



Australian Government

**Creative  
Workplaces**

# **Discussion Paper: Work arrangements in creative industries**

**16 April 2025**

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The role of Creative Workplaces is to promote fair, safe and respectful workplaces for artists, arts workers and arts organisations. We recognise that creative industries are diverse and that applying workplace laws to creative workplaces can feel difficult.

Our role is to support creative industries to understand their rights and meet their workplace obligations by providing information, resources and referral information about pay, safety and respect.

Creative Workplaces is not a regulatory body. We have no power to intervene in individual commercial arrangements, change legislation (for example, about intellectual property or royalties), deal with contract or workplace disputes, or set mandatory minimum rates for self-employed artists.

Find out more about us at [www.creative.gov.au/creative-workplaces](http://www.creative.gov.au/creative-workplaces).

## About this paper

The purpose of this discussion paper is to invite feedback and discussion on issues related to work arrangements and pay for artists, arts workers and organisations in the creative sector.

Understanding and using various work arrangements can be challenging for individuals and organisations. We know this from the consultations that informed the development of the National Cultural Policy *Revive*, through research reports, and through the engagement and conversations we have had with creative industries to date.

Our aim is to better understand the issues specific to independent contractors, employment relationships and volunteering and unpaid work. We invite you to recommend resources, tools and other supports that would help you to understand and meet workplace laws and support you or your organisation to achieve best practices.

We will use what we learn to provide more relevant, meaningful and practical information and support to creative industries.

We warmly welcome all current, past and emerging artists, arts workers and arts organisations, those who engage or work with them, and those who have relevant knowledge and experience, to respond to the questions in this paper.

There are [discussion questions](#) at the end of this paper.

We invite you to [submit your responses online](#).

In this paper, we reference various pieces of research. This research gives us valuable insight, but we acknowledge that more is known about working in some artforms than others.

# Language used in this paper

## What we mean by ‘work arrangements’

In this paper, **work arrangements** mean the different types of work relationships between organisations, businesses and workers.

Work arrangements determine a wide range of things including:

- what to pay and how to pay an artist or worker
- non-monetary working conditions
- work health and safety duties
- options for dealing with disputes or for when things go wrong.

Common work arrangements in creative industries include:

- independent contracting arrangements (also known as freelancers, sole traders, or self-employed)
- employment relationships (including full-time, part-time and casual employment, as ongoing or fixed term)
- volunteer work
- other unpaid work (including work experience, unpaid internships or student placements)
- partnerships and collaborative models such as profit-share arrangements.

This paper focuses on:

- independent contracting arrangements
- employment relationships
- volunteer and unpaid arrangements.

The paper begins with exploring independent contracting arrangements. It then considers employment relationships. Understanding what an employment relationship is can help to understand what an independent contracting arrangement or a volunteering arrangement is *not*.

Also, many people take part in creative or cultural activities as a hobby or for recreation. We have included information about hobbies and recreation for the purpose of clarifying what is and what is not considered ‘work’ according to the law.

## What we mean by ‘creative industries’

In this paper, **creative industries** includes but is not limited to:

- performing arts including theatre and dance
- galleries
- visual arts and craft
- music including contemporary and classical
- archives and museum institutions
- screen
- digital games
- libraries
- festivals
- literature.

There are also cross-cutting activities extending into the fields of First Nations arts and languages, arts and disability, youth arts, regional arts, creative therapies, the work of arts education and training organisations, and the activities of industry development and investment agencies such as Creative Australia and Screen Australia.

We know that not all practitioners and workers in Australia’s creative industries identify with the term ‘artist’ and ‘arts worker’, and that there are many different ways creative industries are measured and described.

For example, in Australia’s screen and digital games development industries preferred terminology includes ‘screen worker or practitioner’, ‘digital games maker’ or ‘digital games developer’. We use the broad terms ‘artists’, ‘arts workers’ and ‘arts organisations’ and ‘creative industries’ to include all arts and cultural sub-sectors, including practitioners, makers and developers working in the Australian screen and digital games industries.

# Sharing your insights with us

We warmly welcome your responses to the questions we've included in this paper, which are also listed on page 22.

**We invite you to [submit your responses online](#).** If you need an alternative way of making your submission, please let us know.

**Please send us your submission by 30 May 2025.**

When you make your submission, please tell us a bit about your experience, including:

- What area(s) of arts practice do you work in (e.g. theatre, visual arts, music etc.)
- What role you work in (e.g. producer, dancer, gallery attendant, etc.)
- Where you work (e.g. regional or metro, which state or territory, etc.)

If you are open to us contacting you about your submission (for example, so we can learn more about an issue you have raised), please include your contact details. You can change your mind about this at any time.

**You do not need to address all the discussion questions in this paper.** You can just answer the questions you know about, and that you want to answer.

## Talking about workplace matters can be difficult

We understand that discussions around workplace matters can sometimes be difficult, particularly when recalling past negative experiences.

We encourage you to take care of yourself and reach out for help if you feel you need it. There is information on the Creative Workplaces [Where to get help and support](#) webpage.

# Understanding work arrangements

When deciding which work arrangement to use, you need to consider the true nature of the working relationship and how the parties will work together in practice.

It is not enough for everyone involved to simply agree on the type of work arrangement. Engaging someone as an independent contractor or using a volunteer arrangement where, in practice, there is an employment relationship is risky. This can lead to underpayment or a sham contracting arrangement.

## Independent contractors

### About independent contractors

An independent contractor is someone who works for themselves. They are sometimes known as self-employed, sole traders, freelancers, self-managed artists or independent artists or arts workers.

Independent contractors can be engaged by other businesses or independent contractors to provide services or goods. They usually have their own Australian Business Number (ABN) and are paid upon invoicing.

Independent contractors:

- can work for more than one client at a time
- have control over their business
- have control over how they perform work
- can negotiate their own rates and working conditions
- have the option to delegate or subcontract work to other people
- pay their own insurances.

How they are paid under their contracts can vary depending on the type of work and what is agreed to, but there are 4 main ways in creative industries:

- fixed amount rates: a pre-set amount for the work, regardless of how long the work takes
- time-based rates: an agreed amount per hour, day, week etc, for as long as the work takes. A contract may include a maximum number of hours or a maximum dollar amount

- percentage-based income: a share of profits, ticket sales, commissions or consignment fees
- sale price: payment for the sale of work.

Independent contractors carry the financial responsibility and risk related to their work.

## What we already know

More people work as independent contractors (proportionately) in creative industries than the general workforce (Bridgstock 2005). In their study of professional practicing writers, visual artists, crafts practitioners, actors and directors, dancers and choreographers, musicians, composers and community and cultural development artists, Throsby & Petetskaya (2024) found that 78% of respondents source creative income through independent contracting. Most (63%) are working on their own ABN as unincorporated entities (e.g. not Pty Ltd) (Throsby & Petetskaya 2024).

In screen, the proportion of independent contractors is higher, with 90% working as independent contractors (Dutton & Briscoe 2024). A 2021 survey reported that the Australian digital games sector employs at least 1,245 workers and contractors, but did not report on the proportion of independent contractors and employees (IGEA 2021).

Generally, the parties to a contract are free to bargain and negotiate the terms of the contract between themselves (including pay rates). They can choose to accept or refuse to enter into a contract, although in practice independent contractors may face challenges in negotiating contract terms. However, there are legal protections for independent contractors.

Independent contracting can be compatible with the work of artists and arts workers because it:

- offers a high degree of flexibility, independence and autonomy
- affords more control over intellectual property
- accommodates the itinerant work schedules of many artists and arts workers
- is compatible with the project-based nature of artistic and cultural work (MacNeill et al 2022, McQuilten et al 2023, Dutton & Briscoe 2024).

However, many artists and arts workers who work as independent contractors:

- experience low and irregular income and short-term opportunities
- seek work from multiple sources
- experience gaps between jobs or projects and job insecurity



- work long hours, travel frequently or work for long periods away from home (for example, on tour or on location)
- often need to supplement their creative income with other work (Throsby & Petetskaya 2024, Hesmondhalgh & Baker 2009, Dutton & Briscoe 2024, van den Eynde & Fisher 2016).

While many artists spend more time on their creative work, they often derive proportionally more of their income from other work (Throsby & Petetskaya 2024). Early career artists and arts workers tend to take on more non-arts work to supplement their artistic practice (van den Eynde & Fisher 2016).

There are no mandatory minimum pay rates that apply to independent contractors, and they are not entitled to other employment safety nets such as limits on maximum working hours, payment of penalty or overtime rates for working excessive or anti-social hours, paid leave entitlements (such as personal leave, annual leave and long service leave), and in many cases, superannuation (Polivtseva 2024, Coles et al 2022, de Peuter 2011, McQuilten et al 2023). While there are a number of recommended minimum rates, payment of those rates can only be enforced where they form part of a contract.

A range of factors motivate artists and arts workers to accept low pay and challenging working conditions. For example, because of:

- extreme competition and the insecurity of work, or in some instances through exploitative practices
- periods of insufficient work or work shortages
- difficulties accessing work
- uncertainty about future work opportunities
- poor representation, bargaining power and power imbalances
- lack of awareness that a person can negotiate or the skills to do so (McQuilten et al 2023, Polivtseva 2024, NAVA 2017, Coles et al 2022, Shehadie et al 2022, Percival & Hesmondhalgh 2014).

Earnings and working conditions are also driven by tight project budgets. Budgets are impacted by access to funding and earned income. Organisations and artists report feeling pressured by increasing expectations to deliver more events and other creative outputs without a corresponding increase in budget (Polivtseva 2024, McQuilten et al 2023, NAVA 2017).

Independent artists and arts workers spend time or money on marketing, management, insurance premiums, financial management, writing funding or grant applications, costs or fees associated with accessing markets, showcases and venues, and other administrative tasks (Throsby & Petetskaya 2024, McQuilten et al 2023, Myer 2002).

Some reports suggest that independent contractors have difficulty keeping track of expenses, factoring expenses into their rates, and pricing to make profit (Throsby & Petetskaya 2024, Polivtseva 2024).

Many artists and arts workers who work as independent contractors spend significant amounts of time volunteering or performing unpaid work. The reasons vary but they include:

- a motivation to 'give back' and other altruistic reasons
- an investment of time for exposure or future opportunities (particularly among early career artists)
- in some cases, as a result of exploitation by persons in positions of power (McQuilten 2023, Throsby & Petetskaya 2024, Polivtseva 2024, Shehadie et al 2022, Coles et al 2022).

## Recent changes to the Fair Work laws


### New definition of 'employee' and how it relates to independent contractors

The [new definition of employee](#) applies to [constitutionally covered businesses](#). It is used to work out whether a person is an independent contractor or an employee by applying the '[whole of relationship test](#)'.

The new definition may:

- mean that some workers who would previously have been considered independent contractors may now be considered employees
- result in those workers being entitled to employment working terms and conditions.

The '[start of relationship](#)' test continues to apply to [state referred businesses](#) and businesses not covered by the national system.

 The Fair Work Ombudsman's [independent contractors](#) webpage has information about the [new definition of employee](#), how it applies, and who the 'whole of relationship test' and 'start of relationship test' applies to.


## New unfair contract terms disputes pathway

The Fair Work Commission can now deal with disputes about unfair terms in service contracts made after 26 August 2024. They can set aside, amend or vary unfair contract terms.

The Fair Work Commission's dispute resolution process is more accessible and cheaper than going through the courts.

To work out if contract terms are unfair, the Fair Work Commission looks at:

- differences in bargaining power between the parties in the contract
- imbalances of rights and obligations in the contract
- if the total income received for the work is less than an employee would get for performing the same or similar work
- whether the terms protect legitimate business interests
- whether there are any harsh, unjust or unreasonable terms

 The Fair Work Commission's website has more information on [independent contractor disputes about unfair contract terms](#).

## Other issues and questions we get asked

From our consultation and engagement so far, in addition to the recent changes to the Fair Work laws described above, we have been asked about:

- **Superannuation**
  - Whether an independent contractor is entitled to superannuation
  - How to pay independent contractors superannuation (for example, when paid to someone who is not 'Pay As You Go' (PAYG))
  - Whether the independent contractor or the business engaging them is responsible for paying superannuation
  - Superannuation obligations where there are chains of contracting arrangements
- **Invoices**
  - Some organisations engaging independent contractors find that some contractors are not issuing compliant invoices

- **Rates**

- Some independent contractors report that they are not able to negotiate and that recommended rates don't always increase over time

- **Contracts**

- Some organisations and independent contractors often do not know who can support them with contract issues (for example, disputes about the work performed or seeking payment of an invoice)
- Some organisations and independent contractors are unsure whether a contract exists (particularly when the contract is not in writing)
- Approaches for negotiating contract terms

- **Setting up as a contractor**

- Some artists and arts workers, particularly early in their career, have difficulty setting themselves up and understanding their compliance obligations

## **Discussion questions**

1. What problems do artists and arts workers working as independent contractors experience when negotiating work arrangements with organisations or other contractors?
2. What problems do organisations experience when negotiating work arrangements with independent contractors?
3. What resources would help you and/or your organisation understand and/or comply with your legal obligations with regard to independent contracting?

## **Employment relationships**

### **About employment relationships**

Many artists and arts workers derive income from employment relationships, either exclusively or in addition to other work arrangements.

Employees can be engaged:

- as full-time, part-time or casual employees
- on permanent or fixed term contracts, including seasonally.


An employer can be an organisation or business of any size. This includes a self-employed person operating as a sole trader or in a partnership.

In an employment relationship, the employer and the employee are in a legally binding arrangement (an 'employment contract'). Employment contracts are often in writing, but they don't need to be.

The employer:

- employs the employee to work within their business for the employer's benefit
- pays the employee a salary or wage in exchange for the employee's time
- bears the risks for the work done by the employee
- can give the employee directions about what tasks to perform and how (and the employee must follow their reasonable directions)
- provides the tools and equipment the employee needs for the work
- pays workers compensation insurance and other insurance required.

There are mandatory minimum pay rates and working conditions for employees. This includes superannuation, limits on maximum working hours, additional payments for working overtime or anti-social hours.

 The Fair Work Ombudsman's website has useful information on the [indicators of an employment relationship](#)

## What we already know

Several research reports indicate that employment relationships in creative industries are often fixed term or casual, and are often lower paid than other industries (van den Eynde & Fisher 2016, de Peuter 2011, NAVA 2017). Throsby & Petetskaya's (2024) study of professional practicing artists (which did not include those working in screen or digital games) reported that:

- 8% earned income from long term employment
- 15% earned income from short term employment
- 20% earned income from casual employment.

In screen, fewer than 10% of workers are engaged in employment relationships (Dutton and Briscoe 2024). Production staff are often hired for particular productions, rather than being employed on a permanent basis (Screen Producers Australia 2018). Meanwhile, in digital games, employment relationships appear to be more common, although we are unsure of the breakdown of employees and independent contractors (IGEA 2021). In digital games, work is likely to be full-time, home-based and flexible (IGEA 2021).

Entertainment Assist's survey reported high and increasing levels of casualisation overall, particularly among those early in their career, and that increased financial pressures have led to decreased full-time opportunities (van den Eynde & Fisher 2016).

Where organisations can offer full-time or part-time work, it is often difficult to attract and retain staff, particularly for small to medium organisations (NAVA 2017, McQuilten et al 2023). Small to medium organisations can find it difficult to offer the wages and other support due to budget constraints, skills shortages in particular roles, and the expectation to deliver more creative outputs (NAVA 2017). Many organisations report difficulty retaining staff due to low pay and conditions (Cunningham & McCutcheon 2020, McQuilten 2023).

Work in creative industries is often performed at night and on weekends. It often involves working long hours with overtime expected (van den Eynde & Fisher 2016, Coles et al. 2022, Percival & Hesmondhalgh 2014). Research reports indicate high levels of unpaid work and overtime, particularly among entry level workers and women (van den Eynde & Fisher 2016, Shehadie et al 2022, Coles et al 2022, Percival & Hesmondhalgh 2014).

Employee motivations for doing unpaid work vary but include a desire for exposure or to break into an industry, concern about the impact on their career of turning unpaid work down, altruism and the importance they place of the contribution of creative activities to themselves or society (Cunningham & McCutcheon 2020, Shehadie et al 2022, van den Eynde & Fisher 2016).

These conditions are often driven by budget conditions and funding difficulties (Percival & Hesmondhalgh 2014, van den Eynde & Fisher 2016, p12). There are some reports of people in power taking advantage of workers who are desperate to work in the industry (Shehadie et al 2022).

Small businesses often find that employing workers and complying with obligations relating to employee pay to be difficult aspects of running a business (ACCI 2024).

For small businesses in particular, compliance take considerable time and causes stress. It limits the time they can spend developing and advancing their core business (ACCI 2024). Resource scarcity can drive businesses to rely on high employee performance and engagement, and additional discretionary effort from employees (for example, long and unpaid additional hours) (Harney et al 2022).

## Recent changes to the Fair Work laws

### New definition of 'casual' + changes to casual conversion rules


To work out if an employee can be engaged as a casual, organisations need to consider if:

- there is a ['firm advance commitment'](#) to ongoing work
- the employee is entitled to a casual loading or special rate for casual employees
- how the employment relationship works in practice (with reference to a number of factors).

Under new casual conversion rules, a casual employee can notify their employer in writing that they would like to [change to permanent employment](#) if:

- they have worked for the employer for 6 months (or 12 months where they work for a small business)
- they do not think their employment meets the definition of casual anymore.

If an employee does this, their employer can only refuse the change on reasonable business grounds or if accepting the request would mean they were not complying with a recruitment process required by law.

-  The Fair Work Ombudsman's website has information about these [casual employment changes](#)


### Limits on fixed term contracts

There are [limits on fixed term contracts](#) that now apply to employers and employees covered by the [Fair Work system](#). The limits are:

- a maximum contract period of 2 years, including renewals and extensions
- a maximum of 2 consecutive contracts for the same or similar work, except in certain circumstances.

There are also limits on extending or renewing existing contracts and rules about avoiding the limits.

There are some exceptions to the limits that allow an organisation to engage an employee on a fixed term contract for more than 2 years (including extensions and renewals).

-  The Fair Work Ombudsman's website has more about the [limits on fixed term contracts](#) and exceptions to the limits.

## Right to disconnect

The right to disconnect laws apply to employers and employees in the [Fair Work system](#). It is a right to refuse contact with an employer or third party (such as client, supplier, staff from another business or members of the public) outside of working hours.

It includes the right to refuse to monitor, read or respond to contact (or attempted contact) outside of usual working hours, unless doing so is unreasonable. This includes calls, emails, texts, social media or messaging services.

For small businesses (with fewer than 15 employees), the right to disconnect laws will apply from 26 August 2025.



The Fair Work Ombudsman's website has information about the [right to disconnect](#) and [tips for discussing out of hours contact](#).

## Other issues and questions we get asked

Creative Workplaces has received questions about the changes in the section above. From our consultation and engagement so far, we have been asked about:

- **Overtime and additional hours**
  - Whether employees can work extra hours without pay (for employees on hourly rates and for salaried employees)
  - How to manage high workloads if there is no budget to pay overtime
  - How to manage variability of workloads depending on seasonality and/or proximity to an event
- **Award coverage**
  - Employers and employees can have difficulty working out which award (if any) applies to them, including which classification applies to an employee
  - Whether an employee can be paid under separate classifications under the same award for performing different work
- **Casual employment and increasing casualisation of the workforce**
- **Employee entitlements when travelling or on tour**



- **The new limits on fixed term contracts**
  - The impact on changes of creative leadership for an organisation
  - Exceptions that may be relevant (including for live performance, not-for-profit organisations or high-income employees)

## Discussion questions

4. What problems do organisations experience in relation to engaging employees, working out their pay and conditions, and complying with minimum standards?
5. What problems do artists and arts workers working as employees experience in relation to their entitlements to pay and conditions?
6. What resources would help you and/or your organisation understand and/or comply with your legal obligations with regard to employment relationships?

## Volunteering and unpaid work

### About volunteering and unpaid work

#### Volunteering

[Volunteering Australia](#) defines volunteering as ‘time willingly given for the common good and without financial gain’. Volunteering should provide benefits to society or a common cause (and may benefit the volunteer as well).

Volunteers may:

- be reimbursed for out-of-pocket expenses
- be financially or materially rewarded for their work
- receive an honorarium, stipend or similar payment for voluntary services or professional services voluntarily rendered (in accordance with Australian Taxation Office (ATO) rulings).

Intentions are important with volunteering arrangements. Even though a volunteer can receive financial or other benefits, they are performing the activities at their own free will and not with the intention of making money.

A volunteering arrangement between an organisation and a volunteer is not a legally binding work arrangement (unlike independent contracting and employment relationships). However, organisations do have legal obligations to volunteers (for example, work health and safety) and volunteers can be required to meet some legal obligations (for example, related to working with children, or confidentiality).

Organisations should not rely on volunteers to make profit or in the place of paid workers.

### **Unpaid work experience, student placements and internships**

Unpaid work arrangements, such as work experience, student placements and internships, can be good opportunities for workers to gain experience in a new industry or type of work.

Generally, these arrangements are allowed as long as:

- the purpose of the arrangement is to give the person experience, not to help with the business's ordinary operations
- the person doing the work experience is supervised by and learning from paid workers
- the arrangement is for a short period of time
- there is no expectation on the person doing the work experience to be producing work for the business or organisation
- the person doing the work experience is benefiting more than the business or organisation.

Unpaid [vocational placements](#) that are part of a formal training arrangement are also allowed.



The Fair Work Ombudsman has information on [unpaid work](#)

### **Skills testing**

In limited circumstances, unpaid skills testing or trials are allowed when the purpose is to assess someone's skills before hiring or engaging them, including auditioning.

These skills tests or trials should not last for longer than is needed to demonstrate a person's skills.

### **Hobbyist and creative pursuits for recreation**

A hobby is a pastime or leisure activity conducted in spare time for recreation or fun.

Hobbyists can receive money for their work as long as they are not expecting to make a profit from the work. This is different to doing the activities as a business (like an independent contractor) or as an employee, where the intention is to make money or earn an income.

 Business.gov.au has information on [the differences between a business and a hobby](#)

A hobbyist *can* use Statement by a Supplier form to be paid. This allows the supplier to justify the payer not withholding an amount from the payment for that supply.

There are a range of circumstances where a supplier *cannot* use a Statement by a Supplier form, including if they are operating a business to perform the same activity or are entitled to register for an ABN.

 The ATO has information on [who cannot use a Statement by a supplier](#)

## What we already know

Creative industries rely on volunteers in a range of circumstances and many activities in creative industries can legitimately be done by volunteers (Volunteering Australia, 2015). Unpaid internships and work experience is also relatively common.

Organisations sometimes rely on volunteers due to insufficient and declining resources directed to core operations, the need to deliver increased events or other creative outputs, and to carry out fundraising activities (NAVA 2017).

People volunteer or take on unpaid arrangements for a range of reasons. For example, to serve on boards, mentor others or gain experience, for altruistic reasons, or to enable a community event, project or festival to go ahead when it otherwise couldn't (Percival & Hesmondhalgh 2014, van den Eynde & Fisher 2016, Cunningham and McCutcheon 2020, Hesmondhalgh & Baker 2009).

Volunteering is particularly common among early career artists (van den Eynde & Fisher 2016). A recent survey on behalf of the Western Australian Government found that people who are neurodiverse are most likely to volunteer, followed by Aboriginal and Torres Strait Islander peoples and LGBTIQ+ people (DLGSC 2024).

There are also some reports of misuse volunteering and other unpaid work arrangements. These practices are unfair, unsustainable and can be unlawful where they are inconsistent with

legitimate volunteering and unpaid work arrangements. Such practices impact the sustainability of careers in creative industries. Examples in recent research reports include:

- ‘unpaid internships’ where interns perform substantial work for the benefit of a business for long periods
- instances of organisations taking advantage of a person’s desperation to break into the industry, or
- instances of a person’s career being threatened if they turn down unpaid work (Shehadie et al 2022, Coles et al 2022).

## Recent changes in the volunteering ecosystem

The recently launched [National Strategy for Volunteering](#) provides a ten-year blueprint aimed at enabling volunteering in Australia to thrive. Its purpose is to guide the actions needed to achieve a better future for volunteering.

In August 2024, the first three-year action plan under the Strategy was launched. The [Action Plan 2024–27](#) identifies lead stakeholders who bear responsibility to progress their actions and details supporting actions for others in the volunteering ecosystem to flexibly contribute to action plan and the implementation of the National Strategy.

## Other issues and questions we get asked

During our consultation and engagement so far, Creative Workplaces has been asked:

- Whether it is ok to have some people engaged as paid workers and others as volunteers for similar work
- What legal obligations organisations have in relation to volunteers
- What the risks are when engaging volunteers with honorarium payments
- Who can and can’t use a Statement by Supplier

## Discussion questions

7. What problems do organisations experience in relation to engaging volunteers or other unpaid arrangements?

8. What problems do volunteers and other unpaid workers experience?
9. What resources would help you and/or your organisation understand and/or comply with your legal obligations with regard to volunteering?

### **Is there anything else?**

10. In addition to the discussion questions set out in this paper, is there anything else you want to tell us about work arrangements and how they impact on the pay of artists and arts workers?

## Discussion questions

We warmly welcome all current, past and emerging artists, arts workers and arts organisations, those who engage or work with them, and those who have relevant knowledge and experience, to respond to the questions in this paper.

**We invite you to [submit your responses online](#).** If you need an alternative way of making your submission, please let us know.

Please send us your submission **by 30 May 2025**.

### **We know you are busy**

You don't need to address all the discussion questions.

You can just answer the questions you know about and that you want to answer.

## **Independent contractors**

1. What problems do artists and arts workers working as independent contractors experience when negotiating work arrangements with organisations or other contractors?
2. What problems do organisations experience when negotiating work arrangements with independent contractors?
3. What resources would help you and/or your organisation understand and/or comply with your legal obligations with regard to independent contracting?

## **Employment relationships**

4. What problems do organisations experience in relation to engaging employees, working out their pay and conditions, and complying with minimum standards?
5. What problems do artists and arts workers working as employees experience in relation to their entitlements to pay and conditions?
6. What resources would help you and/or your organisation understand and/or comply with your legal obligations with regard to employment relationships?

## **Volunteering and unpaid work**

7. What problems do organisations experience in relation to engaging volunteers or other unpaid arrangements?
8. What problems do volunteers and other unpaid workers experience?
9. What resources would help you and/or your organisation understand and/or comply with your legal obligations with regard to volunteering?

## **Is there anything else?**

10. Is there anything else you want to tell us about work arrangements and how they impact on the pay of artists and arts workers?

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## Our thanks

Extensive work has already been done in prior research and by successive reports to understand the challenges facing artists, arts workers and arts organisations, including in relation to funding, and power imbalances in negotiating and enforcing payment terms. This is in addition to more specific challenges particular to each art form.

Drawing on this existing understanding, often generously contributed by artists, arts workers and arts organisations themselves, the Creative Workplaces team has also been talking with representative organisations to ask and learn more. These conversations are ongoing. We thank all who have reached out to us for their time and for sharing their knowledge.

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