

Member Alert: New York City Open Culture Program

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Dear New York,

You may have seen media reports that New York City has launched the "Open Culture" program. The city program allows producers to apply for a permit to close a city street and hold an outdoor performance at a reduced cost.

If you are approached to work on a New York City "Open Culture" project, please contact your business representative immediately before accepting. The current structure of the program does not meet Equity's minimum standards for wages or COVID-19 safety.

- The city permit process does not require that producers pay a living wage.
- The city permit process does not require producers provide proof of workers' compensation insurance.
- The city permit does not require that workers be tested for COVID-19.
- The city permit does not require performers to be socially distanced.
- The city permit does not have a formal requirement for a COVID-19 safety officer.
- The city permit process does not have appropriate safeguards to keep crowds distanced from the workers.

In fact, the city permit process does not require proof that producers pay any wage at all - while *explicitly permitting* ticket sales and collecting donations. This is disappointing and unfair to the arts workers in our city. It is especially concerning that the city has put forward a plan that does not ensure a safe workplace for workers.

Equity staff have had ongoing conversations with the city about this program. We've submitted testimony about the need to ensure that arts workers are properly protected and compensated. Those conversations will continue. Meanwhile, if an Equity producer wants to hire Equity members to do this work with an Equity contract and appropriate safety protocols, we will be happy to work with them.

In the meantime, I am happy to report that the state arts program, NY PopsUp, has taken important steps forward when it comes to pay and safety plans.

Equity staff and your elected leadership have been in ongoing dialogue with state leaders about this program since it was announced in January. As a result of those conversations, we have signed an agreement allowing for Equity members to be paid for NY PopsUp performances with a living wage and health and pension payments. The NY PopsUp team has also incorporated our feedback into their safety plan, improving the safety for everyone associated with the project.

We will continue to push New York City to make changes to the "Open Culture" program that prioritize pay and safety for the workers who make New York City a cultural destination. For now, please contact your Equity business representative before you accept any work on an outdoor New York City "Open Culture" project.

For Equity,

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