



February 26, 2025

Rafael Espinal
Executive Director, Freelancers Union

Testimony Before the NYS Joint Legislative Budget Hearing on Economic Development / Art

Dear Chairpersons and Members of the Committee,

Thank you for the opportunity to testify today on behalf of the Freelancers Union and the thousands of independent workers we represent across New York State. Freelancers Union is the largest organization representing independent workers in New York, with more than 150,000 members statewide, including a significant number of creative professionals based in New York. Our mission is to support and advocate for freelancers by ensuring they have access to fair pay, benefits, and legal protections that help them thrive in today's evolving economy.

I am here to make the case for the urgent need for a Statewide Creative Economy Plan and to urge the Assembly and Senate to allocate resources for an intergovernmental effort to advance this critical work.

The Case for a Statewide Creative Economy Plan

New York's creative economy is a major driver of economic activity, generating billions in revenue and supporting jobs across industries such as film, design, publishing, digital media, music, and visual arts. However, this sector is facing significant challenges that threaten its future.

Many creative workers are leaving New York because they struggle to make ends meet. The high cost of living, the lack of stable income opportunities, and the limited access to benefits make it increasingly difficult for creative professionals to sustain their work in our state. At the same time, our creative industries are undergoing rapid transformation, with new technologies and competition from other regions creating pressure on New York's ability to retain its position as a cultural and creative capital.





New York's economic policymakers cannot afford to sit idle. To maintain our leadership in the arts and creative industries, we must take proactive steps to develop a coordinated strategy that ensures the long-term sustainability of the creative economy.

A Statewide Creative Economy Plan can serve as a roadmap for identifying opportunities to strengthen this sector, providing the necessary framework for government to study challenges, assess solutions, and implement targeted investments, programs, and legislative initiatives to support creative businesses, organizations, and workers.

Strengthening Labor Protections and Expanding Benefits

One of the key priorities of the Statewide Creative Economy Plan must be a comprehensive assessment of how to strengthen labor protections and improve working conditions for creative workers in New York.

Freelancers and other independent creative workers frequently lack access to traditional employment benefits such as healthcare, paid leave, and retirement savings. While some creative professionals benefit from union representation, many others—particularly those engaged in project-based, contract, and gig work—are left without a safety net.

One of the most pressing issues is healthcare access. In a survey of 2,400 artists conducted by Creatives Rebuild New York (CRNY), 41% of respondents reported being vulnerable to a single medical emergency. This underscores the need for innovative solutions that ensure freelance creative professionals have access to high-quality healthcare and other essential benefits.

Evaluating Feasibility for Portable Benefits Pilot Programs

New York's Creative Economy Plan should also include an analysis of the feasibility and benefits of establishing a state-funded grant program for portable benefits pilot initiatives.

Portable benefits allow independent workers to accrue employer contributions and maintain benefits that remain with them across different jobs and gigs. Several states have already begun exploring portable benefits as a solution for gig and freelance workers.





Since 2018, at least ten states have introduced legislation aimed at developing portable benefits programs or studying their feasibility. New York has the opportunity to build on these efforts and position itself as a leader in supporting the future of work.

By incorporating portable benefits into a broader Creative Economy Plan, the state can establish a framework for ensuring that freelance creative workers—and, by extension, other nontraditional workers—can access the stability and protections they need to sustain their careers.

Moving Forward: The Need for Strategic Investment

Committing to the development of a Statewide Creative Economy Plan will provide a critical foundation for supporting creative organizations, businesses, and workers. This plan will help New York identify sustainable strategies for fostering a thriving creative workforce, strengthening labor protections, and ensuring that our state remains a global leader in arts, culture, and creative entrepreneurship.

We urge New York's policymakers to take action by allocating resources to develop and implement this plan. Investing in the future of our creative economy is not only an investment in the cultural vitality of our state but also a step toward securing long-term economic growth and stability for thousands of New Yorkers.

Thank you for your time and consideration. I welcome any questions from the committee.

