Assemblyman Marcos Crespo, the program would set aside \$5 million to be allocated to salaries of female and minority writers and directors. The legislation is supported by key entertainment unions including the Writers Guild of America, East and the Directors Guild of America. While the bill has not yet been approved by Governor Cuomo, several sources report it is expected to pass.¹²⁶

Assemblyman Joseph Lentol and Senator Martin Golden of Brooklyn introduced a bill in 2016 to establish the **Empire State Music Production Credit** and the **Empire State Digital Gaming Media Production Credit**.¹²⁷ The incentive programs would each provide tax credits of up to 25 percent of specified production costs per year to companies working in the respective industries, with an additional 10 percent credit for those outside the metro area. Although vetoed by Governor Cuomo in late 2016 due to budget constraints, stakeholders supporting the legislation are committed to getting the tax credit program included within next year’s executive budget.

PERFORMING AND VISUAL ARTS

In live performance, the Mayor’s Office of Media and Entertainment provides a number of tax benefits to theatrical productions in New York City. Among these incentives include the **“Made in NY” Discount Card**, providing discounts to eligible productions at participating vendors; the **Commercial Rent Tax Exemption**, offering productions exemption from rent tax for the first 52 weeks of production; and the **Sales Tax Exemption**, allowing eligible productions tax exemptions on “most goods and services used for the production of live theatre.”¹²⁸

¹²⁴ Mayor’s Office of Media and Entertainment, “‘Made in NY’ Media Center by IFP, in Partnership with NYC Mayor’s Office of Media & Entertainment, Announces Return of ‘Made in NY’ Fellowships to Support Diversity Among Storytellers and Entrepreneurs,” October 5, 2016. Accessed October 6, 2016. <http://www1.nyc.gov/site/mome/news/100516-miny-fellowships.page>

¹²⁵ Mayor’s Office of Media and Entertainment, “City Agencies Join with Writers Guild to Launch ‘Made in NY Writers Room’ Program to Increase Diversity in New York City’s Television Writers’ Rooms,” September 8, 2016. Accessed September 9, 2016. <http://www1.nyc.gov/site/mome/news/090916-wga-writers-room.page>

¹²⁶ Cynthia Littleton, “New York Legislators Approve Groundbreaking TV Diversity Tax Credit,” *Variety*, June 22, 2017. Accessed June 28, 2017. <http://variety.com/2017/tv/news/new-york-legislators-tv-diversity-tax-credit-1202476243/>

¹²⁷ S7485B (A10083B), New York State Legislature. Accessed October 5, 2016. <https://www.nysenate.gov/legislation/bills/2015/s7485/amendment/b>

¹²⁸ Mayor’s Office of Media and Entertainment, “Theatre Incentives,” accessed August 24, 2016. <http://www1.nyc.gov/site/mome/production-in-nyc/theatre-incentives.page>

The city further supports theatres within the theater subdistrict through grants provided by the Department of City Planning's Theater Subdistrict Council. Funding for the grants comes from the selling by theatre owners of "air rights," or space above the theatre, to outside developers. Of these sales, the buyer is required to contribute \$17.60 per square foot of air space purchased to the Theater Subdistrict Fund for the grant program.¹²⁹ Since its establishment in 1998, the Council has administered \$5.7 million across 37 grants with a focus "on access to professional positions in the theatre and to promote and develop diversity in the field."¹³⁰

The **Empire State Music and Theatrical Production Tax Credit Program** seeks to promote the growth of live performance outside of the metro area by providing \$4 million in credits per year to production companies "to conduct technical rehearsal and other pre-tour activities and perform shows in regional theatres throughout Upstate New York."¹³¹

The New York City Department of Cultural Affairs also plays a major role in supporting the visual and performing arts throughout the city. Through the department, the city directly subsidizes 33 city-owned institutions, known collectively as the Cultural Institutions Group (CIG).¹³² The financial support given to organizations within the CIG from the Department is intended "to help meet basic security, maintenance, administration and energy costs."¹³³ According to the Metropolitan Museum of Art—one of New York's landmark cultural institutions included within the CIG—roughly 13 percent of its annual budget comes from the City.¹³⁴ The department announced in September 2016 a \$1 million initiative financed by the City and the Rockefeller Foundation to create an internship program for CUNY students within New York City's cultural institutions. The effort seeks to increase diversity within the city's cultural sector, focusing on students "who are minorities or recently arrived immigrants."¹³⁵

Outside of city-owned organizations, the Department of Cultural Affairs supports the visual arts through its administration of the **Percent for Art Law**, a program begun in 1983 "requiring that one percent of the budget for eligible City-funded construction projects be spent on artwork for City

¹²⁹ New York City Department of City Planning, *Theater Subdistrict Fund Text Amendment* (Presentation), March 28, 2016. Accessed February 29, 2016. <http://www1.nyc.gov/site/planning/plans/theater-subdistrict/theater-subdistrict.page>

¹³⁰ *Ibid.*

¹³¹ Empire State Development, "Empire State Music and Theatrical Production Tax Credit Program," accessed August 16, 2016. <http://esd.ny.gov/BusinessPrograms/MusicTheaterCredit.html>

¹³² New York City Department of Cultural Affairs, "Funding for Cultural Organizations," accessed August 24, 2016. <http://www.nyc.gov/html/dcla/html/funding/funding.shtml>

¹³³ *Ibid.*

¹³⁴ Metropolitan Museum of Art, "Development Office," accessed August 24, 2016. <http://www.metmuseum.org/about-the-met/office-of-the-president/development>

¹³⁵ Andrew R. Chow, "New York City to Help Fund Internships at Cultural Organizations," *The New York Times*, September 8, 2016. Accessed September 9, 2016. <https://nyti.ms/2mmBueK>

facilities.”¹³⁶ Since its inception the law has created over \$41 million in art work commissions, with more than 70 commissions currently underway.¹³⁷

Over the years, and particularly since 2004, New York State has broadened the scope of its policies and programs to promote job creation in an increasing number of sectors of the arts and entertainment industry. It has also implemented policies designed to tackle issues that affect the workforce across sectors, including issues about gender and racial/ethnic diversity. However, with the exception of New York City’s Freelancers law, and the “Made in NY” training program, most New York State policies involve incentives that are provided to employers (e.g. production companies, and arts institutions), and that are expected to indirectly benefit the workforce. The growth that industry sectors such as film production experienced over the last ten years indicate positive outcomes in terms of job creation. Nonetheless, additional policy-making efforts are necessary to address the negative effects of the contingent nature of work on median incomes, legal protections, and the safety net for arts and entertainment workers.

NEED FOR MORE ACCURATE AND MEANINGFUL DATA

Leaders in New York’s arts and entertainment industry and scholars researching this industry agree on the need for more accurate and meaningful statistics on the workforce. The contingent nature of employment, irregular work patterns, and the blurred lines between self-employment and employment in firms render some government statistics inadequate for pinpointing the size, patterns of employment, annual income of the arts workforce and the career prospects of individual artists. Further, the categorization of occupations and industry sectors under the SOC¹³⁸ and NAICS¹³⁹ classification systems used in presenting government employment data often reduces the usefulness of these statistics. For example, the NAICS category “Arts, Entertainment, and Recreation” not only includes performing arts, independent artists, and museums, but also spectator sports, zoos and botanical gardens, nature parks, and bowling centers, among others. While some of the data included under broad definitions can be broken down into more detailed, relevant statistics, this is not always possible with the data currently available. All agree on the need for in-depth studies and original data collection, as well as the need to revise the definitions under the SOC and NAICS systems.

Looking to the future, the Bureau of Labor Statistics (BLS) recently announced its first survey of contingent and alternative employment since 2005, to be included as part of the May 2017 Current Population Survey. The survey, if conducted, will measure characteristics such as workers’

¹³⁶ New York City Department of Cultural Affairs, “Percent for Art,” accessed August 24, 2016. <http://www.nyc.gov/html/dcla/html/panyc/about.shtml>

¹³⁷ Ibid.

¹³⁸ Standard Occupational Classification System. See <http://www.bls.gov/soc/>

¹³⁹ North American Industry Classification System. See <http://www.census.gov/eos/www/naics/index.html>

satisfaction with their current work arrangement, earnings, health insurance coverage, and eligibility for employer-provided retirement plans, providing valuable insights on a significant group of the arts and entertainment workforce traditional surveys often fail to accurately reflect.¹⁴⁰

PRIORITY QUESTIONS FOR FURTHER RESEARCH

Interviews with key leaders suggest priority questions for future research with significant policy implications.

BASIC FACTS ABOUT THE INDUSTRY WORKFORCE

- What is the size of the core and the peripheral A&E workforce? What other types of jobs do arts professionals hold? How many individuals are able to make a living working in this industry? What is their impact on other industries in which they are employed?
- How do patterns of employment differ in various segments of the industry (live performing arts, electronic media, visual arts), and their subsections by occupation? How many arts professionals are employed full time and how many part-time?

ECONOMIC CHALLENGES TO THE INDUSTRY

- Tax incentives have proven effective in retaining and growing New York's motion picture and television production. What are the implications of this experience for other A&E sectors?
- How does public support for the arts compare with subsidies given to sports and other industries with comparable impact on economic development for New York State?
- What are the most effective methods for promoting the growth of the video game industry in New York City and upstate?
- What can be done to reverse or offset the decline of New York's sound recording industry?
- What impact have public efforts to promote the growth of arts and entertainment upstate had on both the industry and the state economy?
- What are alternative support policies to tax incentives for increasing motion picture and television production upstate?

¹⁴⁰ Erica L. Groshen, "Why This Counts: Measuring 'Gig' Work," Commissioner's Corner, Bureau of Labor Statistics, March 3, 2016. Accessed August 17, 2016. <http://beta.bls.gov/labs/blogs/2016/03/03/why-this-counts-measuring-gig-work/>

EMPLOYMENT AND INCOME

- What impact have emerging technologies (e.g., on-demand streaming services such as Netflix, Amazon, and Spotify) had on employment and income of New York State A&E workers?
- How many arts professionals are currently covered by health and retirement benefits? By unemployment insurance and workers compensation? By other systems of social support? What changes are needed to strengthen the social safety net for this segment of the workforce?
- What can be done to reduce the amount of unpaid labor across A&E industry subsectors in New York State?
- What are the best practices from other states or from other countries for addressing the vulnerabilities of this workforce through social policy or public investment?

DIVERSITY

- What are the barriers to successful pursuit of a career in arts and entertainment for minorities, women, and individuals with disabilities?
- Which are the best organizational practices of employers and unions for facilitating diversity, and how can these be disseminated for wider application?
- What are the best public policies for promoting diversity and inclusion within New York State?



APPENDIX I: NYS ARTS WORKFORCE: EDUCATIONAL ATTAINMENT, PERCENTAGE BY OCCUPATION

Table 12: NYS Arts Workforce: Educational Attainment, Percentage by Occupation

Occupation	Percentage by Occupation, 2007										Percentage by Occupation, 2013									
	HS Grad	Some College, <1 year	1+ Year College, no Degree	Associate's Degree	Bachelor's Degree	Master's Degree	Professional Degree	Doctorate Degree	HS Grad	Some College, <1 year	1+ Year College, no Degree	Associate's Degree	Bachelor's Degree	Master's Degree	Professional Degree	Doctorate Degree				
Total All Occupations	10.8%	3.1%	11.6%	7.1%	44.2%	15.9%	1.6%	1.4%	8.9%	2.9%	11.5%	5.8%	48.7%	15.5%	1.6%	1.5%				
Agents and Business Managers	13.4%	3.2%	9.5%	4.9%	52.0%	7.2%	3.9%	0.3%	13.8%	1.9%	7.6%	5.2%	54.3%	12.0%	2.2%	0.0%				
Archivists, Curators, and Museum Technicians	2.5%	0.7%	9.8%	5.5%	37.1%	33.0%	2.8%	6.2%	7.5%	1.8%	10.2%	3.6%	28.9%	35.5%	0.5%	11.2%				
Artists and Related Workers	7.8%	1.7%	10.1%	7.3%	49.7%	18.6%	2.0%	0.4%	7.0%	1.9%	11.4%	6.7%	46.4%	20.2%	2.1%	1.5%				
Designers	10.9%	2.9%	10.7%	12.2%	47.5%	11.1%	1.3%	0.4%	7.5%	2.1%	10.4%	8.7%	54.3%	12.8%	1.7%	0.3%				
Actors	11.5%	2.8%	16.4%	6.8%	46.5%	10.1%	0.1%	0.0%	11.7%	4.1%	13.0%	3.3%	49.3%	12.3%	1.9%	0.2%				
Producers and Directors	3.8%	1.0%	6.8%	5.2%	62.2%	18.2%	2.0%	0.8%	2.6%	1.7%	5.5%	2.1%	69.8%	16.2%	1.0%	0.5%				
Dancers and Choreographers	22.1%	8.5%	12.9%	5.0%	36.7%	6.9%	0.0%	0.0%	24.7%	7.0%	20.0%	3.0%	34.1%	4.0%	0.0%	1.7%				
Musicians, Singers, and Related Workers	11.8%	3.4%	15.4%	3.9%	32.0%	23.3%	3.4%	2.7%	13.7%	3.7%	15.0%	4.3%	32.1%	19.1%	2.2%	5.4%				
Entertainers, Performers and Related Workers, All Other	17.9%	5.6%	13.7%	4.6%	33.6%	6.0%	0.9%	2.6%	15.8%	1.8%	24.6%	5.8%	31.9%	5.8%	1.8%	0.3%				
Announcers	23.3%	5.1%	19.8%	7.4%	34.8%	6.0%	0.0%	2.1%	18.0%	8.2%	21.7%	10.0%	33.9%	4.8%	1.1%	0.0%				
News Analysts, Reporters and Correspondents	2.3%	1.1%	7.7%	4.4%	46.7%	32.5%	2.0%	2.5%	2.8%	1.6%	6.0%	1.1%	59.8%	23.4%	3.5%	1.6%				

Editors	3.6%	2.1%	7.8%	3.3%	53.8%	25.1%	1.7%	2.1%	1.7%	2.1%	1.1%	3.7%	4.1%	61.1%	23.1%	2.2%	2.1%
Writers and Authors	3.0%	1.6%	3.8%	2.1%	49.3%	29.6%	2.7%	6.1%	2.0%	1.5%	1.3%	5.1%	1.3%	55.7%	27.8%	2.1%	4.0%
Miscellaneous Media and Communication Workers	12.0%	1.9%	12.8%	10.8%	28.0%	23.7%	2.9%	3.9%	12.2%	2.3%	11.3%	12.6%	11.3%	32.5%	17.5%	3.4%	3.4%
Photographers	15.5%	6.7%	14.3%	6.2%	46.2%	8.5%	0.5%	0.1%	10.8%	3.1%	4.9%	12.3%	4.9%	53.4%	9.8%	0.7%	0.3%
Television, Video, and Motion Picture Camera Operators and Editors	9.0%	1.7%	18.2%	3.0%	52.0%	9.0%	1.7%	0.2%	8.2%	6.5%	2.6%	13.5%	2.6%	59.5%	8.9%	0.5%	0.0%
Broadcast and Sound Engineering Technicians and Radio Operators	19.6%	7.5%	23.2%	10.9%	31.5%	5.3%	0.0%	0.0%	17.5%	4.7%	9.0%	21.8%	9.0%	38.9%	6.6%	0.0%	0.0%
Motion Picture Projectionists	23.9%	3.1%	51.3%	9.3%	6.3%	2.8%	0.0%	0.0%	45.6%	0.0%	0.0%	25.1%	0.0%	16.8%	12.4%	0.0%	0.0%
Ushers, Lobby Attendants, and Ticket Takers	39.2%	6.7%	21.4%	3.5%	7.1%	0.6%	0.8%	0.0%	28.4%	9.0%	9.1%	18.9%	9.1%	21.2%	1.1%	0.0%	0.0%
Miscellaneous Entertainment Attendants and Related Workers	28.4%	6.8%	21.2%	5.8%	8.8%	3.1%	0.1%	0.0%	22.4%	8.7%	9.3%	27.0%	9.3%	10.6%	2.7%	0.2%	0.1%

Notes: "GED or Alternative Credential" included in "High School Graduate"; those with less than high school diploma included in percentages.

Source: American Community Survey, 2005-2007, 2011-2013, Census Bureau

APPENDIX II: NYS ARTS WORKFORCE: AGE DISTRIBUTION, PERCENTAGE BY OCCUPATION

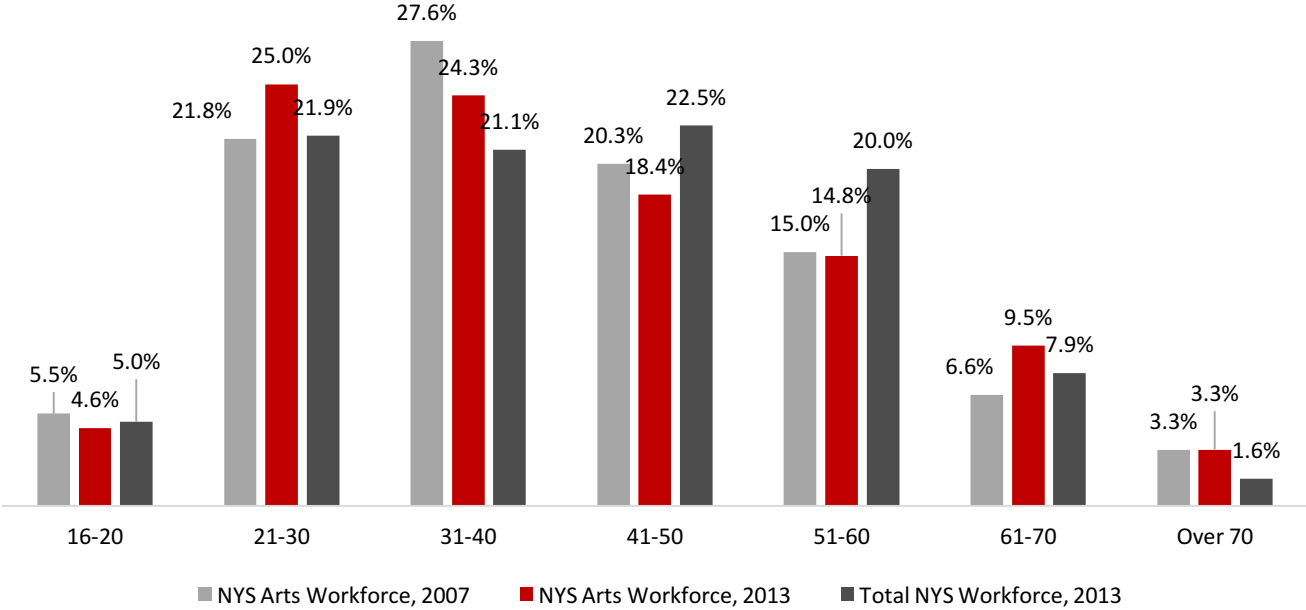
Table 13: NYS Arts Workforce: Age Distribution, Percentage by Occupation

Occupation	Percentage by Occupation, 2007							Percentage by Occupation, 2013						
	16-20	21-30	31-40	41-50	51-60	61-70	Over 70	16-20	21-30	31-40	41-50	51-60	61-70	Over 70
Total All Occupations	5.5%	21.8%	27.6%	20.3%	15.0%	6.6%	3.3%	4.6%	25.0%	24.3%	18.4%	14.8%	9.5%	3.3%
Agents and Business Managers	0.5%	31.2%	41.0%	10.8%	10.9%	2.4%	3.2%	1.2%	37.7%	17.2%	16.7%	9.9%	14.7%	2.6%
Archivists, Curators, and Museum Technicians	1.9%	18.7%	28.6%	18.4%	18.8%	7.1%	6.5%	1.2%	23.8%	14.2%	22.5%	16.0%	18.3%	4.0%
Artists and Related Workers	2.0%	15.7%	24.7%	21.0%	21.3%	9.9%	5.3%	2.2%	15.9%	22.1%	21.1%	23.6%	11.8%	3.2%
Designers	1.8%	24.8%	31.1%	21.7%	13.7%	5.4%	1.5%	1.1%	27.5%	26.1%	22.1%	14.9%	6.9%	1.4%
Actors	3.0%	25.1%	28.8%	17.3%	12.4%	6.7%	6.6%	6.6%	24.2%	22.0%	13.1%	13.2%	14.7%	6.1%
Producers and Directors	0.4%	20.2%	34.2%	26.3%	12.3%	5.1%	1.5%	0.6%	29.8%	35.0%	20.6%	10.4%	2.8%	0.8%
Dancers and Choreographers	11.8%	37.1%	39.3%	9.6%	1.3%	0.9%	0.0%	9.8%	45.4%	33.4%	6.5%	0.0%	3.1%	1.7%
Musicians, Singers, and Related Workers	2.7%	12.2%	27.5%	23.8%	19.0%	10.1%	4.9%	2.5%	17.5%	21.0%	17.7%	19.2%	14.9%	7.1%
Entertainers, Performers and Related Workers, All Other	12.9%	28.0%	19.0%	15.5%	12.5%	5.8%	6.3%	11.7%	26.1%	27.0%	15.6%	7.6%	7.4%	4.6%
Announcers	6.3%	21.8%	33.1%	25.0%	9.4%	1.7%	2.6%	1.9%	19.7%	29.7%	23.7%	14.1%	7.2%	3.7%
News Analysts, Reporters and Correspondents	2.3%	24.8%	29.7%	20.8%	16.6%	4.4%	1.3%	3.5%	25.6%	35.9%	12.9%	13.6%	7.0%	1.6%
Editors	2.0%	22.2%	25.5%	22.6%	18.7%	5.3%	3.8%	0.5%	25.2%	25.7%	18.4%	15.9%	10.7%	3.6%
Writers and Authors	1.8%	15.1%	25.4%	21.0%	20.8%	10.4%	5.6%	0.6%	22.3%	22.5%	18.4%	14.9%	14.3%	7.0%
Miscellaneous Media and Communication Workers	3.5%	17.3%	22.2%	22.4%	17.0%	10.9%	6.8%	3.6%	19.8%	18.2%	21.1%	17.6%	11.2%	8.6%
Photographers	3.7%	24.9%	29.0%	20.9%	14.3%	5.6%	1.7%	2.9%	21.7%	22.6%	20.0%	18.8%	10.7%	3.3%
Television, Video, and Motion Picture Camera Operators and Editors	4.4%	20.9%	41.3%	19.3%	8.1%	5.1%	0.8%	2.7%	31.4%	30.1%	16.6%	12.2%	5.2%	1.8%
Broadcast and Sound Engineering Technicians and Radio Operators	4.7%	21.0%	28.8%	25.0%	15.6%	4.1%	0.9%	5.8%	28.1%	30.1%	20.1%	11.8%	3.9%	0.3%
Motion Picture Projectionists	9.5%	55.4%	6.1%	3.9%	7.9%	9.0%	8.2%	3.0%	38.9%	19.1%	12.9%	9.9%	16.3%	0.0%
Ushers, Lobby Attendants, and Ticket Takers	31.4%	34.3%	4.2%	5.4%	8.9%	9.5%	6.3%	22.5%	27.4%	12.7%	5.7%	9.6%	14.3%	7.9%
Miscellaneous Entertainment Attendants and Related Workers	48.0%	20.1%	7.9%	6.0%	6.4%	6.8%	4.7%	39.4%	26.7%	8.5%	4.4%	7.8%	9.5%	3.7%

Source: American Community Survey, 2005-2007, 2011-2013, Census Bureau

APPENDIX III: AGE DISTRIBUTION OF THE NYS A&E WORKFORCE

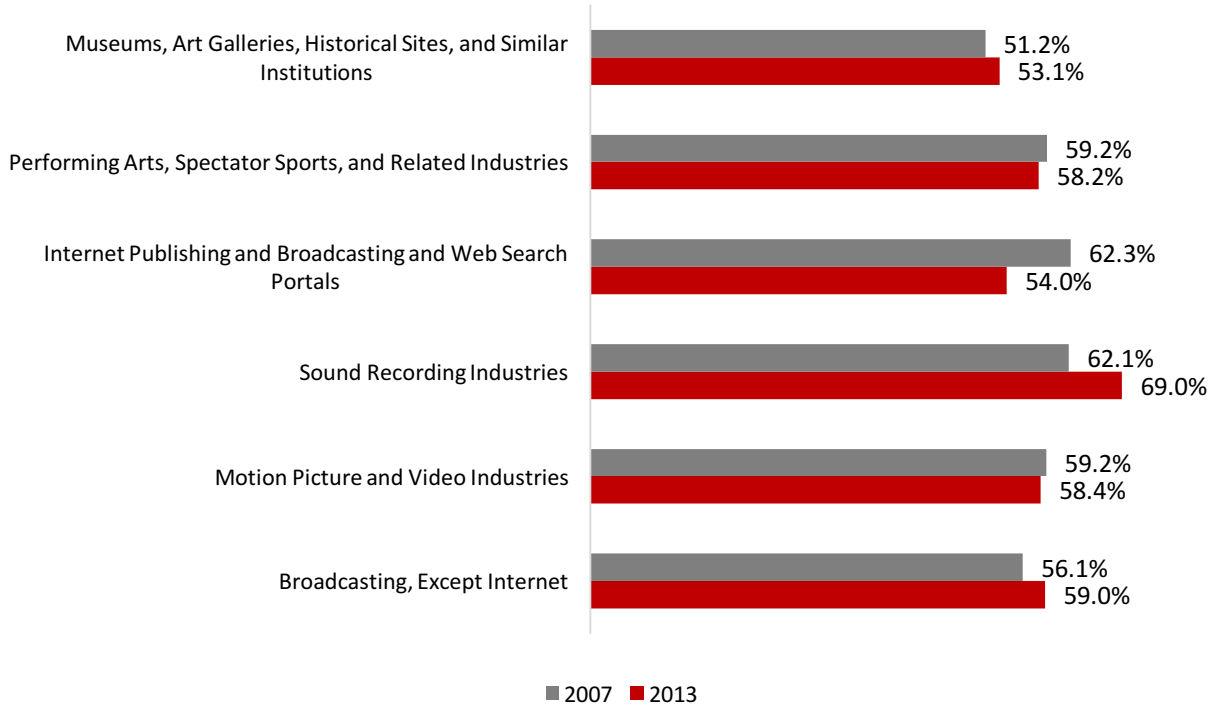
Chart 15: Age Distribution of the NYS A&E Workforce



Source: American Community Survey, 2005-2007, 2011-2013, Census Bureau

APPENDIX IV: PERCENT MALE BY SELECT A&E OCCUPATIONS

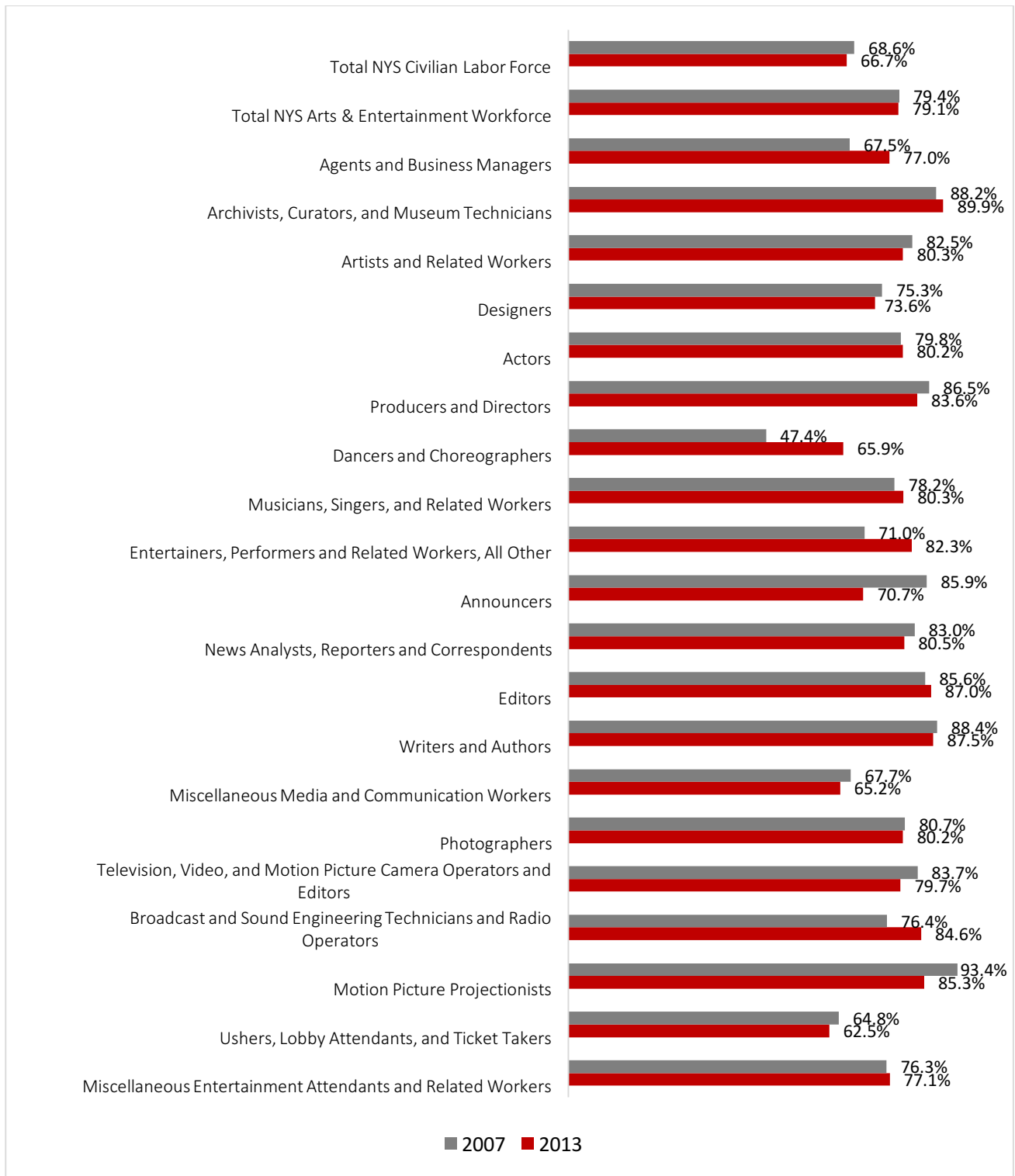
Chart 16: Percent Male by Select A&E Occupations



Source: American Community Survey, 2005-2007, 2011-2013, Census Bureau

APPENDIX V: PERCENT WHITE BY SELECT A&E OCCUPATIONS

Chart 17: Percent White by Select A&E Occupations, NYS



Source: American Community Survey, 2005-2007, 2011-2013, Census Bureau

APPENDIX VI: NYS ARTS WORKFORCE: FULL-YEAR & PART-YEAR EMPLOYMENT, PERCENTAGE BY OCCUPATION

Table 14: NYS Arts Workforce: Full-Year & Part-Year Employment, Percentage by Occupation

OCCUPATION	Percentage by Occupation, 2007					Percentage by Occupation, 2013						
	13 Weeks or Less	14 to 26 Weeks	27 to 39 Weeks	40 to 47 Weeks	48 to 49 Weeks	50 to 52 Weeks	13 Weeks or Less	14 to 26 Weeks	27 to 39 Weeks	40 to 47 Weeks	48 to 49 Weeks	50 to 52 Weeks
Total All Occupations	10.1%	8.1%	6.6%	9.9%	5.8%	59.5%	10.2%	6.4%	8.1%	8.1%	2.7%	64.4%
Agents and Business Managers	6.4%	8.1%	2.1%	12.3%	4.2%	66.9%	6.3%	4.0%	3.2%	4.2%	2.8%	79.5%
Archivists, Curators, and Museum Technicians	5.2%	5.9%	5.9%	6.2%	7.0%	70.0%	9.9%	5.2%	4.1%	6.6%	2.7%	71.5%
Artists and Related Workers	6.8%	7.6%	5.6%	10.2%	7.2%	62.6%	11.2%	7.0%	6.8%	9.6%	3.9%	61.6%
Designers	7.5%	5.6%	4.9%	8.1%	6.1%	67.8%	7.3%	4.9%	7.4%	6.2%	2.6%	71.6%
Actors	23.9%	13.3%	16.4%	23.8%	1.8%	20.8%	33.2%	14.9%	15.4%	5.9%	3.2%	27.4%
Producers and Directors	5.5%	9.7%	4.9%	11.2%	5.6%	63.1%	4.9%	3.3%	8.1%	10.8%	2.3%	70.6%
Dancers and Choreographers	2.7%	6.4%	15.0%	12.3%	4.6%	59.1%	9.2%	10.4%	31.7%	6.5%	3.0%	39.2%
Musicians, Singers, and Related Workers	11.9%	8.8%	8.3%	13.4%	5.9%	51.7%	10.5%	8.0%	9.8%	11.7%	3.3%	56.7%
Entertainers, Performers and Related Workers, All Other	17.9%	11.6%	9.2%	20.1%	3.8%	37.5%	13.6%	16.1%	5.0%	12.3%	3.8%	49.1%
Announcers	8.4%	15%	3.9%	14.2%	6.1%	65.9%	14.0%	2.8%	12.3%	7.3%	1.3%	62.4%
News Analysts, Reporters and Correspondents	4.5%	3.8%	4.2%	5.7%	9.7%	72.0%	3.2%	5.7%	2.9%	3.3%	2.5%	82.4%
Editors	5.6%	4.8%	6.1%	8.8%	5.7%	69.0%	6.2%	4.2%	4.3%	9.6%	5.5%	70.2%
Writers and Authors	7.7%	6.6%	6.8%	10.9%	5.4%	62.7%	11.1%	5.5%	6.1%	8.1%	2.6%	66.6%
Miscellaneous Media and Communication Workers	14.1%	12.0%	8.7%	14.1%	7.7%	43.5%	12.1%	5.4%	9.8%	10.4%	1.2%	61.2%
Photographers	12.2%	10.9%	6.0%	7.4%	7.2%	56.3%	10.7%	5.5%	10.6%	7.2%	1.5%	64.4%

Television, Video, and Motion Picture Camera Operators and Editors	10.6%	10.4%	8.0%	14.9%	6.1%	50.0%	8.2%	8.6%	10.1%	12.9%	0.5%	59.7%
Broadcast and Sound Engineering Technicians and Radio Operators	4.4%	7.5%	6.7%	6.4%	4.5%	70.6%	3.4%	3.5%	6.9%	7.9%	1.3%	77.0%
Motion Picture Projectionists	17.9%	15.8%	16.1%	6.2%	3.1%	40.9%	20.7%	21.1%	19.1%	0.0%	3.9%	35.2%
Ushers, Lobby Attendants, and Ticket Takers	31.3%	17.6%	8.5%	8.9%	9.8%	23.9%	15.9%	15.0%	7.4%	13.9%	1.7%	46.1%
Miscellaneous Entertainment Attendants and Related Workers	36.2%	19.3%	12.2%	4.4%	1.7%	26.2%	27.8%	14.8%	15.0%	5.7%	0.8%	35.9%

Source: American Community Survey, 2005-2007, 2011-2013, Census Bureau

APPENDIX VII: NYS ARTS WORKFORCE: TYPE OF EMPLOYER, PERCENTAGE BY OCCUPATION

Table 15: NYS Arts Workforce: Type of Employer, Percentage by Occupation

Occupation	Percentage by Occupation, 2007				Percentage by Occupation, 2013			
	Private-for-profit	Private-not-for-profit	Govt.	Self-Employed (1)	Private-for-profit	Private-not-for-profit	Govt.	Self-Employed (1)
Total All Occupations	54.7%	8.2%	4.1%	33.0%	55.7%	8.3%	3.8%	32.1%
Agents and Business Managers	65.5%	5.0%	0.4%	29.1%	63.1%	6.7%	0.3%	29.9%
Archivists, Curators, and Museum Technicians	25.3%	54.6%	11.9%	8.2%	29.8%	45.3%	16.4%	8.5%
Artists and Related Workers	40.8%	2.6%	1.3%	55.3%	42.7%	4.5%	1.4%	51.4%
Designers	67.5%	3.0%	1.7%	27.8%	66.9%	2.6%	1.9%	28.7%
Actors	44.8%	12.9%	0.7%	41.6%	56.8%	10.3%	0.0%	32.9%
Producers and Directors	56.2%	8.5%	1.0%	34.4%	70.5%	7.9%	0.8%	20.8%
Dancers and Choreographers	43.0%	12.6%	0.5%	43.9%	58.6%	20.6%	0.0%	20.9%
Musicians, Singers, and Related Workers	16.3%	24.2%	1.1%	58.4%	18.5%	23.9%	1.9%	55.7%
Entertainers, Performers and Related Workers, All Other	39.7%	11.8%	0.5%	48.0%	43.7%	4.1%	2.8%	49.4%
Announcers	71.7%	8.6%	1.2%	18.5%	46.7%	3.7%	4.4%	45.2%
News Analysts, Reporters and Correspondents	78.0%	4.9%	6.0%	11.2%	78.9%	7.3%	1.5%	12.3%
Editors	72.2%	11.4%	2.8%	13.6%	66.3%	12.5%	1.6%	19.6%
Writers and Authors	30.9%	9.1%	3.6%	56.5%	34.3%	9.6%	3.7%	52.4%
Miscellaneous Media and Communication Workers	31.9%	13.2%	31.1%	23.8%	37.1%	13.0%	26.0%	23.9%
Photographers	35.9%	2.8%	2.2%	59.2%	35.9%	3.1%	2.3%	58.7%
Television, Video, and Motion Picture Camera Operators and Editors	57.2%	1.5%	2.1%	39.2%	55.0%	5.0%	2.0%	38.0%
Broadcast and Sound Engineering Technicians and Radio Operators	72.5%	2.2%	8.2%	17.0%	68.6%	4.9%	8.0%	18.5%
Motion Picture Projectionists	83.2%	5.8%	0.0%	11.1%	67.2%	8.7%	0.6%	23.5%
Ushers, Lobby Attendants, and Ticket Takers	72.9%	18.2%	8.9%	0.0%	72.3%	19.0%	8.1%	0.5%
Miscellaneous Entertainment Attendants and Related Workers	70.6%	8.2%	19.5%	1.7%	73.9%	8.3%	16.1%	1.7%

Notes: (1) Self-Employed includes “Working without pay in family business or farm”.

Source: American Community Survey, 2005-2007, 2011-2013, Census Bureau

APPENDIX VIII: INCOME RANGE BY SELECT A&E OCCUPATIONS, 2013

Chart 18: TV, Video and Film Camera Operators and Editors by Income Range, in %

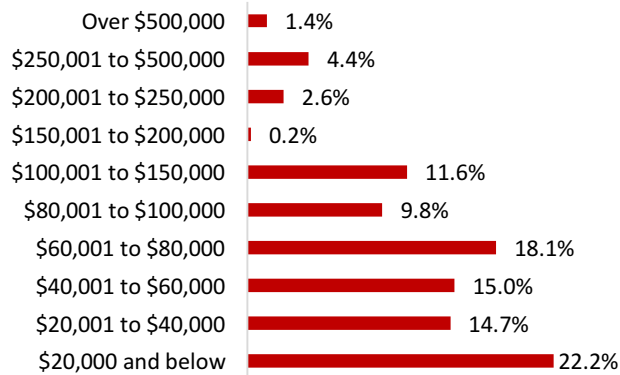


Chart 19: Broadcast, Sound Engineering Technicians by Income Range, in %

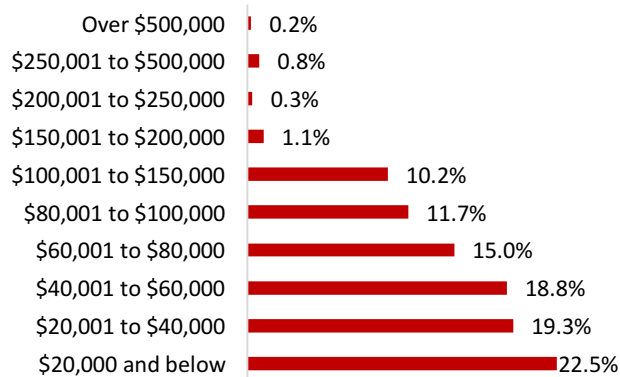


Chart 20: Producers and Directors by Income Range, in %

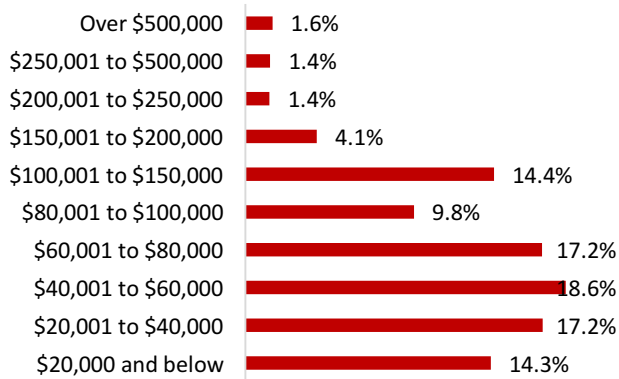


Chart 21: Editors by Income Range, in %

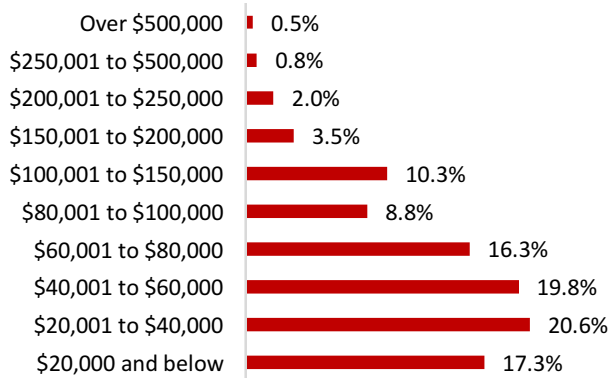


Chart 22: News Analysts by Income Range, in %

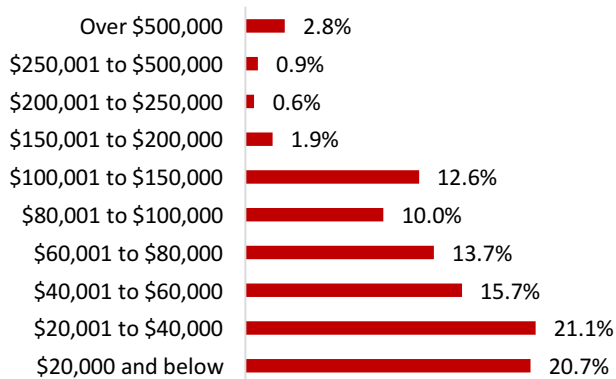


Chart 23: Writers and Authors by Income Range, in %

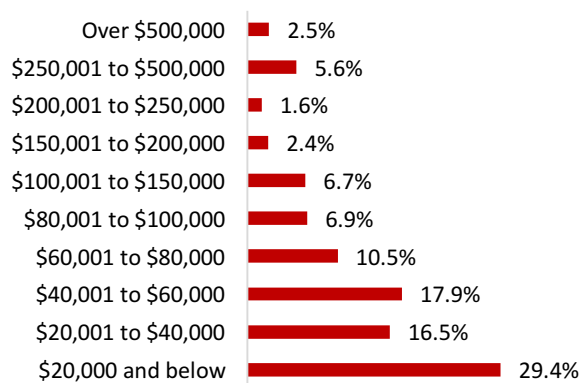


Chart 24: Archivists, Curators, and Museum Technicians by Income Range, in %

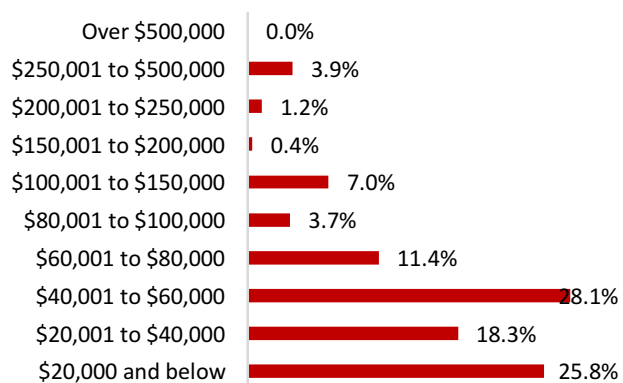


Chart 25: Designers by Income Range, in %

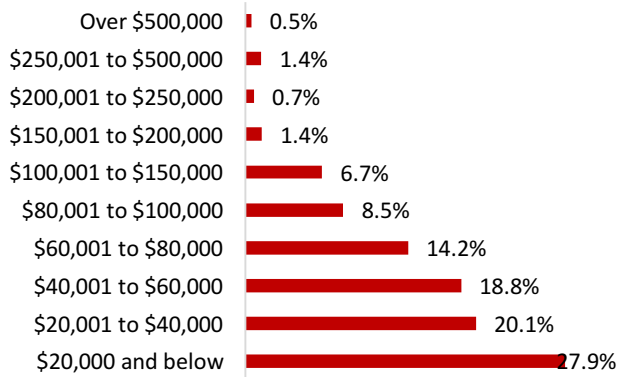


Chart 26: Agents and Business Managers by Income Range, in %

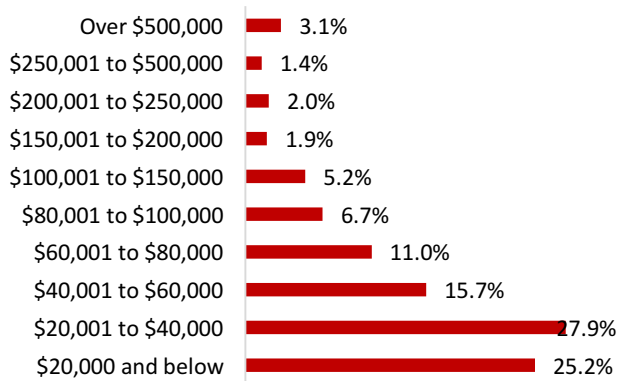


Chart 27: Fine Artists and Related Workers by Income Range, in %

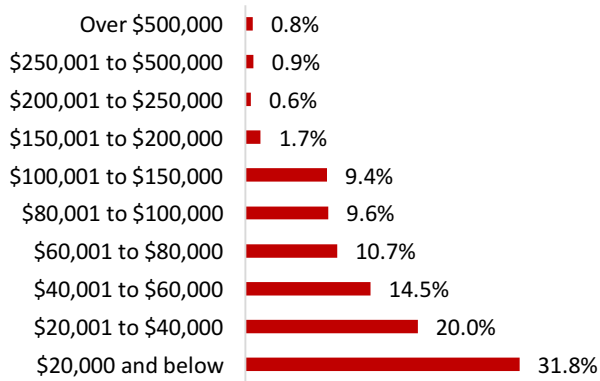


Chart 28: Musicians and Related Workers by Income Range, in %

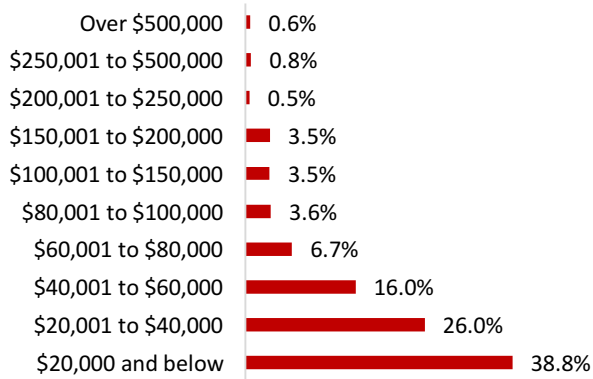


Chart 29: Announcers by Income Range, in %

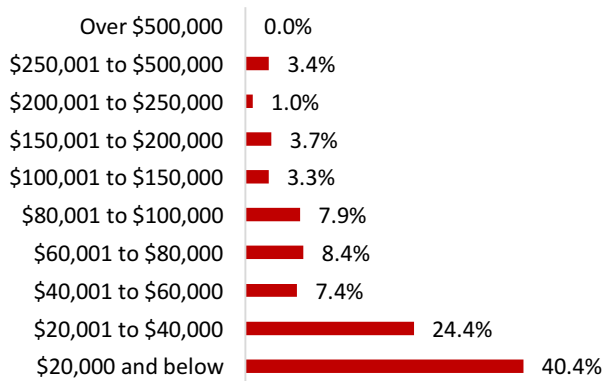


Chart 30: Dancers and Choreographers by Income Range, by %

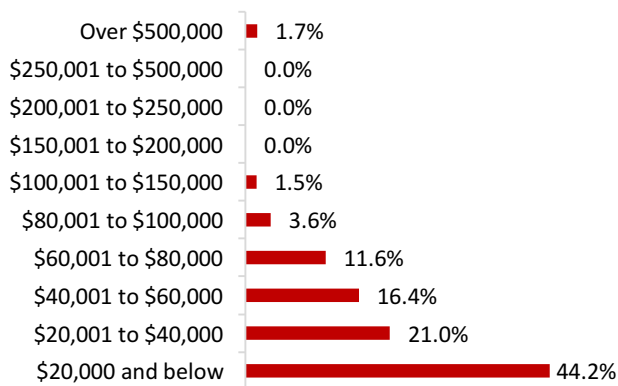


Chart 31: Photographers by Income Range, in %

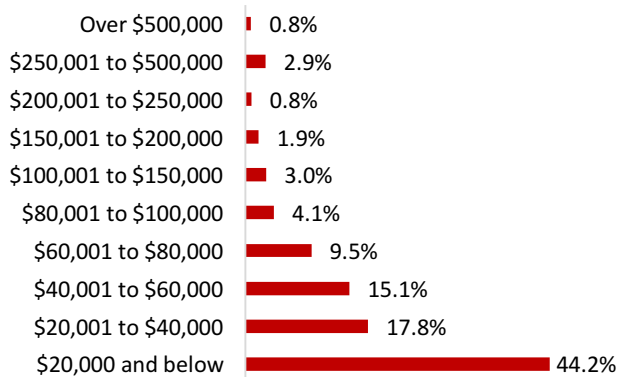


Chart 32: Actors by Income Range, in %

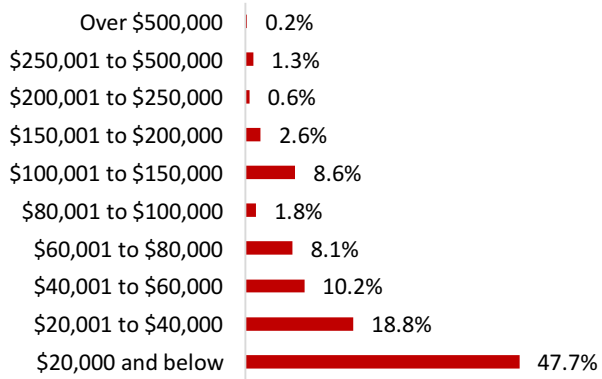


Chart 33: Motion Picture Projectionists by Income Range, in %

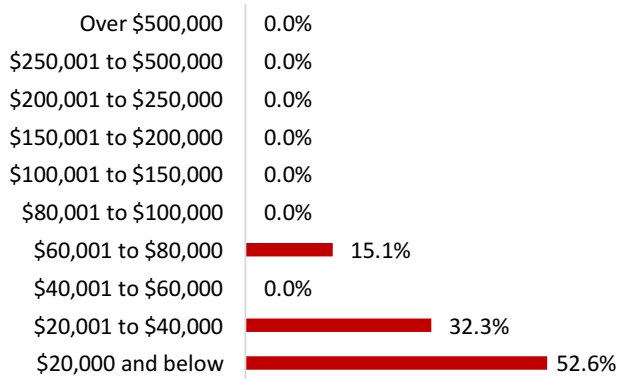


Chart 34: Ushers, Lobby Attendants, and Ticket Takers by Income Range, in %

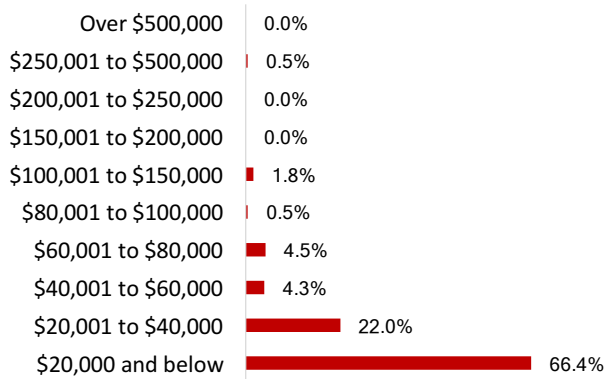
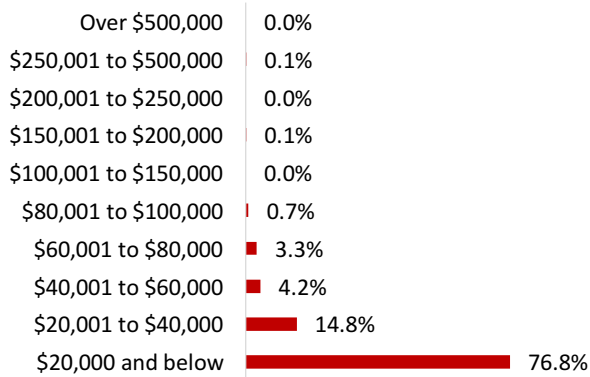
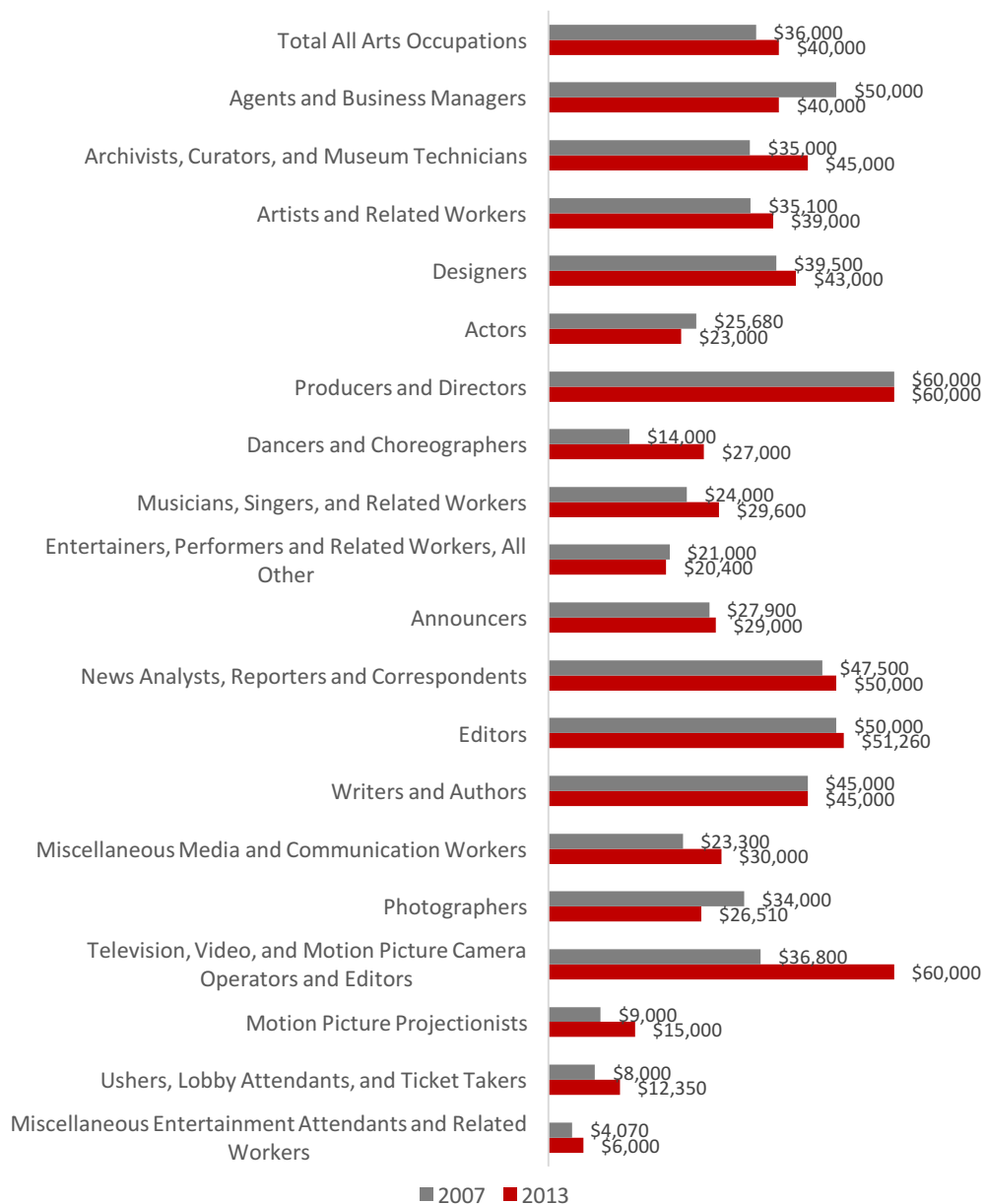


Chart 35: Miscellaneous Entertainment Attendants and Related Workers by Income Range, in %



APPENDIX IX: MEDIAN INCOME BY SELECT A&E OCCUPATIONS, NYS

Chart 36: Median Income by Select A&E Occupations, NYS



Source: American Community Survey, 2005-2007, 2011-2013, Census Bureau

Source:

STUDY METHODOLOGY

The Cornell ILR faculty research team:

- Reviewed the literature on this industry
- Analyzed data from primary and secondary sources on industry trends, the workforce, and education and training institutions
- Conducted interviews with leaders in all segments of the field
- Met with New York State executive and legislative officials
- Consulted with Cornell faculty with relevant experience and expertise
- Investigated funding sources for future applied industry research and education
- Held a conference attended by industry leaders and representatives to assess reactions to preliminary findings and suggest research and policy implications for inclusion in the final report.

LITERATURE REVIEW

The review of the extensive literature (books, articles, reports, and organizational studies dealing with the arts and entertainment industry) focused on identifying major competitive issues and challenges to the vitality of this sector along with workforce and training needs. Particular attention was given to studies about the industry in New York State. Highlights from this review are incorporated into the report. (See Bibliography for listing of sources.)

INDUSTRY DATA ANALYSIS

Earlier studies conducted by members of the project team (New York's Big Picture: Assessing New York's Competitive Position in Film, Television and Commercial Production; Under the Stars: Essays on Labor Relations in the Arts and Entertainment Industry; Cultural Capital: Challenges to New York's Competitive Advantages in the Arts and Entertainment Industry; Empire State's Cultural Capital at Risk? Assessing Challenges to the Workforce and Educational Infrastructure of Arts and Entertainment in New York; along with various industry and union commissioned studies of electronic media and performing arts) served as starting points for outlining the scale, structure, characteristics, economic importance, and interconnectedness of various segments of the industry. These initial sources were supplemented with data from the Bureau of Labor Statistics' Quarterly Census of Employment and Wages (QCEW), the American Community Survey (ACS) and non-employer series of the Census Bureau, and the Bureau of Economic Analysis (BEA). Sector-specific information from industry groups, reports from academic analysts, and other research examined in the literature review were also implemented.

WORKFORCE DATA ANALYSIS

Analyzing patterns of employment and income for the workforce, as well as its demographic composition and educational attainment, required tabulations from the 2005-2007 and 2011-2013 Public Use Microdata Samples (PUMS) of the American Community Survey (ACS), U.S. Census Bureau. The 2005-2007 and 2011-2013 samples included approximately 180,000 and 215,000 units in New York State, respectively. Estimates based on these data are subject to sampling and non-sampling errors. Other government databases utilized include the Census Bureau's Quarterly Census of Employment and Wages (QCEW) and Current Population Survey (CPS), the Equal Employment Opportunity Commission (EEOC)'s EEO-1 Survey, and the National Center for Education Statistics' Integrated Postsecondary Educational System (IPEDS).

INTERVIEWS WITH LEADERS IN THE ARTS AND ENTERTAINMENT SECTOR

Interviews were conducted in person and by telephone with leaders from every segment of the arts industry across the State of New York. Their opinions of the industry's most important trends and challenges and the kinds of applied research or other support that would be of greatest benefit to the industry were elicited in structured but open-ended interviews. In addition, industry leaders and officials of educational and training institutions were consulted about training needs of the workforce and the availability and adequacy of training offered in New York State.

CONFERENCE

On May 5, 2016, the report's authors held a conference in conjunction with a parallel study on the A&E industry within the Worker Institute. The authors presented preliminary findings on the New York State workforce to key stakeholders within the industry, including union officers and executives, legislators, academics, and the New York State Commissioner of Labor, Roberta Reardon. The conference included a roundtable discussion with state policymakers on current advocacy and public policy initiatives within arts and entertainment, and concluded with a brainstorming session among all conference participants and attendees on potential next steps to better protect and promote the interests of the A&E workforce.



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ABOUT THIS REPORT

State of the Artist draws from government surveys, industry reports, and interviews with key stakeholders to assess the condition of the New York State arts and entertainment (A&E) industry and its workforce, identifying key issues faced by workers in each sector of the industry.

Trends in demographics, employment patterns, and income by A&E occupation are analyzed using comparable data presented in the Cornell University ILR School's 2009 report, *Empire State's Cultural Capital at Risk?* This analysis, including a conference attended by industry leaders and representatives to assess reactions to preliminary findings, served to identify current challenges facing this vital workforce to the state economy.

Often left out of discussions about precarious workers, many working within the AE industry continue to face high rates of contingent and project-based employment, low average income, and inadequate employment protections—all of which are explored here. State of the Artist concludes with a summary of public policies currently in place as well as those under consideration, providing an updated set of questions for New York policymakers.

This initiative is possible because of the support of the State of New York. The opinions, findings and/or interpretations of data contained herein are the responsibility of the authors and do not necessarily represent the opinions, interpretations or policy of the State of New York or of the ILR School, Cornell University.

THE WORKER INSTITUTE

ADVANCING WORKER RIGHTS AND COLLECTIVE REPRESENTATION

The Worker Institute at Cornell, an institute of the ILR School, engages in research and education on contemporary labor issues, to generate innovative thinking and solutions to problems related to work, economy and society. The institute brings together researchers, educators and students with practitioners in labor, business and policymaking to confront growing economic and social inequalities, in the interests of working people and their families. A core value of The Worker Institute is that worker rights and collective representation are vital to a fair economy, robust democracy and just society.



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