

Fair Payment of Musicians for City-Led Events Staff Policy (Policy)

Rates of Pay and Factors for Consideration

<p>Guiding Principles</p>	<p>Fair Payment for Work</p> <p>The City recognizes musicians as an integral part of Hamilton’s economy. The Creative Industries Sector has been identified as key to Hamilton’s economy and the Music Industry is one of the leading industries for economic growth within the sector.</p> <p>A music performance is recognized as work and as such represents a significant source of income for musicians as creative industry workers. The City has an important role in developing the Creative Industries Sector and in supporting a vibrant arts and culture scene.</p> <p>The City leads by example in building awareness and understanding of the importance of fair payment practices for a musicians’ work and implementing that practice.</p> <p>Consistency and Collective Ownership</p> <p>The Policy of fair payment for musicians is shared, communicated and upheld across the Corporation.</p> <p>Courageous Change and Continuous Improvement</p> <p>Implementing and communicating a policy that:</p> <ul style="list-style-type: none"> • Strengthens the City of Hamilton’s support of the Music Industry; • Builds on the City’s status as a music city; and • Demonstrates leadership as being the first municipality in Ontario to implement a corporate policy that encourages and supports fair payment of musicians.
<p>Definitions</p>	<p>Musician:</p> <p>For the purpose of this Policy, musician is defined as an individual who has selected music as their career; pursuing work as a musician on a full or part-time basis and relying on this work for at least a portion of their income. It does not include hobbyists.</p> <p>City-Led Event:</p> <p>City-led event includes in-person events, virtual events or activities for the public or for City staff that is initiated by City Staff, or 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) and where a musical performance is a component of the event or activity.</p>

<p>Facts and History</p>	<ul style="list-style-type: none"> • Hamilton is recognised as seventh in the world for independent musicians per capita. • Musicians are recognized as “core creators” within the Creative and Music Industries. As core creators, the opportunity for musicians to be paid for creating, producing and performing music is critical in driving and maintaining the overall Music Industry supply chain. • In 2018, the City of Hamilton was recognized as the first Canadian municipality to be awarded with a special SOCAN Licensed to Play designation. This designation supports fair compensation for recorded music from musicians and music creators. • This Policy aligns with existing City of Hamilton policies such as the Fair Wage Policy and Fair Wage Schedule on all Construction Contracts with the City. • This Policy does not contravene the direction or intent of the Street Performance Policy and Guidelines allowing for “busking” on City property.
<p>Purpose</p>	<ul style="list-style-type: none"> • To recognize the value of all aspects of musicians’ work (i.e. performances, song writing, production etc.). • To align with the City’s approved Music Strategy and further advance music as one of Hamilton’s key creative industry sectors. • To help ensure Corporate consistency through a formal policy for staff and third-party vendors who are planning and/or implementing City-led events with music programming. • To educate staff on the importance of paying musicians fairly and providing resources to facilitate their fair payment. • To demonstrate leadership and model fair payment practices that further supports, recognizes, retains and attracts musicians to Hamilton.
<p>Objectives</p>	<ul style="list-style-type: none"> • Create a policy that formalizes the better practice of paying fair wages to musicians. • Ensure that City-led events or activities where musicians are hired (virtually or in-person) meets the minimum rates set and reviewed annually by Canadian Music Industry experts (i.e. Canadian Federation of Musicians [CFM] represented locally by the Hamilton Musicians Guild Local 293). • Increase awareness about the importance and context of fair payment of musicians. • Encourage private and non-profit organizations to consider the fair payment of musicians.
<p>Scope</p>	<p>Policy applies to City staff with responsibility for internal or external City-led events or staff who oversee contracts for third-party vendors where musicians are hired for in-person or virtual performances.</p>
<p>Exclusions</p>	<p>Does not apply to community-led events that receive the City Enrichment Fund funding for live or virtual events or programming (i.e. Winona Peach Festival, Ancaster Heritage Days, etc.).</p> <p>Does not apply to community-led events including those held on City property that are reviewed through the Special Events Advisory Team process.</p>

	<p>Does not apply when a musician or music group creates their own event and/or has decided on their own (not in response to an ask from the City) to donate their service of a live or virtual performance.</p> <p>If a donated performance is part of a City-led event, City staff or the third-party vendor must clearly document that the musician or group have initiated and agreed to the donation of their services.</p> <p>Note: While the above are excluded from this Policy; the City encourages all community or privately-led event organizers to consider adopting the principles of this Policy and seek to better understand the impacts and goals of fair payment for musicians.</p>												
<p>Rates</p>	<p>Musicians hired for City-led events are to be paid at least, the current minimum rates as established annually by the Canadian Federation of Musicians represented locally by the Hamilton Musicians Guild Local 293. Minimum rates are based on the number of musicians who are part of the performance and a performance time between 15 minutes and one hour.</p> <p>Reference: Minimum CFM rates for 2021 are as follows and may change annually:</p> <table border="1" data-bbox="402 984 1273 1213"> <thead> <tr> <th>Number of Band Members</th> <th>Suggested *Minimum Fee</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>\$150</td> </tr> <tr> <td>2</td> <td>\$260</td> </tr> <tr> <td>3</td> <td>\$370</td> </tr> <tr> <td>4</td> <td>\$480</td> </tr> <tr> <td>5+</td> <td>\$590</td> </tr> </tbody> </table> <p>*Musicians may charge, and be paid by the City, rates higher than the minimum CFM rates.</p>	Number of Band Members	Suggested *Minimum Fee	1	\$150	2	\$260	3	\$370	4	\$480	5+	\$590
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<p>City Staff Responsibility</p>	<ul style="list-style-type: none"> • Ensure minimum payment to all musicians for City-led events within the scope of this Policy. • Seek out resources and information to assist in event or activity decision-making, planning and organization. • Inclusion of the requirement to pay musicians fair rates (with reference to CFM rates) in third-party vendor contracts. 												
<p>Consideration of Factors that Impact Fair Payment</p>	<p>In addition to meeting minimum rates, staff should also consider the following:</p> <ul style="list-style-type: none"> • Hiring Hamilton-based musicians where possible. • Musicians may have their own fee schedules and charge higher fees based on skill, experience, expenses and demand for their services. • Travel, accommodation, sound equipment and production, meals or other expenses are not included in these fees and should be negotiated in addition to performance fees if/where applicable. • Industry standards for concerts and festivals with an audience of more than 1,000 people typically result in higher musician fees. • Minimum payments include requests to perform a single set (i.e. several songs) to a one-hour time frame, or two sets of 30 minutes with a break in between. 												

	<ul style="list-style-type: none"> The time requested of the musician also includes set-up and soundcheck, which is typically outlined in artist agreements.
Related Documents	Music Strategy: www.hamilton.ca/music-strategy
Additional Resources	<p>For additional advice or guidance on fair payment of musicians including musician agreement templates or to access information about Society of Composers, Authors and Music Publishers of Canada fees, please email music@hamilton.ca.</p> <p>For the Hamilton’s Musician Guild’s Band and Musician Directory or for more information about the Guild contact: www.hamiltonmusicians.org Phone: 905-525-4040 Email: local293hmq@bellnet.ca</p>
Date Approved	