




CITY OF HAMILTON
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT
Tourism and Culture Division

TO:	Mayor and Members General Issues Committee
COMMITTEE DATE:	June 16, 2021
SUBJECT/REPORT NO:	Fair Payment of Musicians for City-Led Events Policy (PED21041(a)) (City Wide) (Outstanding Business List Item)
WARD(S) AFFECTED:	City Wide
PREPARED BY:	Debbie Spence (905) 546-2424 Ext. 3049 Patti Tombs (905) 546-2424 Ext.4693
SUBMITTED BY:	Carrie Brooks-Joiner Director Tourism and Culture Planning and Economic Development
SIGNATURE:	

RECOMMENDATIONS

- (a) That the Fair Payment of Musicians for City-Led Events Policy (Policy) outlined in Appendix "A" to Report PED21041(a) be approved;
- (b) That the Outstanding Business List item, City Guidelines and/or Policy Establishing a Practice of Payment for Musicians, be identified as completed and removed from the list.

EXECUTIVE SUMMARY

The City of Hamilton recognizes musicians are an integral part of Hamilton's economy. Music is identified as one of Hamilton's leading industries for economic growth within the Creative Industries Sector.

Payment of fair wages for performance is a practice encouraged by the Hamilton Musicians Advisory Team (HMAT) and is a Recommendation in the 2020 Mayor's Task Force for Economic Recovery Report.

At the February 17, 2021 General Issues Committee (GIC) meeting:

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“Staff was directed to report back to GIC on the establishment of City guidelines and/or a policy establishing a practice of payment for musicians, based on the most current fees recommended by the Canadian Federation of Musicians (CFM), represented locally by the Hamilton Musicians Guild Local 293 for City-hosted and City-funded events.”

The Policy is proposed to apply to the hiring of professional musicians for City-led events. While the City strongly encourages all event organizers to consider the payment of fair wages for musicians for their performances, the Policy does not apply to community events funded by the City Enrichment Fund or approved by the Special Events Advisory Team, artist-led events, or donated services. The Policy references the music industry’s standards of minimum wages established annually by the Canadian Federation of Musicians as the basis for the City’s wages for music performances. The Fair Payment of Musicians for City-Led Events Policy is attached as Appendix “A” to Report PED21041(a).

Alternatives for Consideration - See Page 6

FINANCIAL - STAFFING - LEGAL IMPLICATIONS

Financial: City departments may incur modest increases to event budgets should increase fees for musicians be required as a result of implementation of this Policy.

Staffing: N/A

Legal: N/A

HISTORICAL BACKGROUND

February 2018 - Staff in the Tourism and Culture Division initiated the Music Mondays’ outdoor performance series at City Hall with support and advice from the Hamilton Music Advisory Team. This annual series features local musicians and the practice of paying musicians wages was intentionally aligned with the Hamilton Musicians Guild Local 293, rates that come from the Canadian Federation of Musicians. This practice of payment of fair wages has since been applied to other programs with music performances led by the division.

November 26, 2020 - The 2020 Mayor’s Task Force for Economic Recovery Report included a Recommendation from the Arts and Culture Working Group to “create minimum wage pay scale for musicians hired by the City and at City-related/sanctioned events, to ensure musicians are paid fairly as reopening happens and afterwards.”

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February 17, 2021 - At the General Issues Committee, in response to the Mayor's Task Force Recommendation, the Mayor put forward a Motion directing City staff to investigate and establish fair wages for musicians via a guideline or policy for City-Run or City-Funded events utilizing musicians.

POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS

This Policy, if approved, will be added to the City's list of policies.

The Fair Payment of Musicians for City-Led Events Policy is recommended as a policy versus a guideline because it:

- Aligns with other City of Hamilton policies that indicate "fair wage" such as the Fair Wage Policy and Fair Wage Schedule on all Construction Contracts; and
- Formalizes approaches and ensures consistency across the Corporation regarding staff responsibilities when hiring and paying musicians for City-led events.

RELEVANT CONSULTATION

External:

- Hamilton Music Advisory Team
- Cities of Kitchener, London, Mississauga, Ottawa, Toronto and Vancouver

Internal:

- Manager, Heritage Resource Management, Tourism and Culture Division, Planning and Economic Development Department
- Manager, Placemaking, Public Art and Projects, Tourism and Culture Division, Planning and Economic Development Department
- Manager, Tourism and Events, Tourism and Culture Division, Planning and Economic Development Department
- Program Manager, Tourism and Culture Division, Planning and Economic Development Department
- Policy Analyst - Grants, Tourism and Culture Division, Planning and Economic Development Department

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- Senior Project Manager, Tourism and Culture Division, Planning and Economic Development Department

ANALYSIS AND RATIONALE FOR RECOMMENDATIONS

Application of the Policy

The Fair Payment of Musicians for City-Led Events Policy, attached as Appendix “A” to Report PED21041(a) applies to City-led events defined as:

- In-person, virtual events or activities for the public or City staff that are initiated by the City (i.e. by City staff, at the direction of Council or under the guidance of City boards or committees);
- Organized by City staff or contracted to a third-party vendor (i.e. Victoria Day, Winterfest, etc.); and
- Where a musical performance is a component of the event or activity.

While the City strongly encourages all event organizers to consider the payment of fair wages for musicians for their performances; the Policy does not apply to:

- Events that receive the City Enrichment Fund funding for live or virtual events or programming (i.e. Winona Peach Festival, Ancaster Heritage Days, etc.);
- Community-led events held on City property that are reviewed through the Special Events Advisory Team process;
- Events where a musician or music group create their own event; or,
- Events where a musician, music group or students have decided on their own (not in response to an ask from the City) to donate their service of a live or virtual performance as part of a City-led event or on City property.

It is recognized that many arts event organizers have long been leaders and advocates for fair payment for creative work and seek to meet, promote and improve minimal rates for artists and musicians and provide these fair wages within their event.

The Policy defines musicians as individuals who have selected music as their career; pursuing work as a musician on a full or part-time basis; relying on this work for at least a portion of their income; and therefore, excludes hobbyists and students.

The Policy uses and references the music industry’s standards of minimum wages

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established annually by the Canadian Federation of Musicians as the basis for the City's wages for music performances.

Benefit of Implementation of Policy

Establishing and implementing a Fair Payment of Musicians for City-Led Events Policy helps achieve the following:

- Recognizes the value of all aspects of musicians' work (i.e. performances, song writing, production, etc.) and that music performances represent a significant percentage of a musicians' income.
- Underlines the importance of the principles of fair payment, especially since the median income of Creative Industries workers is \$36 K (reference 2016 Stats Canada data via Creative Industries Sector Profile).
- Helps ensure Corporate awareness, education and consistency through the creation of a staff tool.
- Provides guidance for City staff and third-party vendors who are planning and or implementing City-led events.
- Provides Tourism and Culture Division staff with a reference and approved Corporate approach to hiring and incorporating musicians into events across the City to share with City colleagues as needed.
- Aligns with the City's Music Strategy, Economic Development Action Plan and Fair Wage Policy.
- Demonstrates leadership and models fair payment practices found in many Canadian cities that further supports, recognizes, retains and attracts musicians to Hamilton who are essential to our music industry.

City of Hamilton Practice

Many City-led events have paid fair wages to musicians since 2018 including: Music Mondays, Arts Awards, Winterfest and ad-hoc programs of larger tourism events such as Country Crawl program of the Canadian Country Music Week, and Hamilton programming as part of the RBC Canadian Open. Upon approval of the Policy, CFM rates will be included and specified as a requirement in third-party vendor agreements for event delivery managed by the Tourism and Culture Division.

Other City departments hire musicians on an occasional basis. The Tourism and

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Culture Division advises on rates upon request. There is no consistent approach or practice for fair payment for musicians across the Corporation.

Practice of Other Municipalities

Informal consultation with colleagues suggests that mid and large-sized Canadian cities (i.e. Kitchener, London, Mississauga, Ottawa, Toronto and Vancouver) pay musicians rates that meet CFM recommendations, particularly by municipal departments who oversee music and or creative industries. Payment of fair wages for musicians by municipalities is viewed as a best practice but tends to be informal. Adoption of a formal policy is considered a positive and progressive step.

Summary

Adoption of a Fair Payment of Musicians for City-Led Events Policy will position the City of Hamilton as a leader; ensures fair and consistent rate of payment for professional musicians' work; demonstrates support for the music industry and serves to encourage all event organizers to adopt fair payment of musicians as a best practice in the delivery of events.

ALTERNATIVES FOR CONSIDERATION

The Policy as written excludes CEF recipients. Council could opt to have relevant and successful City Enrichment Fund grant recipients included under the Policy as these initiatives are partially supported by City funds.

ALIGNMENT TO THE 2016 - 2025 STRATEGIC PLAN

Economic Prosperity and Growth

Hamilton has a prosperous and diverse local economy where people have opportunities to grow and develop.

Built Environment and Infrastructure

Hamilton is supported by state-of-the-art infrastructure, transportation options, buildings and public spaces that create a dynamic City.

Culture and Diversity

Hamilton is a thriving, vibrant place for arts, culture, and heritage where diversity and inclusivity are embraced and celebrated.

APPENDICES AND SCHEDULES ATTACHED

Appendix "A" - Fair Payment of Musicians for City-Led Events Policy