



▶ ILO Sectoral Brief

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COVID-19 and the media and culture sector

The COVID-19 pandemic has underlined the importance of the media and culture sector¹ in uplifting people during difficult times. As hundreds of millions of people were confined to their homes during the pandemic, many turned to music, films, television and other art forms for entertainment, education and cultural enrichment, leading to a surge in streaming and online services. Yet, at the same time, it was extremely difficult to continue cultural production, from live performance to recorded media, under lockdown and confinement measures, with the sector hit hard by unemployment and closed productions.

In 2015, UNESCO estimated that there were nearly 30 million cultural and media workers, generating over US\$2 billion in revenues globally and contributing to an increased share of youth employment in the cultural labour market.² The sector is very diverse, encompassing different types of businesses, publicly-funded or privately-owned. It also uses a variety of contract types, from employment contracts to freelance arrangements. Many contracts are part-time, on-demand and project-based agreements. The nature of the work also varies, encompassing artistic, technical and IT occupations. Such a diversity of arrangements can offer independence, flexibility and employment opportunities, but gives rise to challenges concerning access to social security benefits, including paid sick leave and health care, as well as the entitlement of workers to participate in collective bargaining and enjoy freedom of association.³ It also has important implications for working conditions, including occupational safety and health (OSH) and remuneration systems.



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1 For the purposes of this paper, workers in the media and culture sector include workers in creative arts and entertainment activities, encompassing musicians, actors, writers, as well as those working in movies, video and television programme production, sound recording and music publishing activities, in broadcasting activities. The activities include both live performance (theatres, operas, concerts, musicals, etc.) and audiovisual and broadcasting. Journalists are not covered by this brief as they face a number of specific challenges due to COVID-19.

2 UNESCO. *Cultural Times: The first global map of cultural and creative industries*, Paris, 2015, p. 8.

3 Gruber, M. *Challenges and opportunities for decent work in the culture and media sectors*, ILO, Geneva, 2019.

► 1. The impact of COVID-19

Impact on businesses and employment

Globally, COVID-19 has increased the volatility of the media and culture industry, which has witnessed a fall in economic returns and job losses. It is estimated, for instance, that the music sector has lost US\$10 billion in sponsorships due to the shutdown.⁴ At the national level:

- in the United Kingdom, 75.9 per cent of the arts, entertainment and recreation workforce was furloughed at some time during lockdown,⁵
- in the Philippines, the number of employees in arts, entertainment and recreation services fell by 55 per cent in April 2020, in comparison with April 2019;⁶
- in Australia, employment in creative and performing arts activities fell to 29.5 per cent between 14 March and 18 April 2020;⁷
- in Brazil, the revenues of the audiovisual, editing and news agency sector decreased by 14.8 per cent during March 2020;⁸
- in the United States, employment in the motion picture and sound recording and broadcasting sectors fell by 52.8 per cent and 8.7 per cent, respectively, between February and May 2020.⁹

Moreover, throughout the sector, businesses - from live production to recorded media companies - have severely scaled down their operations and, in some cases, the sector's supply capacity has been shifted towards the provision of essential goods and services for public emergency purposes, or to ensure workers remain in paid employment. This is the case in Georgia (United States), where film set construction workers have been redeployed to help build hospitals.¹⁰

How COVID-19 is affecting the future of the media and culture sector

The pandemic has accelerated existing trends, which are poised to change the media and culture labour market and its business models, together with the working conditions and rights of workers in the sector.

Use of technologies

Different parts of the sector, from live performance to recorded media production, have capitalized unevenly on new technologies to find new ways of "monetizing" consumption. Live entertainment has not been able to take advantage of digital media to preserve its privileged relationship with its audience, while the consumption of on-demand music and audio-visual content has further increased, with streaming services taking the lion's share and further replacing physical sales.¹¹ Technology is also transforming how music is made, and this has accelerated during the pandemic. The changing use of applications and platforms is already raising intellectual property rights issues.

Technological solutions have been used on improvised film sets to maintain social distancing,¹² with extras sometimes being replaced by computer-generated images.¹³ In some cases, actors have been provided with equipment to film themselves. Similarly, dubbing and voice-over work has been carried out in artists' home studios, sometimes with equipment provided by the production, or with trailers parked near their homes and artistic directors calling in remotely. In some cases, alternative technologies, such as smartphones, have been used for the production of small budget movies and documentaries,¹⁴ although most professional studio production has largely been incapacitated by the crisis.

The push towards digitalization may have implications for the future labour market in the sector. The penetration of advanced technologies in the film sector may further reduce employment for certain types of technicians and audio-visual workers, while increasing the use of visual effects and the employment of specialized technicians.¹⁵

Challenges to traditional business models

In live performance, the cancellation of concerts and other events, including festivals, has caused the release of new

4 Hall, S. "This is how COVID-19 is affecting the music industry", World Economic Forum, 27 May 2020.

5 United Kingdom Office of National Statistics. *Business Impacts of COVID-19 Survey (BICS)*, Final results, Wave 5 (4 – 7 May 2020).

6 Philippine Statistics Authority. *Labor Force Survey, April 2019 and April 2020*.

7 Australian Bureau of Statistics. *Jobs by industry sub-division*.

8 Instituto Brasileiro de Geografia e Estatística (IBGE). *Pesquisa Mensal de Serviços*.

9 United States Bureau of Labor Statistics. *Current Employment Statistics survey*.

10 United States, State of Georgia. "Spotlight on Georgia Film Industry Efforts to Help During COVID-19", 9 April 2020.

11 Hall, S. "This is how COVID-19 is affecting the music industry", op. cit.

12 France 24. "Robot helps Turkish sitcom keep cameras rolling in age of Covid-19", video, 19 May 2020.

13 Richwine, L. "Hollywood está em busca de especialistas em coronavírus para retomar filmagens", *Folha de São Paulo/Reuters*, 27 May 2020.

14 Labaki, A. "Como é filmar na era do coronavírus", *Valor Econômico*, 15 May 2020.

15 Hall, S. "This is how the film industry is fighting lockdown", op. cit.

recordings to be delayed and has encouraged greater recourse to performance livestreams, including by orchestras and ballets performing for a virtual audience. While this model has helped to maintain a relationship with their audiences, it may not be a viable solution in the long term given the essence of live performance and the fact that some sectors are less adaptable to this type of production. For example, operas and classical concerts are often too complex to be carried out virtually with members performing in different settings.

Moreover, the broadcasting, webcasting or streaming of live events may offer lower financial returns. Indeed, these models tend to favour established artists with access to platforms and label support. The increased use of online platforms also raises issues concerning remuneration, as they have become an important source of revenue for performers, and the technologies remain inaccessible to small venues, such as bars, pubs and tiny theatres, where a very large number of live performances usually take place.

A change in the way live entertainment is performed for a virtual public would require different occupational profiles and the need to provide appropriate skills to the workers involved. It would also give rise to severe challenges concerning the implementation and observance in a home or informal work environment of terms and conditions established through collective bargaining.

Resuming cultural activities

For live or recorded entertainment production to resume in a still insecure environment, it is essential to develop ad hoc measures and procedures tailored to the specific needs of each sub-sector so that work can be carried out safely and consumer confidence restored.

Health and safety considerations may need to be balanced with the economic needs of promoters and employers, for example in relation to the minimum percentage of seats required to ensure financial viability. Special support for the industry may be needed to address this very delicate balance.

While large production companies and studios may survive the disruption and the additional safety and security measures put in place to reduce the risk of infection, small studios and independent productions may not have the resources to make adjustments that threaten their business viability.¹⁶ This raises the issue of the access of such productions to the small business loans that some governments in industrialized countries have made available to small and medium-sized enterprises (SMEs).

Employment in traditional live performance settings has disappeared entirely during the pandemic and is likely to remain very scarce for quite some time, affecting not only artists, but also those working at venues and events.¹⁷ One well-known circus is reported to have dismissed 95 per cent of its employees.¹⁸ Some of the workers involved in live events may be able to return to work once adequate safety procedures have been adopted and implemented, but a number of venues may be unsustainable if they are forced to operate at a fraction of their audience capacity.

Some sectors are in standby, depending on others being able to restart. For instance, cinemas may be ready to open at dates set by governments, but they may see little economic benefit in doing so before new movies are completed and distributed (for example, in Portugal).¹⁹ In other countries, such as Switzerland, cinemas will open with 50 per cent seating capacity to allow for social distancing. Even when premiering new content, movie theatre owners are concerned about breaking even, with closure a less costly option in some cases.²⁰

Specific safety protocols for film and television production are gradually emerging, making it possible to envisage a return to a new normal.²¹ Best practices include special OSH arrangements for acting and the representation of intimacy scenes, for which the use of personal protective equipment (PPE) or social distancing is not always possible. Moreover, not all the ad hoc safety procedures introduced have been the outcome of thorough and inclusive industry consultation based on the best available scientific research. Concerns remain concerning the extent to which such measures effectively protect all those working on set. In many countries, pressure is extremely high to resume production. Unions and guilds representing cast and crew across the world are engaging in consultations to share best practices on a wide range of issues throughout the production process, such as testing, the protection of actors, crew and production staff, as well as the practical organization of shooting days in studios and on location.²²

Recovery in the live performance sector may take much longer, in view of the much greater challenges in implementing social distancing measures among cast, crew and the audience. Some music festivals, including the Salzburg festival, have been substantially reduced in size,²³ with potential consequences for jobs and revenues. For theatres and operas, recovery may be particularly problematic, as they usually involve performances in confined spaces, often lacking proper ventilation systems, and/or mainly attracting audiences from high-risk groups (such as the elderly).²⁴

16 Ibid.

17 Richwine, L. "Hollywood está em busca de especialistas em coronavírus para retomar filmagens" op. cit.

18 Jouan, H. "Guy Laliberté veut racheter le Cirque du Soleil, qu'il avait fondé", *Le Monde*, 25 May 2020.

19 *Público* PT. "Associação pede adiamento de reabertura dos cinemas comerciais para 2 de Julho", 25 May 2020.

20 Porto, W. "Fechados por causa do coronavírus, cinemas tentam sobreviver ao colapso", *Folha de São Paulo*, 23 April 2020.

21 See International Federation of Actors (FIA). "Safety Guidelines and Protocols", n.d.

22 UNI Global Union. "For a safe return to work for the global film & TV industry", News, 22 June 2020.

23 Chastand, J.-B. "Coronavirus: La musique classique reprend progressivement en Autriche", *Le Monde*, 26 May 2020.

24 Starkier, I. "Déconfinement : « Sortons le théâtre de ces lieux où il était en train de se momifier »", *Le Monde*, 23 May 2020.

▶ 2. Responses by constituents and partners

Government relief measures

Like many sectors, the culture sector has benefited from rescue packages adopted by governments,²⁵ mainly aimed at ensuring the economic survival of businesses or access (mainly for workers in an employment relationship) to social security benefits.²⁶ In general, three main means of action have been used: the injection of liquidity and income support into the industry; the deferral of social security payments for both workers and employers; and indemnity funds (for redundancies).

Examples of the measures taken include:

- ▶ relaxation of requirements for grants, deadline extensions and/or continuity of grants
- ▶ anticipation of royalties, waivers of payroll taxes and other payments for entertainment and culture
- ▶ direct support (such as special allowances for organizations, businesses, the self-employed and freelancers) (for example, Switzerland)
- ▶ temporary solidarity grants, or emergency funds
- ▶ loan guarantees for liquidity support or the relaxation of loan conditions
- ▶ temporary unemployment schemes and the suspension of social security contributions for self-employed artists (Ukraine)²⁷
- ▶ integration of the media and culture sector in broader national relief packages, with ad hoc measures for the sector (Italy).²⁸

In some countries, government responses have gone beyond support funding, with the establishment of task forces to discuss future strategies for digitally streamed cultural content (Belgium), or to initiate a broader discussion on a strategy to support action for the culture sector (France).²⁹

Responses in the film production and audio-visual sector

Mitigating the economic impact of the pandemic and reinventing the business

The film and screen production industry has found several ways to support workers and producers. These include relief funds from public agencies or film production companies to support creative workers and crew,³⁰ access to online mentoring, learning and training, as well as the use of streaming technology to organize online film projects and festivals.³¹

Occupational infection control and prevention

General occupational safety and health (OSH) standards are being adapted to film studios, broadcasting sets and other production environments in response to the specific exposure risks of workers and managers. Emerging sector-specific protocols and guidelines are often the outcome of cooperation between unions and other industry stakeholders, or the initiative of audio-visual bodies, with a view to establishing new safety procedures for the safe resumption of film and TV production.³² They provide guidance, from pre-production to post-production, on such matters as:

- ▶ general guiding principles, including roles and responsibilities
- ▶ risk assessment and prevention, infection control, testing, PPE, disinfection, food and beverage hygiene
- ▶ physical distancing on set, including writers' rooms and shared spaces
- ▶ protecting and supporting cast and crew health and safety, including symptom screening and leave policies
- ▶ training and education
- ▶ unique production-specific concerns, such as cast and crew working in close proximity, special considerations for performers, casting and auditions, transport, filming on location and scouting
- ▶ communication on special risk containment procedures with subcontracted companies.³³

25 Some of these packages were targeted at the media and culture sector, while others were broader measures, integrating some programmes for the sector.

26 In particular, measures have included the deferral of social security contributions for independent contractors, increased and facilitated access to unemployment benefits, public wage subsidies, sometimes extended to independent contractors, as well as grants from other sources, including collectively management organizations (in the form of advance payments) to various charitable or benevolent funds. Short-time work mechanisms to help retain people in employment have also been used, although these measures have been of limited benefit to performers in the recorded media sector due to the short length of their engagements. See FIA. "[Concise review of relief measures accessible to performers in the audiovisual sector during the Covid-19 crisis](#)", n.d.

27 ILO. [Analysis: Governments' Responses to COVID-19](#), ACTRAV, 6 April 2020.

28 OECD. [Coronavirus \(COVID-19\) and cultural and creative sectors: Impact, policy responses and opportunities to rebound after the crisis](#), Webinar, 17 April 2020.

29 Ibid.

30 See, for example: Sony Establishes 1 million USD Global Relief Fund, including, support for creators, artists and all those in professions supporting the industry impacted by the cancellation or postponement of concerts and live events, or the shutting down of film and television productions; Bean, T. [Netflix Sets Up 100 USD Million Coronavirus Relief Fund For Production Workforce](#), Forbes, n.d., intended for workers on Netflix's own productions around the world, in addition to the two weeks' pay committed to the crew and cast on suspended productions.

31 Mitchell, W. and Dalton, B. "[At a glance: Film industry coronavirus creative, social and financial support initiatives](#)", Screen Daily, 19 June 2020.

32 European Film Commissions Network (EUFEN). "[FILMING EUROPE IN SAFETY: Guidelines for production during COVID-19](#)".

33 Norway Film Industry Council. "[Guidelines on COVID-19](#)". The Council is composed of the Virke Norwegian Producers' Association, the Norwegian Filmmakers' Association, the Directors Guild of Norway, the Writers Guild of Norway and the Norwegian Actors' Equity Association.

Responses in the live performance sector

Responses have varied in the field of music, as musicians in some countries were still allowed to work in media, radio and TV despite containment measures,³⁴ while recording and production ceased in others. In most cases, all performers stopped working during lockdown.

Within the music sector, there have been inconsistencies in the categories of workers covered by restrictive measures.³⁵ Responses have also varied between companies, often as a result of labour law, and differing rules governing the contracts of workers in ballet, theatres, orchestras and opera companies.³⁶

The unstable income of many performers and their lack of recognition as “workers” in some countries, particularly in developing countries, has impeded their coverage by government programmes. For example, in Kenya and Côte d’Ivoire, musicians’ unions and associations have created coalitions of artists to negotiate joint strategies with the government for relief measures.³⁷

While some labels are offering advances on royalty payments, in practice, with the exception of well-known artists and those with powerful unions, the vast majority of performers are not entitled to any payment when their fixed performances are downloaded or streamed by online platforms.³⁸

In Europe, support for the live entertainment sector has included grants and loans, advances on copyright or neighbouring rights and the postponement of taxes (Netherlands),³⁹ help-lines for economically vulnerable performers and consultations between stakeholders and governments on recovery plans (Spain).⁴⁰

In the United States, the International Alliance of Theatrical Stage Employees (IATSE)⁴¹ and unions representing performers have called for COVID-19 relief packages to address the future needs of creative workers,⁴² while ensuring the protection of their pension plans and access to affordable, quality health care through subsidies for existing health plans.⁴³

Key issues relating to COVID responses in the media and culture sector

Job losses in the sector have highlighted the weaknesses of a very fragmented cultural sector, in which workers range from

those engaged in publicly-funded institutions (such as national broadcasting or theatrical companies) to those in the private sector, including small and micro-enterprises, freelancers and independent contractors. The latter do not always benefit from employment protection mechanisms, social security, access to paid leave, health care and relief funds.

Responses by governments and the social partners have to take this diversity into account. In particular:

- ▶ Size and funding models need to be considered in the recovery: tailored plans are required for media and cultural institutions that are publicly-funded (such as state theatres), as well as those that are privately-owned.
- ▶ While multinational companies with sustainable revenues may sustain their own recovery, small companies will need a combination of economic measures (including credit, rent forbearance and short-term loans), occupational health guidance and the extension of health and social protection plans.
- ▶ Tailored OSH and employment-related recovery measures are required to cover the specific needs of workers in some cultural sectors (such as musicians playing wind instruments, actors performing on stage),⁴⁴ as well as the large number of freelance and independent workers in the sector, who do not receive regular wages and benefits and are not covered by paid leave.
- ▶ Social partners and other stakeholders will have to consider how freelance workers and workers in emerging forms of employment can have access to social security benefits, by adapting eligibility criteria and income thresholds, extending access to unemployment benefit to these workers, and combining non-contributory and contributory schemes.
- ▶ Such workers need to be represented in social dialogue mechanisms and, where appropriate, in collective bargaining as a means of improving their terms and conditions.
- ▶ Recovery strategies will have to combine financial policies with measures to address systemic issues in the sector concerning decent work and access to fundamental labour and social rights, with particular focus on those outside traditional employment relationships.
- ▶ This commitment requires a stronger sectoral link with employment policy decisions and skills development

34 International Federation of Musicians (FIM). “COVID-19: Response of musician’s unions”, Argentina/SADEM.

35 Ibid., Italy/SLC-CGIL

36 Ibid., Australia/MEAA.

37 Ibid., Côte d’Ivoire/SAMCI and Kenya/KeMU.

38 Singleton, M. “Apple Music Launches \$50M Advance Fund for Indie Labels During Coronavirus”, Billboard, 7 April 2020.

39 European Composer and Songwriter Alliance (ECSA). “COVID-19 responses from the music sector”.

40 Ibid.

41 IATSE represents a wide range of workers in live theatre, motion picture and television production, trade shows and exhibitions, television broadcasting and concerts, as well as equipment and construction workshops.

42 IATSE. “Post-COVID-19 restarting of the entertainment industry”, 1 May 2020.

43 IATSE. “IATSE priorities for subsequent COVID-19 relief legislation”, 16 April 2020.

44 See also FIM. “FIM Recommendations for a safe return to work of orchestra musicians”, n.d.

strategies, and more coordinated discussions between ministries of culture and ministries of labour.

- ▶ The exponential growth of streaming services calls for constructive dialogue between the social partners and governments on the impact of digitalization on the sector with a view to ensuring fair remuneration from digital platforms for creative workers, as well as decent terms and conditions for all workers involved in productions, irrespective of their employment status.

There is a need for investment in skills and technology, especially for more vulnerable workers, who are often excluded from vocational and skills development.⁴⁵ Recovery measures should also be adapted to the needs of specific groups, including

▶ 3. ILO tools and responses

Media and cultural workers are covered by the ILO's fundamental principles and rights at work. States have the duty to ensure that the fundamental principles and rights at work and ratified international labour Conventions are applied to all workers, including media and cultural workers. These workers in ratifying countries are also covered by such key instruments as the [Social Security \(Minimum Standards\) Convention, 1952 \(No. 102\)](#), the [Occupational Safety and Health Convention, 1981 \(No. 155\)](#), the [Occupational Health Services Convention, 1985 \(No. 161\)](#), the [Promotional Framework for Occupational Safety and Health Convention, 2006 \(No. 187\)](#), and their corresponding Recommendations. These standards require risk assessment and the adoption of a hierarchy of controls to prevent and mitigate risks, and the establishment of OSH committees with workers' representatives, as set out in the [ILO Guidelines on occupational safety and health management systems](#).

In 2014, the [ILO Global Dialogue Forum on Employment Relationships in the Media and Culture Sector](#) adopted [points of consensus](#) which further extended some of these principles and reaffirmed the application of fundamental principles and rights at work to all workers in the media and culture sector, irrespective of the nature of their employment relationship. The discussions at the Global Dialogue Forum covered the need to apply intellectual property protection laws and to ensure that competition legislation does not obstruct the right of media and cultural workers to freedom of association or to engage in social dialogue with their social partners. The [Home Work Convention, 1996 \(No. 177\)](#), establishes the requirement that workers working from home, including media and cultural workers, shall enjoy equality of treatment with other wage earners, taking into account the special characteristics of home work.

ethnic minorities, women, LGBTQ and persons with disabilities working in the sector, who already struggle to enter and stay in the industry, and are often left out of policy planning. People living with HIV may require targeted measures adapted to their particular vulnerability to COVID-19 and their health needs.

The [UNESCO Recommendation concerning the Status of the Artist \(1980\)](#) also draws on a number of ILO standards in establishing principles for the employment and labour rights of artists. The UNESCO Recommendation recognizes the right of trade unions and professional organizations of artists to represent and defend the interests of their members. It contains a number of measures of particular relevance to cultural workers during the pandemic, including:

- ▶ specific employment services for media and cultural workers;
- ▶ social protection mechanisms tailored to the intermittent nature of employment and the income instability of many artists;
- ▶ special means of financing social security for artists, including new forms of financial participation either by the public authorities or by the companies that exploit the services or works of artists;
- ▶ special medical care to preserve the health and extend the professional lifetime of certain categories of artists (for example, ballet dancers, dancers, vocalists); governments are encouraged to provide them with proper care, not only in the event of incapacity for work, but also for the purpose of preventing illness and long-term injury, and to consider the possibility of research into the health problems specific to artistic professions.

The [Beijing Treaty on Audiovisual Performances \(2012\)](#), which entered into force on 28 April 2020, contains provisions on the economic and moral rights of actors and performers in audiovisual performances, including films, videos and television programmes.

⁴⁵ See, for example, the Government of the Republic of Korea on the provision of vocational training for 400 casual workers in the media and culture sector who have lost jobs due to the crisis. KEA. [A collaborative map to track coronavirus policy measures](#).

The World Health Organization has issued [Key planning recommendations for mass gatherings in the context of the current COVID-19 outbreak](#), which are relevant to large cultural events.

The ILO has also issued guidance and a range of technical and sectoral notes on the COVID-19 pandemic, based on a strategy of four key pillars. The [ILO Policy framework for tackling the economic and social impact of the COVID-19 pandemic](#) provides further guidance and understanding on these four pillars.

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