



## A Policy Agenda for Advancing Diversity, Equity, and Inclusion (DEI) in the Arts, Entertainment, and Media Industries *118th Congress*

As unions, we hold a fundamental belief that diversity is a strength. We work inside and outside the traditional collective bargaining process to create more and better opportunities for underrepresented people. Smart policy solutions aimed at creating diverse talent pipelines, incentivizing diversity in hiring, and supporting collective bargaining will help our workplaces and our industries move forward.

### **Ensure That Creators Can Pursue Middle Class Careers**

All creative professionals must be able to pursue a career with fair pay and benefits. Otherwise careers in the arts, entertainment, and media industries will be limited to a narrow, non-inclusive set of people – notably those who can afford to hold out for the promise of a future payday that may never arrive. Creative professionals must be able to enforce their workplace rights, including the right to join together in union and negotiate collectively with their employers. Through collective bargaining, people of color and women have raised their pay, narrowed the racial wage gap,<sup>1</sup> and established mechanisms for addressing intentional and unintentional racism in their workplaces.<sup>2</sup> Creative professionals also need strong copyright protections because they depend on the sale of legitimate content for their pay and benefits. Too often creative professionals of historically marginalized communities are not able to realize the full economic value of their intellectual property, an impediment to maintaining a career that utilizes their unique talents and abilities.

Congress should:

- Pass the Protecting the Right to Organize (PRO) Act;
- Pass the Performing Artist Tax Parity Act;
- Pass the Restoring Justice for Workers Act;
- Pass the American Music Fairness Act; and

<sup>1</sup> McNicholas et al. (2020). “Why unions are good for workers - especially in a crisis like COVID-19.” Washington, DC: Economic Policy Institute. Available here: <https://www.epi.org/publication/why-unions-are-good-for-workers-especially-in-a-crisis-like-covid-19-12-policies-that-would-boost-worker-rights-safety-and-wages/>.

<sup>2</sup> “Toolkit: Advancing Racial Justice in the Professional Workplace.” (2020). Department for Professional Employees, AFL-CIO. Available here: <https://www.dpeaflcio.org/other-publications/toolkit-advancing-racial-justice-in-the-professional-workplace>

- Support copyright reforms aimed at combating content theft, such as reforming Section 512 of the Digital Millennium Copyright Act to restore balance between content creators and online platforms and ensure that creative professionals can earn a fair return for their work.

### **Address Systemic Barriers to Careers in the Arts, Entertainment, and Media**

Every person should have the opportunity to pursue a career in the arts, entertainment, and media industries. As unions, we work through the collective bargaining process to ensure that our employers respect the equal rights of all in their workplaces. Still more must be done to remove the systemic, societal barriers that hold too many people back to help ensure that our industries can fully reflect the mosaic of America.

Congress should:

- Pass the Create a Respectful and Open World for Natural Hair (CROWN) Act;
- Pass the Equality Act;
- Protect the right of people to make their own reproductive healthcare decisions; and
- Provide term-limited federal financial support to ensure that workplaces are safe and accessible for all creative professionals.

### **Increase Federal Arts Funding and Establish DEI Objectives for Grant Recipients**

Through grants, seed money, and technical support, the National Endowment for the Arts (NEA), National Endowment for the Humanities (NEH), and the Corporation for Public Broadcasting (CPB) ensure that Americans of all means, geographies, and abilities have access to artistic and educational content. The NEA, NEH, and CPB also help bolster local economies and put creative professionals to work on nonprofit productions and performances, including members of our unions. These gigs have also provided entry points to careers in the for-profit side of our industries for many of our members through the opportunity to develop skills, experience, and professional connections. Congress can help ensure that more of these career opportunities are available to people who are underrepresented in our industries.

Congress should:

- Increase funding for the NEA, NEH, and CPB;
- Work with stakeholders, including unions, to develop diversity hiring and reporting objectives for grant recipients, such as requiring that applicants provide a three-year look-back report on recruitment, hiring, and promotion; and

- Establish an incubator grant program to help underrepresented people pursue creative projects and make connections with industry mentors.

### **Leverage Federal Tax Incentives to Encourage Diverse Hiring**

Recognizing the boost provided to state and local economies, Congress has established tax benefits for American-based film, television, and live entertainment productions. Tax incentives are important because they create work opportunities for our members that may otherwise go abroad. We know from the state level that tax policy can also offer a “carrot” approach for our industries’ employers to hire more inclusive casts and crew.

Congress should:

- Follow the lead of states like Illinois, New Jersey, and New York to identify effective diversity requirements for federal tax incentives that will spur more inclusive hiring in film, television, and live entertainment.

*If you have any questions, please contact DPE Assistant to the President/Legislative Director Michael Wasser at [mwasser@dpeaflcio.org](mailto:mwasser@dpeaflcio.org)*