



August 23, 2021

Creative Professionals’ Priorities for FY 2022 Budget Reconciliation Process

Union creative professionals strongly support the Fiscal Year 2022 Budget Resolution (S. Con. Res. 14), which will allow for the largest investment in working Americans since the New Deal. Among the needed investments, this budget boosts America’s care infrastructure, expands Medicare coverage and eligibility, and establishes universal pre-K for 3- and 4-year-olds. Each will improve the lives of creative professionals and their families.

Along with investing in a prosperous future for our members and their families, we urge Congress to use the forthcoming reconciliation process as a vehicle to help creative professionals make a full recovery from the COVID-19 pandemic’s economic devastation. The arts, entertainment, and media industries help power a sector that in normal times employs more than five million people and is responsible for over four percent of the United States’ GDP and a positive trade balance. However, the sector has lost over \$14 billion in economic activity in the past year because of the pandemic.¹ While some of our unions’ members have been able to resume their careers, many creative professionals, especially those who work in live events, are still unable to return safely to their jobs. In addition, the Delta variant’s emergence is leading every day to more cancelled and postponed events, further denying many creative professionals the opportunity to get back to work.

The following priorities are of paramount importance for union creative professionals in the forthcoming budget reconciliation package:

Reform labor law and support union jobs

The experience of union creative professionals demonstrates that working people do better when they can negotiate collectively for better pay and improved working conditions. Unfortunately, in too many instances, employers are able to violate the NLRA and deny professionals their right to form a union with their colleagues. The Protecting the Right to Organize (PRO) Act will help ensure that all professionals can achieve their right to join together in union and negotiate collectively with their employers to improve their lives and their workplaces. Recognizing the importance of good, union jobs for our economy, Congress should also set policies that support union members.

- Pass the Protecting the Right to Organize (PRO) Act.
- Allow union members to deduct the cost of union dues from their taxes.
- Make professionals who are forced to go on strike or locked out by their employers eligible for unemployment insurance benefits.



Extend COVID-19 unemployment insurance (UI) programs and reform the UI system for the next economic crisis

While optimistic that our members will fully return to work eventually, the COVID-19 pandemic's impact on the arts, entertainment, and media industries continues as employment remains below March 2020 levels. Continuing COVID-19 UI programs is critical for creative professionals who lost work through no fault of their own and remain in need of relief as they wait for employers to call them back to work.

At the same time, Congress should act now to enact comprehensive UI reform that offers uniform national standards to address benefit adequacy, benefit duration, and expanded eligibility. Workers who work in multiple states – which is common in entertainment – should be able to have their income easily aggregated for benefit amount calculations. Congress should also set a national standard on how residual income, part-time work income, multiple income streams, severance benefits, retirement, and disability income affect weekly benefit eligibility and payments.

The ability of 26 governors to unilaterally shut down the very programs that were created to counteract the inadequacies of state UI programs should serve as a powerful impetus to implement reforms.

- Extend Pandemic Emergency Unemployment Compensation (PEUC) and Pandemic Unemployment Assistance (PUA) past their proposed September 6, 2021 expiration date to the end of 2021.
- Support the comprehensive UI reforms proposed in President Biden's American Families Plan and by Senators Wyden and Bennet.

Preserve access to affordable health care

Our members are proud to earn their health care through employment and their union health care plans. Unfortunately, the near total shutdown of the live performing arts and event sector means that it will be months before many work enough to regain their union health care. While the COBRA subsidy helped members maintain continuity of care and helped stabilize many health funds, that program is temporary in nature and expires in September. In the meantime, the expanded Affordable Care Act subsidies in the American Rescue Plan are a critical lifeline for many middle-class creative professionals who will need a transition back to their traditional health care plans. They should be extended for at least two more years.

- Extend the American Rescue Plan's Affordable Care Act subsidies for at least two additional years.

Create a national paid family and medical leave program

In crafting a national paid family and medical leave program, we urge Congress to accommodate the unique work patterns of our members to ensure they are not left out of this important care infrastructure. Work in the arts, entertainment, and media industries is “gig” based, meaning, in a given year, most creative professionals will work several W-2 jobs for multiple employers, potentially in more than one state. Some creative professionals may also earn income through 1099 arrangements or a combination of W-2 and 1099 work.

- Establish a national paid family and medical leave program that considers the unique nature of the arts, entertainment, and media industries.

Protect the dissemination of trusted, local news

The COVID-19 pandemic has underscored the essential work that journalists and other media professionals do to keep Americans reliably informed. It’s critical that we keep these hard-working individuals, including members of our unions, on the job at a time when local coverage is critical to public safety.

- Pass the Local Journalism Sustainability Act.

Looking forward, we urge Congress to include the bipartisan Performing Artist Tax Parity Act in any tax package that comes together for a vote this year. This legislation would update the Qualified Performing Artist (QPA) deduction to correct an unintended consequence of the 2017 Tax Cut and Jobs Act that has caused a drastic tax increase for middle class creative professionals.

ⁱ Americans for the Arts. (2020) “The Economic Impact of Coronavirus (COVID-19) on the Arts and Cultural Sector.” Retrieved on November 9, 2020 from <https://www.americansforthearts.org/by-topic/disaster-preparedness/the-economic-impact-of-coronavirus-on-the-arts-and-culture-sector>.