TESTIMONY TO COMMITTEE ON CULTURAL AFFAIRS, LIBRARIES AND INTERNATIONAL INTERGROUP RELATIONS

Thursday, January 21, 2021

Testimony to Committee on Cultural Affairs, Libraries and International Intergroup Relations

By Dance/NYC

On behalf of Dance/NYC (www.dance.nyc), a service organization that serves over 5,000 individual dance artists, 1,200 dance-making entities, and 500 non-profit dance companies and the many for profit dance businesses based in the metropolitan New York City area, including BIPOC (Black, Indigenous, and Peoples of Color) dance workers, immigrants, and disabled dance workers. Dance/NYC joins colleague advocates working across creative disciplines in thanking the Committee for your leadership during this time and in requesting the City:

1. To pass a retroactive rent cancellation initiative, in order to address the migration of the arts workforce from the city due to unaffordable rent prices and the downturn in the arts industry due to COVID-19;
2. To pass legislation that allows for commercial rent cancelation and stabilization to help address the current and potential displacement of cultural organizations and businesses by legislating market increase by expanding members of the CIG program;
3. To create legislation to provide tax incentives to landlords who rent or lease to non-profit organizations and for-profit businesses, and in doing so help the cultural sector retain their physical spaces and avoid displacement; and
4. To consider what additional benefits and opportunities the artist certification initiative could offer access to, including: affordable healthcare, universal basic income, unemployment insurance, food/housing assistance, affordable artist housing and forgivable loans.

As you know, the COVID-19 pandemic has had a devastating impact on NYC's arts and culture sector. According to Americans For the Arts' report "The Economic Impact of Coronavirus on the Arts and Culture Sector" (http://bit.ly/AAACovidImpact), the national economic impact of COVID-19 on arts and culture includes losses of $14.6 billion and still rising. In NYS, the arts and culture sector generates $100 billion in economic activity accounting for 7.5% of the New York State Gross State Product. Of this economic engine, with NYC-based dance non-profit organizations alone contributing over $300 million. This figure is largely understated as it only includes organizations with 501c3 status indicating that the actual contribution is much larger with the inclusion of fiscally sponsored organizations, for profit dance studios and individual artists. The enduring cost of this pandemic is significant for both independent arts workers and organizations/groups, and is disproportionately impacting BIPOC, immigrant and disabled artist communities. The dance field, its workers, businesses, and organizations were already struggling to run sustainably before the pandemic, which resulted in an inability to earn living wages, have access to necessary benefits like health care, and save in order to build reserves for a rainy day. The conditions that led us here, further exacerbated by the presence of COVID19, have been persistent including but not limited to: limited access to general support grants; little access to unionization; soaring real estate prices which have led to one of the City's most starking class divides and the overall growing affordability crisis.

Since the start of the pandemic, Dance/NYC has been conducting the Coronavirus Dance Impact Study (http://bit.ly/DNYCImpactSurvery), which is a comprehensive research study on the impact COVID-19 is having on the dance sector, including its effects on independent dance workers. With an average annual income of $32,886, near the poverty line for a family of 4, independent dance workers suggest they have lost at least 18% of their annual income due to the COVID-19 with a cumulative loss of at least $4.7M in income related to 6,100+ canceled dancer performances, 12,100+ canceled rehearsals, 8,500+ canceled teaching engagements, 2,100+ canceled commissions, and 3,200+ other engagements, as of October 2020. These numbers continue to rise due to the continued presence of the virus, delayed returns to in-door performances and teaching, poor guidance on how to reopen safely, and poor access to governmental relief. This coupled with pre-pandemic absence of robust unionization and wage standards, has left dance workers as one of the most vulnerable members of our arts workforce. While we expect the possibility for activity to increase with the presence of the vaccine and the passing of the Open Culture Bill, for which the community extends its thanks, we know the reopening of some outdoor revenue generating opportunities alone will not save NYC's independent arts workers or the businesses and cultural organizations that employ them.

Dance/NYC's data shows that independent dance workers continue to express a pressing need for basic things like food, shelter and access to healthcare. For freelance dance workers, who represent 93% of individual respondents within Dance/NYC's data, these impacts are heightened as they struggle to access unemployment benefits. To curtail the impact of these compounding issues, we believe individual artists would be greatly assisted if the City were to invest in its arts workers by first paying its own arts workers living wages and ensuring that City-funded programs require grantees to pay living wages to any arts worker it contracts while giving them sufficient funds to do so. Failure to do so will pose a direct and pervasive threat to the survival of the arts and culture communities in the City, specifically hyper-local, small, and BIPOC led artistic communities, who together with the Great White Way make NYC the global cultural capital it is today.

The proposal of the Artist Identification Legislation (LS 2195) is heartening and presents a significant opportunity for the City to establish an infrastructure to better serve its cultural workers. While the City should not legislate or determine who is and who is not an artist, it should not hide behind ideals of a "free market" to deflect its responsibility to build an intentional and robust infrastructure of support for its cultural workers. Instead, Artist ID could help to facilitate quick and efficient access to benefits including affordable healthcare, universal basic income, unemployment benefits and artist affordable housing. It also presents an opportunity to create a more centralized method by which artists can access funding and commissioning opportunities across City agencies and its regranting partners by streamlining information and accreditation. The success of the Artist ID, will be determined inasmuch as its formation, execution, and dissemination, is founded upon clear anti-racist and anti-oppressive principles, and is stewarded by artist leaders whose expertise reflects the true experiences of working artists. It must ensure confidentiality of our most vulnerable arts workers, like undocumented artists, and manifest a commitment to NOT cooperate with Immigration and Customs Enforcement or the NYPD, for example. It should not act as a defacto taste-maker or exalt the "over professionalization" of a sector that often lacks access to affordable training, and instead develop a criteria of selection that accurately reflects the breadth and depth of what it means to be a working artist in New York City.

Despite the promise of LS295, in order to ensure that there is an artist workforce it can serve, the City must address the number one threat facing independent arts workers and cultural organizations and businesses alike: RENT. Dance/NYC's Coronavirus Dance Impact findings show that the cultural workforce is leaving the city in droves, with the number one reason being their inability to pay rent. One respondent noted "I am concerned with how I am going to survive after the quarantine has ended. My money will be scarce and New York City is very expensive... I don't know when my company is going to hire me again or when we will be performing." Canceling rent is a necessary, measured response to the ongoing housing crisis. The COVID-19 pandemic has forcibly displaced artists from New York City, but before the pandemic, many artists were only one paycheck away from eviction. Now, after months of unemployment and insufficient opportunities to support themselves, artists

are being forced out of NYC by necessity. While eviction moratoriums are in place, they have simply served as a tool to increase the debt and already precarious financial situation individual arts workers are facing. Dance/NYC has already provided over $1 million in relief support through our Coronavirus Relief Fund (http://bit.ly/DNYCDanceReliefFund) to individual freelance dance workers and organizations but this only alleviates some short term and immediate needs. Comprehensive rent relief legislation and investment in the individual artists are desperately needed to ensure long term survival of our City's arts and culture workforce.

In order to support individual artists the organizations and businesses which they work for also need to be supported. The proposed legislation (LS 2194), requiering the Department of Cultural Affairs to conduct a study of the forces driving the displacement of cultural spaces in the city, the means of combating them, and incentivizing the creation of new cultural spaces. We understand the necessity of data for city programs and to get new legislation passed. However, on the ground for months since the arrival of COVID19 (and we'd dare to say years now leading up to this crisis), the cultural community has been experiencing closures of spaces, unaffordable rent/leasing contracts, and continue to identify rent/leases/and property management as the largest expenses in their budgets. As firm believers in the power of data to tell stories and direct action and resources to where it is needed, Dance/NYC understands the critical need for this information. However, often data processes are used to assert to white dominant cultural structure, needing it to assert validity and or proof for the information that for years has already been made known by BIPOC, low income and marginalized communities. Tied to this legislation must come concerted and swift action to address the conditions that we have all already been made privy to. Data cannot take the place of action, or slow down action in exchange for incremental change at the cost of the very people it is intending to serve.

What we know today is that while there are designated cultural zones in the City there is little to no legislation to protect the cultural spaces located within these districts. The affordability crisis and high rent remains a force behind displacement— one the City has understood well and has already addressed through its wildly successful CIG program. Rent relief will help both individual artists and the organizations that employ them. Today this issue can be mitigated by creating legislation to cancel commercial rent for cultural organizations and businesses, stabilize commercial rent by legislating market increases, and by expanding the members of the CIG program. Rent cancellation/relief will provide immediate reprieve. Nevertheless, property taxes remain a paramount concern for landlords. An implementable policy solution to address both issues would be to provide tax incentives for landlords renting to nonprofit cultural organizations and businesses. This tax incentive could also be made City specific with the creation of a voucher based tax break provided by the City for landlords renting to nonprofit cultural organizations. All of these policy changes would not only provide renters with much-needed relief during the pandemic, but also ensure the long term survival of cultural spaces, mitigating their displacement, and in turn improving the real estate market in NYC, not just for artists and organizations, but also for the very communities they serve.

Dance/NYC strongly advocates for a vision rooted in justice, inclusivity, equity, and sustainability for the arts and culture industry. These principles are the driving force behind Dance/NYC's organizational priorities and the lens through which we view the New York City arts and culture ecosystem at large. We must invest in the establishment of new mechanisms and frameworks that center the personal and professional well-being and prosperity of the artist workers in the arts and culture ecosystem. These changes will support the individuals and their ability to thrive. When the individual artists thrive, the organizations that they are a part of will also thrive. It is in this vein that Dance/NYC acts in solidarity with our colleague advocates across disciplines in the City to request aid for the City's independent artists.

For Dance/NYC and its constituents, the most urgent priorities are for the City:

1. To pass rent relief legislation to help to keep dance workers and dance businesses in NYC;
2. To allow for commercial rent cancelation and stabilization through the development of new legislation, which will allow dance organizations to avoid displacement and legislating market increases by expanding members of the CIG program;
3. To consider what the artist certification initiative could additionally offer access to, such as affordable healthcare, universal basic income, unemployment insurance, food/housing assistance, affordable artist housing, and forgivable loans;
4. To provide tax incentives to landlords who rent or lease to non-profit organizations, to help nonprofits retain their physical spaces and avoid displacement for which data could be collected as part of the proposed real estate study.

We thank the Council in advance for your consideration and commend New York City's ongoing efforts to slow the spread of COVID-19. The time to act is now to ensure that dance and dance workers can continue to thrive in NYC for years to come. We look forward to the opportunity to ensure that New York remains a vibrant capital for arts and culture.

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