

**W.A.G.E. PARITY: ARTIST COMPENSATION PRACTICES  
AT NONPROFIT VISUAL ARTS ORGANIZATIONS**

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## ABSTRACT

Artists are often uncompensated for the services they provide nonprofit visual arts organizations, and in cases where they are paid as independent contractors, fair payment standards do not exist. Activist groups led by artists, most notably the group Working Artists and the Greater Economy (W.A.G.E.), have recently criticized this lack of payment standards as exploitative. This thesis examines institutional practices related to artist compensation focusing on the experiences of artists and administrators working in the Philadelphia area. The research conducted herein reveals that artists and administrators have a broad familiarity with the fee structure proposed by W.A.G.E., which establishes minimum standards of payment based on institutional budget size. I critically examine the potential adoption of the fee structure as a means of addressing artist compensation. Prioritizing artist compensation is expected to improve artist relations and help address fieldwide issues of diversity and inclusion.

## INTRODUCTION

While literature within the arts administration field has focused on the difficulties of providing adequate compensation to employees (Brown and Yoshioka 2003; Kim and Lee 2007), less attention has been given to compensation practices at visual arts organizations where artists frequently perform paid work as independent contractors or receive no compensation at all. In matters of both study and practice, the arts administration field has primarily focused on the needs of organizations. This initial literature reveals a lack of understanding from the public about artists' societal contributions and an underdeveloped support system, which privileges institutions. Labor relations between nonprofit arts organizations and artists have at times been contentious, with artists feeling exploited by cultural institutions in service to the nonprofit mission (Satinsky 2015, Sickler 2012). Only after the crisis of the culture wars in the 1990s did policy research about the needs and contributions of artists emerge (Bonin-Rodriguez 2015).

The present study was motivated by the realization that artists' long hours, financial insecurity, and lack of public respect are at odds with the myriad societal benefits the profession is responsible for conferring. This disconnect is understudied from an arts administration perspective. A review of existing literature indicates that large cultural institutions are often detached from local artist communities, overshadowing

their efforts, lacking an understanding of the issues that impact artists, and not serving a support role (Jackson 2004). Criticisms levied by artists assert that this problem goes beyond disconnect, identifying institutional practices that exploit artistic labor (Satinsky 2015, Sickler 2012). Modern activist efforts led by artists, most notably the group Working Artists and the Greater Economy (W.A.G.E.) are bringing attention to compensation practices at nonprofit arts organizations, even going so far as to question the inherent value of the now commonplace practice of institution building (Satinsky 2015).

Artists are more likely to experience periods of unemployment and underemployment than workers with similar levels of educational attainment (Menger 1999, Sidford and Frasz 2016). The prevalence of this contingent labor also causes artists to experience larger income inequality and variability. Contingent employment is generally associated with secondary labor markets where there is little differentiation between workers who are low-trained and low-paid. (Menger 1999). Artists, however, are “highly skilled and quite differentiated ... but have weak employer attachments (Menger 1999, 546).” To navigate this uncertainty, artists rely on private support from family and friends, public sources, transfer income such as unemployment insurance, support from cooperative associations, and income from multiple jobs. Given the precarity of this system and its reliance on social capital, it is not surprising that the majority of art school graduates and working artists are white, non-Hispanic, and from middle class backgrounds. (Ellis-Petersen 2015, Jahoda et al. 2014). The demands of educational attainment coupled with rising educational costs have made the profession inaccessible to

people of working class backgrounds. This in turn, creates a homogenization of culture, which is not reflective of society's diversity (Ellis-Petersen 2015, Jahoda et al. 2014).

This thesis considers issues surrounding artist compensation has having particular importance to larger fieldwide discussions about diversity and inclusion.



## **RESEARCH QUESTION**

How have recent activist efforts impacted artists and administrators' attitudes towards what constitutes "fair pay" for artists at nonprofit visual arts organizations in their role as independent contractors, and how have these shifts in views impacted current institutional compensation practices?

## METHODOLOGY AND LIMITATIONS

The present study applies a qualitative approach, interviewing both artists and administrators to gain insight into each group's experiences and attitudes about what constitutes fair pay for artists. I identified visual artists who were actively showcasing their work at either nonprofit and/or artist-run spaces in the Philadelphia area, and I excluded artists who were represented by commercial galleries since the vast majority of artists lack this representation. I restricted my ethnography to artists who have been exhibiting their work for a period of at least five years. Lists of emerging artists from competitions like the Fleisher Wind Challenge provided an extensive source for potential interview subjects, as did faculty lists from area art colleges and universities. I identified potential administrators working at nonprofit arts organizations where they frequently worked with living visual artists via the websites of cultural institutions. I requested an interview with ten artists and ten administrators via e-mail, ensuring my subjects varied in sex, age, and ethnicity, and, in the case of administrators, ensured they worked at organizations of varied size, hypothesizing that institutional budget size might be a factor in organizations' determinations of compensation levels. Three artists agreed to be interviewed via phone or email, and three administrators agreed to be interviewed via phone.

My study of policy work relating to artists as well as literature about artist activist efforts informed my selection of interview questions. The prominence of the artist group W.A.G.E. (Working Artists for the Greater Economy) and its work to standardize artists'

fees created an entry point to discuss and assess interview subjects' knowledge of wage parity and recent activist efforts. While this study focuses on the compensation that visual artists receive from visual arts organizations, the findings likely have broader applicability to artists and institutions outside what constitutes the visual arts discipline.

The present study prioritizes depth over breadth with its basis on comprehensive interviews with six informants living and working in the Greater Philadelphia area. Although the small sample size necessitates the caveat that the findings cannot be deemed conclusive, existing literature supports my conclusion that artists and administrators trying to create fair payment standards for artists are hindered by not only the instability of the nonprofit model, but more generally, the prevalence of uncompensated labor. Further research would serve to assess the effects of geography and career stage, and more fully evaluate the impact of socioeconomic variables and ethnicity on artist and administrators' perspectives on fair pay in the nonprofit visual arts field. A larger sample size would also allow a more nuanced assessment of the effect of institution size and geographic location on administrators' views. In the present study, all administrators interviewed held curatorial roles. The determination to restrict the study to curators was made because the lack of funding for exhibitions seemed to be the main point of contention regarding artist compensation. Additional interviews could be conducted to learn more about practices in other organizational departments, such as the education department, where artists also receive compensation for programmatic work.

## LITERATURE REVIEW

### Section I: Early Policy Work and Literature on Artists

Most literature about the cultural sector has focused on institutions rather than artists (Jackson 2004). In response to the culture wars of the 1990s, a concentration of policy research and literature focusing on the needs and contributions of artists emerged (Bonin-Rodriguez 2015). Following the loss of federal funding for individual artists, the Ford Foundation together with other donors commissioned the Urban Institute's *Investing in Creativity: A Study of the Support Structure for U.S. Artists* (Jackson 2004). Considered the first comprehensive study to examine the needs of artists, *Investing in Creativity* develops a framework with six dimensions that artists need to support their work: validation; demands and markets; material supports; training; communities and networks; and information (Bonin-Rodriguez 2015; Jackson 2004). These six dimensions represent different forms of capital. "Validation" and "Communities and Networks" are forms of social capital, "the tight reciprocal bonds that form from invested social relations." "Training" and "Information" help produce cultural capital, "the sum of skills, knowledge, and accomplishments asked of artists." Lastly, "Demands and Markets" and "Material Supports" are associated with economic capital defined as "financial and tangible physical resources." By developing this framework, *Investing in Creativity*

identified critical areas for intervention. Most arts and cultural policy work in the United States beginning in the early 2000s would adopt this approach of understanding and advocating for the arts (and artists) in terms of various types of capital (Bonin-Rodriguez 2015, 109).

*Investing in Creativity* concludes that the existing support structure is inadequate, in part, because there is a lack of understanding, documentation, and recognition of artists' societal contributions. The artist, by and large, is viewed as a frivolous profession by the public, with artmaking is associated with recreational activity rather than work deserving compensation. Although the public places value on the importance of art in their lives, they do not share the same value for artists. The end product and maker are divorced in their minds. Artists feel their work is overshadowed by large cultural institutions, which they view as separate from the local arts scene. While these institutions provide some employment opportunities for artists, this employment is often temporary. Artists see little opportunity to showcase their work at these institutions and find that artists from other areas are more often represented. Tourism bureaus and media outlets often do little to profile the work of individual artists, with attention going instead to the city's museums, symphonies, ballet, and opera house. Few economic impact studies actually mention the work of artists. Building an appreciation and understanding of what artists do will require the work of artists themselves as well as other stakeholders, including administrators, governments, community and real estate developers, and the business and civic sectors (Jackson 2004).

*Creativity Connects: Trends and Conditions Affecting U.S. Artists* is a study from the National Endowment for the Arts that builds on the existing research of *Investing in Creativity* to consider how the support structure has changed since the Urban Institute study was published in 2003. *Creativity Connects* concludes that the framework developed by the Urban Institute is still relevant and useful for thinking about the needs of artists. However, the study finds that greater attention needs to be given to larger structural issues, such as growing inequality, rising rent costs, and race-, gender-, and ability-based disparities, which are not unique to artists. Combating these issues requires the alignment of artists' interests with those shared by people facing similar challenges as well as collaboration with broader social and economic movements (Sidford and Frasz 2016).

Ann Markusen is recognized as one of the field's primary researchers who has written extensively about the work of artists. In *The Artistic Dividend: Urban Artistic Specialisation and Economic Development Implications*, Markusen considers the economic contributions of artists, who have historically been ignored by economists studying the impact of the arts. Part of the reason for the exclusion of artists has been that economists have relied on government data about wages, but artists are largely working as independent contractors. It has also been difficult to define artists compared to other occupations. Because many artists are self-employed, Markusen theorizes that the presence of an arts community, a concentration of cultural venues, a larger philanthropic community, and other factors might be a greater determination in where artists chose to

live than other workers who might be more concerned with the presence of a primary employer (Markusen and Schrock 2006).

In *Artists' Centers: Evolution and Impact on Careers, Neighborhoods and Economies*, the idea of what makes a place attractive to artists is explored further.

Theorizing that a concentration of artists is beneficial to regional economic development, Markusen considers the presence of art centers in Minnesota. Although artists are often thought of as working in isolation, Markusen found that art centers with their abundance of resources, such as classes, equipment, facilities, opportunities for grants, and access to diverse audiences were beneficial to artists. In turn, artists were able to benefit local businesses by providing design services and assistance with creative problem solving. The presence of artists also had positive effects, helping to build cultural awareness, providing opportunities for residents to connect with one another, and developing civic pride (Markusen and Johnson 2006).

*Crossover: How Artists Build Careers Across Commercial, Nonprofit, and Community Work* found that although artists may be thought of as working within a single sector, many artists are working across multiple sectors to reap different benefits from each. For example, the commercial sector might afford artists higher level income while the nonprofit sector might provide the greatest level of aesthetic satisfaction and the community sector might be best for artists whose work relates to cultural identity or is political in nature. The research also found that many of the artists profiled identify as entrepreneurs, effectively marketing themselves to different audiences and customers across the distinct sectors (Markusen et al. 2006).

Researchers Novak-Leonard and Skaggs hypothesize that the arts administration field's recent interest in the topic of creative placemaking, which sees artists as essential community assets and catalyzing agents, might lead to a paradigm shift in arts and cultural policy, challenging the dominant focus on nonprofit infrastructure. Given the increasing interest in arts and cultural policy work at the local level, this new paradigm could instead center on artists' roles in community development, change, and placemaking. This shift in policy priorities could also result in increased support for artists (Novak-Leonard and Skaggs 2017).

## Section II: The Nonprofit Model

In the late 1950s, the Ford Foundation invented the art grant, distributing funds nationwide to nonprofit arts organizations and serving as a catalyst for further philanthropy. Prior to this effort, most arts patronage in the United States was through individual donors. While gifts from individuals might be substantial in the life of an organization, they were rarely given with strategic intent for institutional advancement or as a means to implement systemic changes across the entire arts field.

The Ford Foundation was not interested in being a perpetual funder to the organizations supported by this investment. Through a matching component, these grants, which were limited to less than five years, sought to secure new donors for long-term funding. The intention of the Ford Foundation funding was to make existing major arts organizations more fiscally sound, develop new regional nonprofit art organizations, create new arts service organizations, and advance visual arts colleges and conservatories



to train a new arts labor force. As designed, the matching component spurred other support from foundations, corporations, and the government.

This infusion of funding helped to popularize the nonprofit model in the arts. However, this model and the proprietary arts model before it, have always been dependent on discounted labor. Artists and other arts workers accept compensation that is not commensurate with their educational attainment or skills in exchange for non-monetary benefits, such as the satisfaction of producing work. While the Ford Foundation's leveraged funding model helped to generate funding from other sources initially, the model was unsustainable and the arts continue to rely on discounted labor (Kreidler 1996).

The culture wars caused many artists and arts advocates to question the nonprofit funding model. The infrastructure of nonprofit arts organizations that was built during the Ford era favored those who could afford leisure activities, thereby privileging high art forms at the expense of community-based ones. As a result, little consideration was given to how the arts could benefit society as a whole (Bonin-Rodriguez 2015). Critics of the nonprofit model assert that it is "predicated on a corporate structure and hierarchy that rewards 'bourgeois credentials' (INCITE! 2017, 97)." Instead of movement building and organizing, the focus is on institution building. Philanthropy privileges organizations that have connections to the wealthy, with resources often coming from a small number of donors. The focus becomes cultivating these relationships and ensuring their interests are protected rather than serving communities and fulfilling nonprofit mission (Satinsky 2015, INCITE! 2017).

### Section III: Alternative Art Economies

*Alternative Art Economies: A Primer* is a 962-page compilation of websites, reading lists, artist testimonials, and essays on art's economy. The primer was developed as part of a workshop held in 2011 at the Trade School, an alternative school in New York City where teachers offer services based on a barter system without monetary exchange (Sickler 2011). The document's primary author is curator Erin Sickler, who is known for her involvement with Arts & Labor, a working group of Occupy Wall Street, which seeks to create greater wage parity and rectify conditions of exploitation within the art world (Beroza Friedman 2011). While *Alternative Art Economies: A Primer* never mentions Occupy Wall Street explicitly, the compilation mentions "the seeming intractability of worldwide economic inequality" and calls for "more sustainable models of resource management...in the art world and the economy at large (Sickler 2011, 5)."

The list of links within the publication is a sprawling set of resources relating to microcurrencies, barter systems, resource redistribution, alternative business models, think tanks, artist placement groups, housing, health insurance, organizing, funding, technology and media, artist-run collectives, and more. Photocopies of academic articles are intermixed with archival materials relating to labor efforts, a timeline of artist actions, historical writings, and modern accounts from artists under the heading of *Personal Economy*.

These accounts add a personal dimension to the compilation, as artists discuss the difficulties of sustaining an artistic practice. An anonymous artist shares his/her frustration with organizations requesting work to support a cause. "The assumption is that

this is a trade for notoriety or support by said organizations down the road. Really, sometimes, this whole platform just feels like everyone wants art but no one wants to pay for it. Still, I give away several pieces a year (Sickler 2011, 20).” This same artist also reveals the process of selling work is also a considerable time investment. “If I actually sold work every time an interest was expressed by a potential buyer, I would not need my day job. Often I make arrangements with a client to make payments on a piece of work rather than buying it outright. This often results in a series of humiliating exchanges where I have to contact them and ask them for money because they did not deliver to the specifics of our verbal agreement (Sicker 2011, 20).”

Another anonymous artist recounted the decision to turn down different opportunities. “Making work is much more important to me than selling it, and now I only sell a small piece about once a year out of my studio. I find the commercial gallery system tiresome. I only accept museum shows when I am paid a decent honorarium and production costs, therefore I don’t show that often. I learned to say no (Sickler 2011, 43).” One artist noted that he/she has gained “skills as an arts writer, editor, event planner, and administrator to a point where sometimes people pay [him or her].” However, when “managing a budget that involves paying others, [he or she] almost always combine[s] the budget with favors, unpaid assistance, and other approaches to stretching small budgets super-far by basically exploiting peoples’ labor.” The artist found it difficult, in the current system, to avoid this type of exploitation (Sickler 2011, 36).

#### Section IV: Working Artists and the Greater Economy (W.A.G.E.)

Working Artists and the Greater Economy (W.A.G.E) was formed in 2008 by a group of arts workers in New York City. In its womanifesto available on its website, the group asserts that they, “as visual and performing artists and independent curators, are a work force” whose labor is often uncompensated “within a robust art market from which others profit greatly.” They call “for an address of the economic inequalities that are prevalent and proactively preventing the art worker’s ability to survive within the greater economy.” Although the group was originally focused on inequalities within the art field, it narrowed its focus to the “regulated payment of artist fees by nonprofit arts organizations and museums” (W.A.G.E 2008).

The W.A.G.E fee calculator available on the organization’s website lists fifteen categories deserving compensation:

<b>Solo Exhibition</b>
<b>Solo Project</b>
<b>2-Person Exhibition</b>
<b>Group Exhibition, 3-5 Artists</b>
<b>Group Exhibition, 6+ Artists</b>
<b>Traveling Exhibition</b>
<b>Performance of Existing Work</b>
<b>Performance, Commission of New Work</b>
<b>Solo Screening with In-Person Appearance</b>
<b>Event with Two or More Participants</b>

<b>Artist Talk or Reading</b>
<b>Lecture</b>
<b>Existing Text for Publication</b>
<b>Commissioned Text for Publication</b>
<b>Day Rate for Performers</b>

For any organization whose total annual operating expenses is less than \$500,000, W.A.G.E. lists a minimum level of fees known as FLOOR W.A.G.E. for each of these categories. For an organization with annual operating expenses of \$500,000, these fees would be \$1,000 for Solo Exhibition, \$150 for Artist Talk or Reading, and \$0.25 per word for Commissioned Text for Publication. For organizations with annual operating expenses greater than \$500,000, the fees are increased from the floor level by a fixed percentage of the organization's total annual operating expenses. Eventually, these fee levels are capped when an organization's total annual operating expenses reaches \$15 million. For the Solo Exhibition category, for example, W.A.G.E. has made the determination that this fee should not exceed the average salary of the organization's full-time employees. W.A.G.E. estimates that this number is approximately \$30,000. However, for the actual certification process, actual data will be used to calculate the average salary. In addition to listing example organizations and their total annual operating expenses, W.A.G.E. also lists the salary paid to each organization's highest paid administrator. Although W.A.G.E. expresses these administrator salaries in terms of a percentage of the total operating expenses, it does not offer advice for when this amount is deemed excessive.

Organizations that meet proposed levels in all fifteen categories can apply to be W.A.G.E. certified. Approximately thirty organizations are W.A.G.E. certified for calendar year 2017 and in total, fifty-two organizations have been certified at some point. None of these institutions are based in Philadelphia. Since certification is voluntary, when asked why an organization would choose to do so, W.A.G.E. states that it is “to create a mutual culture of respect (Thompson 2011).” In addition to creating the fee calculator, W.A.G.E. also tried to mobilize artists by establishing an artist’s pledge to only work with certified organizations.

W.A.G.E. has faced criticism for its “myopic focus on artist fees” instead of addressing larger structural issues like “economic inequity and exploitation (Soskolne 2015).” Writer and curator Nato Thompson equates W.A.G.E.’s efforts “to envision[ing] a union that has no specialized skill set (Thompson 2011).” W.A.G.E. asserts that their aim is to organize towards specific goals but not to achieve unionization. Thompson also notes the irony of W.A.G.E.’s efforts, which run counter to the efforts of the historical avant-garde and critical practices. He wonders if the W.A.G.E. system “merely place[s] a fixed quantitative value on artistic labor once more and [if] the de facto result [would be] institutions trading aesthetic risks for safety.” On the other hand, he notes that W.A.G.E. could “represent a relentless pragmatism in the face of so many failed utopias (Thompson 2011).” W.A.G.E. asserts that these questions aside, the reality is that artists need to support themselves, and most cannot survive on social capital. The organization has also faced criticism for its focus on artists - a group which is predominantly white and from middle class backgrounds without the disenfranchisement that other groups face.

W.A.G.E. states that the fact that artists are not being compensated is a sufficient reason to advocate and thinks that work towards W.A.G.E.'s goals could help to break down this privilege (Thompson 2011).

In 2010, W.A.G.E. conducted a survey available on its website of visual and performing artists to gather information about their experiences working with New York City cultural institutions. The survey, which was compiled with the help of researcher Sherry X. Xian of the Survey Research Institute at Cornell University, was sent to W.A.G.E.'s mailing list and posted on listservs, Facebook, and as an announcement on the online journal e-flux reaching approximately 50,000 people. The survey's 977 respondents provided information about working with cultural institutions between 2005 and 2010. When asked, "Did you receive any form of payment, compensation or reimbursement for your participation in the exhibition, including the coverage of any expenses?," 58.4% said, "No" and 41.6% said, "Yes." The number of artists in a given show also seemed to impact if artists received any form of payment. For a solo exhibition, 73.4% of artists received some form of payment. However, only 47.2% of small group exhibitions with 2-5 people and 31.4% of large group exhibitions with 6 or more people received any form of payment. Other questions focused on shipping, installation, and travel costs, which were often incurred by the artists and were not reimbursed. Another question asked respondents about the specific institutions they worked with, and whether or not they received any form of payment. For example, 85.7% of respondents received no payment from the Metropolitan Museum of Art, and only

50.0% received payment from the Museum of Modern Art. From the complete list, The Kitchen was the only gallery reported to pay 100% of artists.

### Section V: Art Workers Coalition (AWC)

W.A.G.E. finds precedence with a number of activist groups – most notably, the Art Workers Coalition (AWC). Formed in New York City in January 1969, the Art Workers Coalition was a loose assembly of artists, writers, and other creative professionals who originally banded together to support artist Takis whose work was included in the Museum of Modern Art (MoMA)'s exhibition, "The Museum as Seen at the End of the Mechanical Age" without his consent. Although MoMA owned the work, the artist thought the museum did not have the right to exhibit the work without his consent, and he removed it in protest (Lippard 1970, Janko 2015).

On January 28, 1969, artist representatives met with administrators presenting a list of demands: "(1) A public hearing at the museum in February on "The Museum's Relation to Artists and to Society" (2) A section of the museum directed by Black artists to present the accomplishments of Black artists (3) Museum activities in the "Black, Spanish, and other" communities and exhibits that these groups could identify with (4) A committee of artists to be given curatorial experiences and to annually organize exhibits (5) Two nights that the museum would be open until midnight and that admission would be free at all times (6) Rental fee payment to artists for their work (7) Recognition of an



artist's right to refuse to show a work owned by the museum in an exhibit that is not a permanent collection (8) Declaration by the museum of its copyright legislation and action to inform artists of their legal rights (9) A registry of artists at the museum (10) The museum of experimental works with unique environmental conditions at the museum (11) A section of the museum to show the works of artists without galleries (12) Museum staff to install and maintain technological works (13) A museum staff member to address artist grievances that may arise (Janko 2015)."

With MoMA not meeting the artist demands, including the request for a public hearing at the museum, the AWC held an "Open Public Meeting on the Subject: What Should Be The Program of the Art Workers Regarding Museum Reform, and to Establish the Program of An Open Art Workers Coalition" on April 10, 1969. The meeting drew over 300 people and presented sixty speakers whose work was later transcribed and published. In the ensuing years, the Art Workers Coalition's focus expanded to other social and political issues, including racism, sexism, abortion rights, and the Vietnam War, producing other splinter groups (Lippard 1970, Janko 2015). The Art Workers Coalition's tactics and rhetoric have served as a blueprint for W.A.G.E.'s activist activity. Artist and founder of e-flux journal Anton Vidokle theorizes that while most artists are from the middle class, in Marxist terms, the middle class was a largely insignificant group, which is why artists wish to identify as cultural workers or producers (Vidokle 2010). Through its womanifesto and other writings, W.A.G.E. adopts this language, frequently identifies as workers, laborers, and cultural producers.

## Section VI: Canadian Artists Representation/Le Front Des Artistes Canadiens (CARFAC)

W.A.G.E. is often compared to the Canadian Artists Representation/Le Front Des Artistes Canadiens (CARFAC), a Canadian nonprofit and National Art Service Organization. In 1968, artists Jack Chambers, Tony Urquhart, and Kim Ondaatje sought to bring attention to the issue of artists' copyright and began creating minimum copyright fee schedules. After incorporating as a nonprofit in 1971, the group successfully lobbied in 1975 to make payments to artists mandatory in order for public art galleries to be eligible to receive Program Assistance Grants. In 1988, the group's lobbying efforts helped establish the Copyright Act amendment, which recognizes artists as the main producers of culture and offers them legal entitlements to fees, including for their work producing exhibitions.

In 1999, CARFAC became certified by the Canadian Artists and Producers Professional Relations Tribunal (CAPPRT), today known as the Canadian Industrial Relations Board (CIRB), to serve as the representative for collective bargaining on behalf of artists. Artists' collective bargaining rights were granted at the federal level by the *Status of the Artist* legislation. *Status of the Artist* sought to improve the general economic and social conditions of artists by creating fair compensation standards and conferring many of the rights and protections enjoyed by other laborers. The legislation allows trade unions and other professional organizations like CARFAC to become certified to help regulate compensation and labor conditions. The national association of CARFAC and its partner Regroupement des artistes en arts visuel (RAAV) are certified to

negotiate collective bargaining agreements with all federal institutions in Canada, including the National Gallery of Canada, the Canadian Museum of Civilization, and the Department of Foreign Affairs and International Trade. Similar labor efforts have been made to enact the *State of the Artist* legislation at the provincial levels. In 2002, the legislation was passed in the province of Saskatchewan. In 2015, CARFAC and RAAV ratified their first collective bargaining agreement with the National Gallery of Canada (CARFAC 2016).

When asked how its efforts compare to CARFAC, W.A.G.E. notes that the Copyright Act affords CARFAC and Canadian artists considerable leverage because most nonprofits in Canada rely heavily on government funding at both the provincial and federal levels. In the United States, the funding that nonprofits receive is a combination of public and private funds, earned income, and individual donations with little support actually coming from the government. Therefore, W.A.G.E. does not see regulating the fees artists receive from government sources as an efficient means of improving the conditions for artists in the United States. W.A.G.E. notes that private foundations who provide considerable resources to nonprofit arts organizations could alter their funding criteria and only fund those nonprofits that demonstrate evidence of paying artist fees. W.A.G.E. sees this potential pressure by private foundations and W.A.G.E. certification as two ways to make artist fees institutional priorities. In addition to different approaches based on the funding climate in each country, W.A.G.E. notes that its proposed fee structure differs from CARFAC's based on a variety of criteria, including different levels

based on total operating expenses. However, both groups are in communication with one another and share common goals (W.A.G.E. 2012).

## HYPOTHESES

Given the prominence of recent activist efforts by artists, I think that most artists and administrators working with living artists will have some knowledge of discussions about fair pay for artists. Based on discussions prior to this research project and my knowledge of these activist efforts, I think most artists would agree that nonprofit arts institutions do not compensate them adequately for their work. While some administrators may also agree that compensation for artists is an issue institutions should strive to address, I anticipate many will cite budgetary or organizational restrictions that prevent them from compensating artists at a higher level.

## CHAPTER ONE – INTERVIEWS WITH ARTISTS

In my interviews with artists, I wanted to learn more about the power dynamics between artists and cultural institutions. I asked questions about their willingness to negotiate and how compensation factors into their decision to pursue an opportunity or not. These interviews provided information about standard practices at Philadelphia-area cultural institutions. The three artists interviewed were Zoe Cohen, Lewis Colburn, and Marianne Dages. Abbreviated biographical information about the artists can be found in Appendix A; more extensive information is available on the artists' websites.

While artists may receive a fee for giving a lecture, they generally do not receive payment for producing an exhibition. Although this seems unusual given that producing an exhibition is considerably more work, artist Zoe Cohen notes that it is a model adopted from the commercial gallery world where “visual artists are expected to view an exhibition as an opportunity for sales.” This model does not translate to nonprofit art spaces, however. While the art may be for sale, she explains, it is “much rarer for the work to be purchased.” In a commercial gallery, the work would not be exhibited if the gallery did not anticipate it would sell. These same criteria for exhibiting work is not used in nonprofit spaces. Cohen asserts that the “assumption that it’s worth the artist’s time to create the work and install it because you’re going to be paid in the form of sales just doesn’t happen.” Artist Marianne Dages thinks that in nonprofit or university gallery spaces, sales are actually discouraged. Prices are not posted, the work is not for sale, and

if a gallery visitor happens to inquire about buying a work, they are told by gallery staff to contact the artist. Little is done to help facilitate the process.

In terms of negotiating, artists expressed different levels of comfort. Artist Lewis Colburn stated that “[i]n principle, I’d love to negotiate fees for [lectures and exhibitions], but from a practical standpoint, it seems that few of the venues where I am invited to show work are anywhere close to having the budget to pay a fee...such negotiations can really poison a discussion with smaller venues, unfortunately.” In cases where no compensation is offered, artist Marianne Dages noted that she will “at least ask if there’s anything in the budget available to help cover travel or framing.” When artists did negotiate or turn down an opportunity, it was often because expenses would not be reimbursed by the venue. Artist Lewis Colburn stated that “unfortunately this doesn’t often extend into actually negotiating payment—it’s more along the lines of not losing money.” For artist Zoe Cohen, her thinking about negotiating and turning down offers has changed over the course of her career. When she was in her 20’s, she would work for free in exchange for exposure, but now she is more selective about the opportunities she pursues. She and other artists noted that they will not submit to juried shows that have an entry fee. Marianne Dages said she is frequently asked by nonprofits to donate her work for free for annual auctions and other fundraising activities with the promise of receiving exposure. She said she will only accept these opportunities if she thinks the organization is really advocating for artists and their work. It is a matter of judging what the intention is. She is more likely to perform this type of work for a friend or an artist-run space that she knows is lacking resources.

None of the artists interviewed were able to support themselves through sales of their work alone. Given the number of art colleges in Philadelphia, it is not surprising that all are employed to teach in some capacity as adjuncts or full-time professors.

Throughout the course of their careers, they have held a number of different jobs, including: artist assistant, union organizer, administrator, technician/fabricator, and admissions counselor. They have also done freelance design work, bookbinding, printing, and even odd jobs on Craigslist like alphabetizing someone's library. Cohen summed up her work history by saying "[these jobs support] my art habit (laughs). I think a lot of artists feel that way."

Cohen also acknowledged that she does not always need full-time work and she is able to work as an adjunct professor because she receives health insurance through her husband, who works full-time. Adjuncts are not eligible for health insurance. Her decision to have a child was the reason she initially started working as an adjunct. At the time, she was working part-time as a program manager, and she needed to weigh the compensation she was receiving against child care costs. Adjuncting afforded her greater flexibility. Cohen has found that for artists being an adjunct can have many intangible benefits. It is "one of few day jobs that artists can have where the people hiring and the institution actually cares that you're an artist." Because you have to be working as a practicing artist to become an adjunct, it lends legitimacy and affords artists an interesting status.

Because the artists' primary source of compensation was not from their work as artists but from adjacent or unrelated activities, I wanted to determine if this had an



impact on the compensation they receive from cultural institutions for various artist fees and from sales of their work. Marianne Dages thought that performing work in an office four days a week coupled with adjunct teaching, leading workshops, and occasional work as a bookbinder, custom framer, and printer did not make her more lenient in terms of the fees she receives for giving lectures or producing exhibitions. However, she believed that performing these various types of work allowed her to be “free to pursue work that is experimental in nature and not made with any market or audience in mind.” She was not interested in earning a living from sales of her work.

Similarly, Zoe Cohen discussed the desire to avoid market pressure. She recalled creating a series of abstract paintings while pursuing her MFA that were fairly conventional in terms of format. She thought they were the type of work that could be sold, and despite not knowing much about that process, she should try to get shows and sell them. At the time, she believed it was the type of thing that she should be doing as an artist. However, she said her thinking eventually shifted during her time in graduate school. She became more interested in work that was performative, ephemeral, and community-based. In many cases, the work could not be sold because of its impermanence. Coming to the realization that whether a work was able to be sold or not was not a determination of its quality was a freeing experience. While she has sold some of her work, she does not see her artmaking as a direct source of income.

Lewis Colburn thinks that his experience as a full-time tenure track professor has created “a highly artificial situation” in terms of the exhibitions and opportunities he pursues. The need to build his CV and achieve tenure together with the support he

receives from the university has allowed him to pursue opportunities that do not have the necessary funding. While he does not want to be complicit in making it more difficult for other artists to be paid adequately for their work, he recognizes the importance that the stability of tenure could provide. He finds that he needs to be constantly exhibiting his work, so at this point, he is willing to be less focused on the financial component.

I asked artists about their knowledge of W.A.G.E. and its proposed minimum fees. Of the five artists interviewed, four were aware of the W.A.G.E. system. All of the artists interviewed agreed that the organizations they have worked with are not meeting W.A.G.E. standards. This is not entirely surprising given that in the Philadelphia area, there is not a certified organization. The artists who were aware of W.A.G.E. also expressed that the compensation they received for their work is not high enough, and they thought that institutions could do more to at least meet the minimum fees proposed by W.A.G.E. Two of the artists interviewed, Marianne Dages and Lewis Colburn, were members of the artist-run gallery, NAPOLEON, which is entirely self-funded by its membership. Despite the fact that NAPOLEON is not a nonprofit organization, the W.A.G.E. model has served as a guideline in its discussions concerning payment for invited artists. Subsisting on membership dues alone has prevented NAPOLEON from meeting the minimum proposed standards and in part, generated some sympathy from Dages and Colburn for the restrictions that small organizations may face.

Lewis Colburn noted that economically, it is hard for him to judge if the W.A.G.E. fee structure is fair “know[ing] in a certain sense [that if widely adopted] it would narrow the pool of opportunities, as venues would have to concentrate their

resources on a smaller set of artists to pay them appropriately.” However, he expressed a desire for the fee structure to be more widely adopted as “it would be tremendously healthy for the artists and would make visible the tremendous amount of unpaid labor that artists perform in realizing and exhibiting their works.”

For Marianne Dages, it is difficult to judge if the fees proposed by W.A.G.E. are fair given that so often she is offered less than the baseline. She thought that the fact that she is frequently offered no compensation at all is evidence that most institutions could do more. She appreciates when institutions strive to meet the baseline that W.A.G.E. offers and she is seeing this effort on the part of institutions more frequently.

Although some nonprofits and universities are exemplary at creating supportive and sustainable environments for artists to create new works, Dages stated that others are more concerned with keeping their organization afloat — often at the expense of artists. While the “language in nonprofit mission statement[s] [for arts organizations] is about community ... furthering, supporting, and advancing the work or the art, it's rarer to see a mission about helping, supporting, or furthering the careers of the artists themselves.” Dages attributed this focus to one reason for high levels of burnout among artists. It is difficult for artists to build sustainable careers with a lack of support.

Zoe Cohen, who also works as a union organizer for adjunct professors at Philadelphia-area colleges, noted that she thinks about the W.A.G.E. system similar to the way she thinks about negotiating contracts: “When you’re negotiating your first contract you’re just not going to get everything that you want. It’s a base to start on. And based on how you negotiate that contract, you have a stronger footing to negotiate the

terms. Having the minimum amount set is like saying this is the lowest acceptable amount, and institutions should try to pay more than that, but if you're just starting to figure out how to pay artists who provide value to your institution, then this is a good place to start." She identified as a proponent of the W.A.G.E. system, sharing their belief that the programming that artists provide is often the reason institutions are able to obtain grant funding. Despite adding this value, artists often do not receive any compensation.

W.A.G.E. has also created a pledge for artists to only work with certified organizations in an attempt to increase pressure on institutions to comply with the standards. However, all of the artists interviewed did not think this was feasible, given that there is not a certified organization in Philadelphia. In an area like New York City where W.A.G.E. is based and certificated organizations exist, it might be a possibility.

Interviews with artists revealed a broad familiarity with W.A.G.E.'s fee structure and advocacy relating to the issue of artist compensation. While artists acknowledged cases where they felt exploited by cultural institutions, they also expressed awareness of market forces and larger structural issues that prevented institutions from complying with W.A.G.E. standards or compensating them at higher levels. Artists recognized that smaller institutions were the most limited in terms of financial resources, and therefore, might not be able to provide adequate compensation. There was a general sentiment from artists that some institutions, however, were using budget limitations and service to nonprofit mission as excuses for not paying artists at adequate levels. For this reason, artists thought that a system like W.A.G.E. was helpful because it frames the issue in terms of institutional capacity.

Many artists acknowledged that the issue of fair pay does not rest solely with administrators and institutions. As artists, they also have a responsibility to advocate for fair pay and improve pay standards. However, many artists found it difficult to demand higher fees or negotiate. Although they were concerned with perpetuating a system that devalues artistic labor, they recognized that it is difficult to combat this issue, which is structural in nature.

## CHAPTER TWO – INTERVIEWS WITH ADMINISTRATORS

In my interviews with administrators, I wanted to learn more about what conversations, if any, were taking place about artist compensation within the field, and how institutions established policies and procedures both formally and informally relating to payment. Like my interviews with artists, these conversations also provided information about standard practices at Philadelphia-area cultural institutions.

All of the administrators I interviewed held curatorial roles at Philadelphia-area cultural institutions where they worked with living artists. I asked each curator how they determine what to pay artists. Curator of Contemporary Art Margaret Winslow, who works at the Delaware Art Museum located in Wilmington, Delaware, noted that the museum's Learning and Engagement department, equivalent to an education department, makes the determination what to pay artists for the honoraria they receive for speaking engagements such as talks and lectures. These events are often held in conjunction with exhibitions. As a curator, she is not involved in determining these fee levels and her work relating to compensation is restricted to commissions. When she commissions new works, she has a budget in mind; however, when she gets to the contracting phase, she says she defers to the artist in terms of outlining the material costs they anticipate to form the actual budget as well as any travel costs, honoraria, and other production costs. I asked about variation in terms of commissioning costs, given the artist's involvement. She noted that whether an artist's proposal seemed too high or too low, she did not counter either way.

Outside of the creative commissioning fees that artists might request, the Delaware Art Museum does not pay artist fees for exhibitions. The museum ensures the artist does not incur costs for the installation and exhibition of the work, similar to the practice of a museum loan. For exhibitions that are not commissions, it is rare for the museum to work with the artist. Generally, the museum is working with galleries. An artist has never requested any type of loan fee from the museum. The Delaware Art Museum had an operating budget of approximately \$5.5 million for the year ending December 31, 2016.

Jodi Throckmorton, Curator of Contemporary Art at the Pennsylvania Academy of Fine Arts (PAFA) notes that throughout her career as a curator, most museums she has worked at have not had a standard for artist compensation. Before working at PAFA, Throckmorton served as Curator of Modern and Contemporary Art at Ulrich Museum of Art at Wichita State University and Associate Curator at San Jose Museum of Art. The determination of what to pay artists is a combination of talking to colleagues to try and determine what is equitable, and unfortunately, what the budget will allow. Since she arrived at PAFA three years ago, she says the institution has made some strides in terms of artist payment. Artists are commissioned to exhibit their work in the museum's experimental contemporary project space known as the Morris Gallery, and they receive payment for their work. Arriving at the amount to pay these artists is not an exact science. Throckmorton explains when PAFA began using the gallery as an experimental space, the determination of payment was a process of asking artists what they believed to be fair and considering budgetary factors. PAFA's current budget is approximately \$15.5

million. However, this number also reflects the administration costs for the entire college, and only 21% or \$3.25 million is devoted to the museum.

When asked if artists ever negotiate their commissioning fees, she explained that it is a compromise. If the fee requested is beyond PAFA's budget, she will work to possibly cover additional materials costs or find some other way to make the exchange more satisfactory. "It really is a back and forth, and it's been really encouraging that as time's gone on in my career, it seems more and more artists are feeling they can negotiate for those prices, which I think is a really good thing, because as a field, we need to step up to that."

PAFA also commissions artists to create works for its collection in a slightly different process. Generally, those artists are represented by a gallery, and the gallerist is involved with the artist to help broker a price. This type of commission is different, in that, the museum is investing in materials costs and the work's creation. Based on the price the gallerist presents, Throckmorton, then, presents the idea and its cost to the Collections Committee. Based on the Committee's feedback, further negotiation might occur with the gallerist.

As with the Delaware Art Museum, at PAFA programmatic fees for events such as lectures are determined by the education department. At PAFA, these fees tend to be relatively standard. However, major artists and more high-profile speakers have been known to negotiate higher fees. At times, the requested amount has been too cost prohibitive.



In terms of paying fees for the exhibition of existing works, Throckmorton notes that it is a conversation that is happening both internally at PAFA as well as externally in the larger curatorial field. While she agrees that artists should be paid for their work in creating exhibitions, she cites budgetary restrictions that can make this infeasible. While the W.A.G.E. system establishes the group exhibition as a fee category and considers operating budget to determine the payment amount, she notes that this is not practical for an exhibition with fifteen artists since that would be the entire exhibition budget. Throckmorton states that the topic is a tricky one for the field to contend with, stating that “it is something I would like to do because when we borrow pieces from another museum, there’s typically a lending fee.” Although an artist has never requested this type of fee, she thinks that it is something coming in the future.

Kate Kraczon, Laporte Associate Curator, works at the University of Pennsylvania’s Institute of Contemporary Art (ICA), an institution that is currently working with W.A.G.E. on the process of certification. W.A.G.E. is basing its certification levels on the ICA’s budget, which is currently, a little less than \$5 million, rather than the entire operating budget of the University of Pennsylvania. She said since joining the ICA in 2008, she has seen the institution make progressive steps, increasing what artists are paid. Although she knows that budgetary restrictions are a common hurdle, she thinks that she has a great deal of input in the budget process for exhibitions, which is not always true for curators at other institutions. For artists who have gallery representation, she said that she is often able to work with their gallery to help cover some of the exhibition costs, such as materials costs, since the gallery will ultimately

benefit from the sale of the work. She mentioned one specific example, in which, this afforded the ICA to provide the artist with a larger honorarium. While it is rare that an honorarium is equivalent to covering the cost of an artist's labor if considered in terms of numbers of hours invested, Kraczon thought the artist was satisfied with the amount offered. Ultimately, the show sold out, so the gallery was satisfied with their financial investment as well.

One of the things that Kraczon thinks is difficult with the budgeting process is that as a curator, you do not have control over the expenses the artist will incur out of their own pocket. Although a budget can be established with the artist initially, there are some artists who will decide to spend more of their own money because they see it as beneficial or necessary in the creation of the exhibition to their standard. Kraczon notes that there have been situations where artists are using the honoraria they receive to add additional elements to exhibitions. Instead of using that money as it was intended to serve as compensation, the artist is using it for additional materials costs. Kraczon said that, unfortunately, you cannot control if the artist will make that choice. In many cases, by the time the artist has chosen to do so, the funding for the exhibition has already been determined and allocated.

Although the W.A.G.E. certification process is still underway, the decision to pay artists more has been an institutional priority in recent years. Under the guidance of Amy Sadao, Daniel W. Dietrich, II Director at the ICA, who was appointed in 2012, the ICA has been able to take progressive steps to ensure artists are compensated for their work. While it was not feasible to meet W.A.G.E. levels immediately, Kraczon says that all of

the exhibitions she has curated over the last few years have complied with W.A.G.E. standards, and the ICA is now meeting the levels in all categories.

When asked about the discussions she has had with her curatorial peers surrounding artist pay, she said that she believes there are generational differences. Due in part to the changing nature of curating, younger curators are more likely to view their work with artists as a collaborative process. She thinks offering compensation is a way to show respect for the artist's contributions.

She also spoke about her responsibility to artists as a curator. "I think it is important to recognize that as curators, we are in positions of power, which come with a certain agency." She gave the example of thinking about something as simple as creating an exhibition agreement, which is routine for curators. She can structure exhibition agreements, in such a way, that if the show travels, the artists involved will receive additional compensation. It will force the other institution to remunerate the artists' contributions to the exhibition.

Interviews with administrators revealed that most were aware of recent activist efforts led by artists seeking fair pay for their work with cultural institutions. Some said that unfortunately, their organization did not have the budget to pay artists more. Others noted that their institution was in line with current organizational practices concerning pay for artists. All of the administrators I spoke to noted that they work with artists to reimburse travel and in some cases, reimbursement for expenses such as framing and materials. Based on the interviews I conducted, it was apparent that the Institute of Contemporary Art was the institution that was the most concerned with the issue of artist

pay. The ICA has a budget of approximately \$5 million per year, which was comparable to the budgets of the organizations discussed in other interviews. The ICA's affiliation with the University of Pennsylvania might be a factor in its ability to pursue W.A.G.E. certification. Many of its donors are Penn alumni, and approximately 13-17% of its annual operating budget comes from an endowment. Another factor in the ICA's ability to meet W.A.G.E. levels is that the institution does not have a collection. Other administrators I interviewed worked at organizations where the institutional mission was primarily concerned with stewarding collections. This mission focus and its substantial financial cost might be a factor in why some organizations have not given attention to the issue of artist compensation or devoted resources in this area.

## CONCLUSION

Although activist efforts like W.A.G.E have brought attention to issues of artist compensation, many institutions continue to offer artists little to no compensation for various forms of work. Many administrators cite budgetary restrictions as a hurdle for raising levels of artist compensation while others note that their institution is keeping with current industry standards. Of the administrators interviewed, only one worked at an institution that was working on the process of certification. Although this institution might be more financially secure than others, its work to increase levels of compensation was a gradual process taking several years to complete. While it may not be feasible for institutions to reach the levels proposed by W.A.G.E. immediately or in the near future, the W.A.G.E. model is useful for considering compensation levels in relation to institutional budget size.

Further study could be conducted to examine the economic feasibility of the fee structures proposed by W.A.G.E.. Institutions that have completed or that are in the process of W.A.G.E. certification could serve as case studies. Outcomes, such as the impact on institutional relationships with artists, and challenges, such as exhibition and programming costs and frequency, would need to be considered. Institutions working to compensate artists or adopt the W.A.G.E. model will need to educate board members, staff, funders, and other stakeholders about this new institutional priority. Studies can also be conducted to determine what the most appropriate fundraising vehicles to support this type of work are, and whether it is an issue that, with appropriate donor education,

will find supporters. Administrators are likely to face resistance for raising this issue, given the history of artists' willingness to work without compensation and the instability of the nonprofit model. For many stakeholders, this may seem like a non-issue.

Although the number of artists and administrators interviewed was relatively small and further research is needed, the majority of interview subjects were aware of the W.A.G.E. model. W.A.G.E. has also been written about extensively in large periodicals, suggesting that artists and administrators are aware of the group. Given this awareness, it is possible that the issue of artist compensation will become a greater issue for institutions to consider in the foreseeable future. For this reason, it would be prudent for administrators to begin investigating how this practice might impact their institution and ways to involve key stakeholders. As of December 2017, it was announced that the Carnegie International became the first W.A.G.E. certified biennial exhibition. In its 57<sup>th</sup> year, the exhibition is the oldest to showcase international contemporary art in North America. With this high-profile exhibition taking this voluntary initiative, other institutions are likely to consider the issue of artist compensation more seriously.

Compensating artists and creating minimum payment standards is one tangible way to mitigate the precarious economic situation that artists face. Although many artists have the means and support system to sustain this economic uncertainty, for others, the artistic profession is unattainable and impractical. For cultural output to be reflective of cultural diversity, the field needs to assume a greater support role, creating opportunities for artists to not only exhibit their work but also to be compensated for doing so.

## APPENDIX A: ARTIST BIOGRAPHIES

Zoe Cohen received a BA from Haverford College in Fine Arts in 1999 and an MFA from Brooklyn College in Painting & Drawing in 2006. She has exhibited her work at Abington Art Center, The Flux Factory, The Philadelphia Museum of Jewish Art, the Painted Bride Art Center, Arttransponder (Berlin), and others. She is included in the permanent collection of The Philadelphia Museum of Jewish Art, The Philadelphia Cathedral, and the Museum of Art and Peace.

Lewis Colburn received a BA in Studio Art and Russian Language in 2005 from St. Olaf College and an MFA in Sculpture in 2009 from Syracuse University. He has exhibited his work at the Pennsylvania Academy of the Fine Arts, Hallwalls Contemporary Arts Center, the Pittsburgh Center for the Arts, the Arlington Arts Center, South China Normal University in Guangzhou, China, the historic Glen Foerd mansion in Philadelphia, and other venues.

Marianne Dages received a BFA in Photography in 2004 from the University of the Arts and completed the Core Fellowship at Penland School of Crafts in 2010. She has exhibited her work at International Print Center New York, the Pennsylvania Academy of Fine Arts, Print Gallery Tokyo, The Print Center, Vox Populi, and others. Her work can be found in the public collections of the Museum of Modern Art's library, Yale University Library, and School of the Art Institute Chicago.

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