

SPECIAL TASK FORCE FOR THE APPAREL INDUSTRY

ANNUAL REPORT

2004



STATE OF NEW YORK
GOVERNOR, GEORGE E. PATAKI

DEPARTMENT OF LABOR
COMMISSIONER, LINDA ANGELLO

NEW YORK STATE DEPARTMENT OF LABOR
DIVISION OF LABOR STANDARDS
APPAREL INDUSTRY TASK FORCE

DEPUTY COMMISSIONER FOR WORKFORCE PROTECTION

Connie J. Varcasia

DIRECTOR

Richard Cucolo

CHIEF INVESTIGATOR

Charles DeSiervo

SUPERVISING INVESTIGATOR

Michael Kramer

SUPERVISING INVESTIGATOR

John Hopkins



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FOREWORD – BORN FROM FIRE

On March 25, 1911, late Saturday afternoon, 146 employees of the Triangle Shirtwaist Factory, mostly young immigrant women and children, perished in one of the worst factory fires in the history of the modern industrial age. The garment factory was located on the top floors of a 10-story factory building in lower Manhattan. Exit doors were bolted closed. There was only one narrow metal fire escape that was mangled by the weight of the frantic workers and heat of the fire. Responding to the cry of the outraged public, the New York State Legislature took immediate action and passed



extensive safety laws. Additional worker protection legislation soon followed – standards for wages and hours of work, workers' compensation, factory inspections, fire safety and employment rules for women and children. The modern New York State Department of Labor was born from this tragedy.

In 2004 Commissioner Angello, standing in front of the department's Triangle exhibit, paid homage to the lives that were lost at the Triangle Shirtwaist Factory, stating, "The Triangle Shirtwaist fire is a powerful reminder of just how vital worker

safety is to the people of New York State." In addition, Commissioner Angello stated that Governor George E. Pataki's administration continues its steadfast support of worker protection. "In 2001, the Governor announced the appointment of ten new investigators to the Apparel Industry Task Force, which works diligently to ensure our garment industry is fair and safe for workers. I am pleased to report that this dedication to maintaining a highly trained Task Force has paid off. During 2003, the Apparel Industry Task Force collected and distributed more than \$2.9 million in unpaid wages and below minimum wage payments to thousands of workers."

Commissioner Angello used this solemn occasion to remind the people of New York State that Governor Pataki remains committed to adopting strong measures to help abolish sweatshops. In addition, the Commissioner emphasized that the Governor continues to work closely on worker protection issues with other elected officials of New York State.

With the assistance of Governor Pataki and the State Legislature, the New York State Department of Labor, Division of Labor Standards Apparel Industry Task Force continues the fight to protect all the workers of New York State. As members of one of the largest and best labor departments in the country, we will never forget that our roots were nourished by that tragedy. This report is a review of Task Force activities for 2004.



LEGISLATION

The New York State Department of Labor, Division of Labor Standards is vested with the responsibility of protecting workers from those employers who underpay their workers. The Apparel Industry Task Force is a special unit of the Division of Labor Standards that is given the task of helping to protect the low-paid workers, many of them recent immigrants to this country, who very often work in “sweatshop” conditions. The Task Force was created in 1987 in response to the proliferation of sweatshops in New York State. The Legislature enacted Article 12-A of the Labor Law, establishing a registration system for all apparel industry manufacturers and contractors involved in production work in New York State and creating a special task force for the apparel industry. Initially the legislation was designed to move sweatshops out of the underground economy by requiring them to register with the Department of Labor.



Typical garment shop in Chinatown.

The preamble to the 1987 legislation notes: “The legislature hereby finds that there is a growing concern over the increasing numbers of people working for employers in certain segments of the apparel industry under conditions which violate statutes



Governor George Pataki at the 2001 commemoration of the Triangle Shirtwaist Fire announcing his initiative to hire ten new investigators for the Task Force.

of New York State governing wages and hours, child labor, unemployment insurance, workers’ compensation and the payment of payroll taxes and local laws, codes and regulations governing health and safety in the workplace. Employees working under all these unlawful sweatshops conditions face exploitation each and every working day. It is the sense of the legislature that this exploitation must, in so far as is possible, be eliminated. It is for these reasons that a special task force for the apparel industry is created and a system of registration is created.”

The legislative mandate of the Task Force is to legitimize the businesses that are willing to comply with New York State Labor Laws and weed out the egregious violators that operate in the underground economy. One of the main objectives of the Task Force is to level the playing field so that the legitimate businesses can survive.

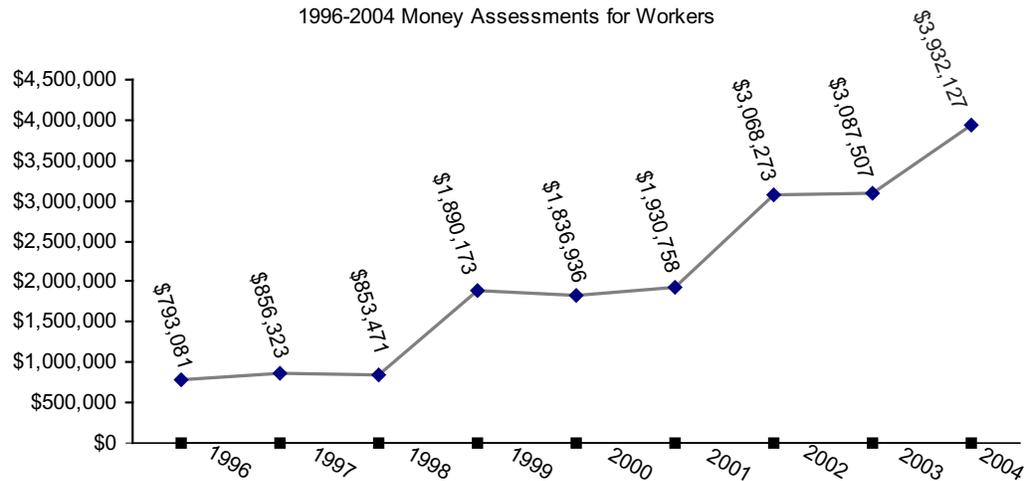
Since 1995, Governor Pataki has steadfastly supported the Task Force by increasing its power and size. He enhanced the registration requirements by mandating the owner’s social security number, home address and photographic proof of identity. Employers must also show evidence of New York State Workers’ Compensation and



Disability Insurance coverage. Other amendments to the law have given the Task Force new tools to fight the abuses of the modern sweatshop. These tools have included laws on "hot goods," "joint liability" and "tagging." In addition, Governor George E. Pataki, at the commemoration marking the 90th anniversary of the 1911 Triangle Shirt Waist Company fire, significantly increased staffing levels in the Task Force.

With the increase in staff and the additional laws to help enforcement, the collection of wages owed to garment worker has dramatically increased since Governor Pataki took office. Since 1996 the Task Force has collected over \$17 million in unpaid or underpaid wages for workers. The chart below shows this increase.

With the increase of staff three years ago, the Task Force has collected approximately \$9 million in wages and distributed the money to over 21,000 garment workers for the period 2002-2004.



Comparison summary of Performance from 2002 to 2004:

	2002	2003	2004
Registrations	3423	3121	2631
Investigations	1295	1321	1343
Violations	1810	1630	1780
Wage Assessments	\$3,068,482	\$3,087,506	\$3,932,127
Wage Collections	\$2,904,196	\$3,055,653	\$3,360,000*

*Estimated portion of the money assessed in 2004 that was collected and distributed in early 2005.



NEW YORK STATE APPAREL INDUSTRY TRENDS

Despite outsourcing of manufacturing to countries with lower labor costs, the continuing impact of 9/11 and the higher rents for space in New York City, the garment industry remains the largest manufacturing sector in New York City. New York State apparel manufacturing employed over 34,000 workers as of January 2005. This represents the number of workers "on the books." In addition, as we find during our investigations, there are a substantial number of workers paid "off the books."¹

New York State remains an important center of both garment production and wholesale sales. A significant portion of apparel industry production comes from fast-selling "reorders" and niche specialty markets. Apparel is New York City's fourth largest export factor based on employment. It generates nearly \$3.5 billion annually in total economic output, which includes \$157 million annually in city tax revenues. The Fashion Industry generates nearly 100,000 additional jobs in fashion-related textile production and in wholesale selling. Apparel manufacturing accounts for one-third of the manufacturing jobs in New York City and is its largest single source of manufacturing jobs.²



The Fashion Industry in New York State has a sales volume of \$14 billion. It also generates additional tourist revenue for New York City. Visits by 125,000 out-of-town apparel buyers inject an estimated \$100 million for New York City hotels, restaurants, transportation services and other non-apparel businesses.³

While the number of firms operating in the apparel industry continues to decline, competition among the surviving firms is high. As noted in previous reports, the trend of production shops seeking to remain competitive continues. Shops are moving out of Manhattan to the surrounding areas of Brooklyn, Queens, the Bronx, Long Island and New Jersey in search of lower rents. Production shops moving to residential areas of Brooklyn and Queens have taken over storefronts and business lofts that are not set up for heavy apparel-production machinery. Since many of these new factories are in buildings not originally constructed for manufacturing, this migration has raised safety, building and health code issues that the Task Force is addressing in cooperation with the New York City Fire and Building Departments and the department's Division of Safety and Health (DOSH).

¹Immigrant labor booms in city

BY BRIAN KATES, DAILY NEWS STAFF WRITER, Tuesday, January 25th, 2005

See NYSDOL Labor Market Information at: http://64.106.160.140:8080/lmi/ces_estimates.jsp?area=01000036New+York+State

²See Garment Industry Development Web site at: <http://www.gidc.org/>

³See The Fashion Center NYC at: <http://www.fashioncenter.com/main.html>



ARTICLE 12-A REGISTRATION

Article 12-A of the Labor Law requires all manufacturers and contractors engaged in the production of men's, women's, children's and infant's apparel in New York State to register for and post the Apparel Manufacturing Industry Certificate of Registration at their place of business by January 15th of each year. The annual registration requirement mandates that firms declare the names of corporate officers and owners, their social security numbers and home addresses and provide photo identification. These mandated requirements provide a control over egregious violators who normally would not come forward as owners of a business. If Task Force investigators determine that the owners of the factory have another person "fronting" for them, the Task Force will inform the parties in charge that the registration will be revoked unless they amend the company's registration application to reflect proper ownership.

A significant problem in 2004 was to follow up on all of the firms that failed to register properly pursuant to the new regulations requiring proof of Workers' Compensation and Disability Insurance coverage. In the past, employers were allowed to simply indicate Workers' Compensation and Disability Insurance policy numbers on 12A applications. In 2004, they were required to submit actual evidence of coverage. Firms that have no employees had to obtain certification from the Workers'

Compensation Board that they did not need the coverage. In many cases, such evidence was not submitted.

When the Certificates and Permits Unit notifies us that a firm has failed to submit the necessary documentation, our staff visits the employer in an attempt to obtain compliance. If necessary, an *Order To Register* is served and appropriate follow-up action is taken. Most of the firms eventually come into compliance.

When firms register for the first time, they are taking the first step to legitimize their business and leave the underground economy.

In the event that a firm has outstanding civil penalties, such penalties must be satisfied prior to the issuance of a certificate. In addition, unregistered firms are not legally permitted to contract apparel production work with other contractors or manufacturers in the apparel industry. This encourages firms to comply with the registration requirements of the Labor Law.

Registration data is collected and analyzed by the Task Force to monitor industry trends. The movement of apparel factories within the New York City metropolitan area shows up through increases or decreases in registration by postal zip code. This allows the Task Force to assign investigators to areas where new shops are opening.



Task Force Investigator David An checking Labor Posters with garment employer.



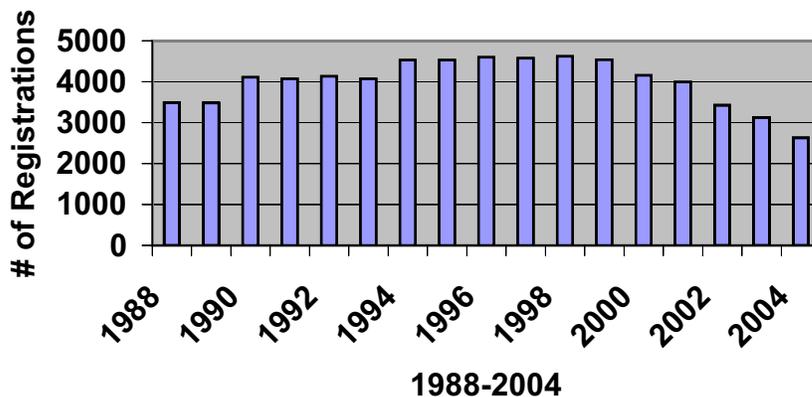
The Article 12-A Registrations chart (see below) shows how the number of registrations has changed over the years. The following chart currently reflects a decline in the apparel industry in New York State attributed to the current trends.

In 2004, it appears that the decline in 12A registrations has slowed somewhat. The two charts below show that, while the numbers of new garment firms continue to show a sharp decrease, the number of established firms (renewals) has a much lower rate of decline. In 2000, one out of four factories registering was new. In 2004, only one out of five factories was new. This suggests that the New York apparel industry is in a state of consolidation. This may have some benefits for the surviving firms. With the decline of new shops, there are fewer “fly-by-night” start-up companies. Thus, there may be a more stable field of competing garment factories that know and follow New York State Labor Law requirements.

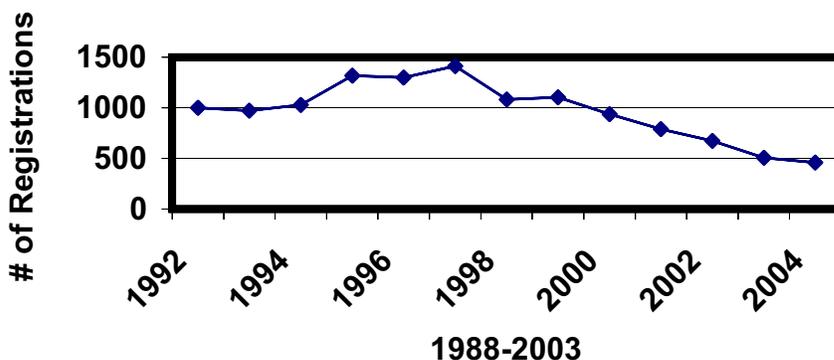


Investigator Rivera examining an apparel contractor Registration Certificate.

12A Registrations



New 12A Registrations



BIDDERS REGISTRY

In 2002, Governor George E. Pataki signed legislation establishing a September 11th Bidders Registry (Chapter 350 of the Laws of 2002.) New York State manufacturers and contractors in the apparel industry who meet certain requirements may have a preferred source status for apparel and textile procurement by the State University of New York (SUNY) and City University of New York (CUNY), community colleges, all other New York State agencies and other public agencies.

In order for an apparel manufacturer or contractor to be listed on the registry the firm must fulfill the following criteria:

- The firm was registered on 9/11/00, continuously in business from 9/11/00 to 9/11/01 and currently registered;
- The firm was adversely impacted in any way connected to the events of 9/11/01;
- The firm is engaged in cooperative labor management efforts to improve the economic well-being of its employees and/or work with a labor organization (union) to that end; and
- The firm, its owners and partners are free of violations of the New York State Workers' Compensation Law, or any State or Federal Labor Law, Rule or Regulation for the previous five (5) years.

Approximately 60 firms are currently listed on the Bidder's Registry. Interested parties can find the complete list at the Labor Department web address at:

http://www.labor.state.ny.us/workerprotection/laborstandardsworkprot/garment_files/biddersreg.shtm



INVESTIGATIONS

The Task Force continued its work from previous years regarding the enforcement of relevant sections of the Labor Law including Articles 4, 5, 6, 12A, 13 and 19.

Those investigations were undertaken pursuant to complaints and as a result of routine patrols in areas known to have garment factories. In addition, we continued to visit garment factories located in Nassau and Suffolk counties, in our efforts to ensure that all such shops are registered and are in compliance with all relevant sections of the Labor Law.

As previously noted, our investigators are able to communicate with the workers in the targeted factories because they speak the languages spoken there, which are primarily Spanish and Chinese. Many factories are owned by Koreans, and we have Korean-speaking investigators who can communicate with them. This year, we added an investigator who speaks both Korean and Spanish. He will be an asset in shops that are owned by Koreans and have employees who speak Spanish. There are many such shops in Manhattan and the Long Island City section of Queens.

The Task Force prioritizes its complaints. Our highest priority is protecting the worker in cases involving unpaid wages or dangerous working conditions. Investigations are scheduled in the following priority: complaints, targeted areas and door-to-door visits.

The Task Force regularly conducts sweeps in targeted areas that have been identified as having numerous Labor Law and local safety code violators. A sweep consists of one or more teams of investigators who visit all apparel manufacturing shops in the targeted geographic area. The teams of investigators speak the language of the workers in the area of the sweep. A sweep can last for one day or three weeks, depending on the situation.

Task Force investigators also make unannounced door-to-door visits to apparel production firms daily. All investigations include the review of registration requirements, payroll records, the interviewing of employees and employers and the referral of health and safety issues to other agencies. Violators of Article 6



Investigator Kenny Lin (in back) interviewing a Chinese-speaking employee in a garment factory in Brooklyn.



Investigator David An in apparel factory checking to see the name of the manufacturer of the garments.



(Payment of Wages) or Article 19 (Minimum Wage Act) of the Labor Law are considered “Hot Goods” violators and may have their merchandise “tagged” as “unlawfully manufactured,” which inhibits them from being sold at retail. Tagging garments in shops where wages have not been paid continues to be a strong weapon in our arsenal. The threat of tagging, in many cases, is enough to obtain the cooperation of employers who might be reluctant to show their records.

The Task Force uses the team approach for both safety and efficiency. It permits staff to identify multiple violations of laws, including the employment of minors, “off the books” employment, under-reporting or non-payment of wages, fraudulent record-keeping, fire, safety and health code violations and tax remittance avoidance.

Traditionally, the most recently arrived immigrant groups see the apparel industry as the first stepping-stone to employment in their new home. Today, apparel manufacturing remains an important source of work for recent immigrants to New York State, who constitute over 75% of the workforce in the apparel industry.⁴ The industry also provides an opportunity for advancement for immigrant entrepreneurs, who own a significant number of the factories in New York City. According to a recent story in the New York Daily News, immigrants make up 43% of the City’s total job force and about half of the workers age 25 to 54, the prime employment years. “New York’s current and future economic viability is closely tied” to immigrants, who “play a crucial role in the City’s labor market,” according to the report, which also provides a sweeping look at population trends during the past decade.⁵

NON-APPAREL SHOPS

With the domestic garment industry decreasing due to surging cheaper imports, many economists contend that the lost manufacturing jobs are replaced by lower-paying and less-productive service industry jobs.⁶ In 2004, the Task Force expanded its mission in a pilot program to protect workers in other industries who work in “sweatshop” conditions but do not work in garment factories.

In this pilot program, new for 2004, the Task Force started investigating non-apparel firms that meet the criteria of “sweatshops” in other industries, using the same investigative techniques they apply in apparel investigation. The criteria that the Task Force uses to focus on other industries includes, but is not limited to, businesses that use a large number of immigrant workers who might be undocumented and receive wages below the minimum wage or be paid flat salaries for all hours worked including those in excess of 40 hours in one week. Many of these businesses are known to the Division to have a tradition of employing people “off the books.” Some of these businesses include supermarkets that are part of a cooperative but are not chain-operated, car washes, restaurants, nail salons and warehouses.

⁴ The Fashion Industry and New York City See *Garment Industry Development Corporation* at <http://www.gidc.org/>

⁵ Immigrant Labor booms in city by Brian Kates Daily News Staff Writer Tuesday, January 25th, 2005

⁶ Import Surge Causing Trickle-Down Effect, WWD June 3, 2005



Although we have no tagging law to assist us in such cases, we have been able to recover significant amounts of restitution and Labor Law compliance from those firms that fail to properly pay their workers.

The number of wage-related investigations has risen as a result of additional staff hired in 2001. During 2004, the Task Force assessed a record \$3,933,127 in unpaid wages and below minimum wage payments and collected and distributed over \$3,360,000 to approximately 6,589 workers.

While New York City is the hub of the garment industry in New York State and over 90% of our investigations are in the city, the Task Force enforces the Labor Law throughout the state. During 2004, investigations were conducted at firms located in 42 counties of New York State:

Albany	Jefferson	Queens
Bronx	Kings	Rensselaer
Broome	Livingston	Richmond
Cattaraugus	Monroe	Rockland
Cayuga	Montgomery	Saratoga
Chemung	Nassau	Schenectady
Columbia	New York	St. Lawrence
Cortland	Niagara	Suffolk
Dutchess	Oneida	Ulster
Erie	Onondaga	Warren
Franklin	Orange	Washington
Fulton	Orleans	Westchester
Genesee	Oswego	Wyoming
Herkimer	Putnam	



LABOR LAW VIOLATIONS & WAGE COLLECTIONS

As the result of a Task Force investigation, a manufacturer and/or contractor can be cited for violating sections of the New York State Labor Law through the issuance of a *Notice of Labor Law Violation*. Department procedures permit a cited firm to request



Investigator Rivera preparing a Notice of Violation.

a Compliance Conference to review the findings of the investigation and to obtain any additional evidence pertinent to the matter. After further review of the matter, if the department determines the *Notice of Labor Law Violation* to be accurate, but the firm refuses to comply with the law, an *Order to Comply* is issued against the firm. Depending on the violation noted, the firm has 30 to 60 days to appeal the *Order to Comply* to the Industrial Board of Appeals, a board set up to be independent of the Labor Department. If the violation is egregious or the firm is out of business, the Task Force may refer the matter to the Attorney General's Office for a criminal prosecution.

In 2004, the Task Force investigated 1,343 businesses. The investigations revealed that 677 firms were not registered, 483 firms were not in compliance with the wage payment and/or minimum wage provisions of the Labor Law and 540 firms were in violation of record-keeping requirements such as allowing employees to work "off the books" and/or furnishing incomplete or inaccurate records.



Investigator Stanley Chan interviewing a garment worker.

While the number of investigations remained similar to the previous year, the number of firms not in compliance with wage provisions of the Labor Law increased by 20% in 2004 but the number of record-keeping violations decreased by 22%⁷. The Task Force sees these trends as significant for a number of reasons. Domestic economic issues and world-wide outsourcing continue to plague the industry. This results in a continuing problem with payment of wages. However, due to vigorous enforcement of the record-keeping provisions of the Labor Law by insisting that all wage payments – cash, check or combination of both – be included in the payroll records or substantial civil penalties will be assessed, the number of record-keeping violations has decreased. The issue of proper record-keeping is also a topic that is stressed at our popular employer Labor Law education seminars.

⁷ In 2003, the Task Force issued 694 record keeping violations.



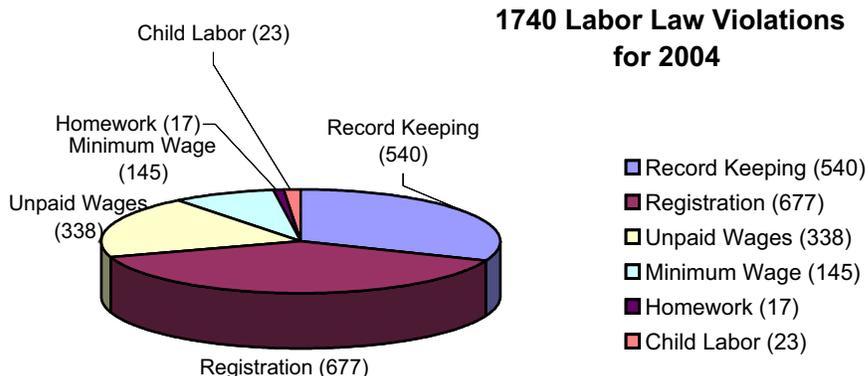
Homework and Child Labor violations continue to remain at a low level in the garment industry as a result of vigorous enforcement by the Task Force. Monthly educational seminars also play a significant role in Labor Law compliance.

Through the use of a computerized database, the selection of firms for investigation is based on historic and geographic data surveys as well as field investigation reports. The Task Force has successfully utilized this information in investigations, yielding a high percentage of violations while avoiding repeated visits to employers who do not have a history of violating the Labor Law.

As the pie chart at the bottom of the page shows, manufacturers and contractors in the apparel industry continue to operate in violation of multiple laws, codes and regulations. The Task Force investigators found that approximately 50% of the firms visited were in violation of registration requirements, 36% of the firms visited were found to have violated wage payment or minimum wage requirements and 40% of firms visited were found to be in violation of the record-keeping requirements of the Labor Law. While the number of record-keeping violations decreased for the second consecutive year⁸, the violation rate continues to be significant. The relatively high percentage of firms in violation of the Labor Law is the result of these targeted investigations. It should be noted that the high violation rate for registration is partially due to the change of the Workers' Compensation requirements for registration, as explained earlier in this report.



Investigator Iris Rivera reviewing time cards; weekly payroll records; and piece tickets (not shown); along with employee interviews to determine if wages are in compliance with the Labor Law.



⁸ 64% of the firms we investigated in 2002 were issued record keeping violations versus 52% in 2003.



REFERRALS

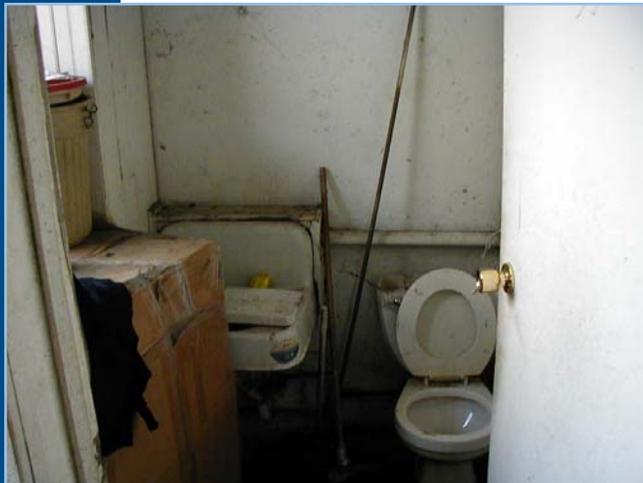
Under Article 12-A (Section 344) the Task Force is required to report “to the appropriate authorities any instance in which there is reasonable cause to believe that the payment of federal, state and local payroll taxes is being evaded.” In addition, under Section 344 we are required, during the course of our investigation, “to determine compliance with concerning state or local building codes, state or local



Investigator Jorge Alvarez instructing the employer that the blocked exit is a fire code violation.

fire codes, laws or regulations and state or local health codes, laws or regulations and to refer to the appropriate authorities any instance in which there is reasonable cause to believe that a violation of such codes, laws or regulations exists.” Accordingly, as per the law, we make referrals for the following:

- Non-compliance with the Unemployment Insurance Law
- Failure to demonstrate coverage for New York State Workers’ Compensation Insurance and Disability Benefits Insurance
- Failure to demonstrate evidence of paying federal, state and local payroll taxes
- Violations of State or local building codes
- Violations of State or local health codes
- Violations of Federal (OSHA), State or local safety and health regulations



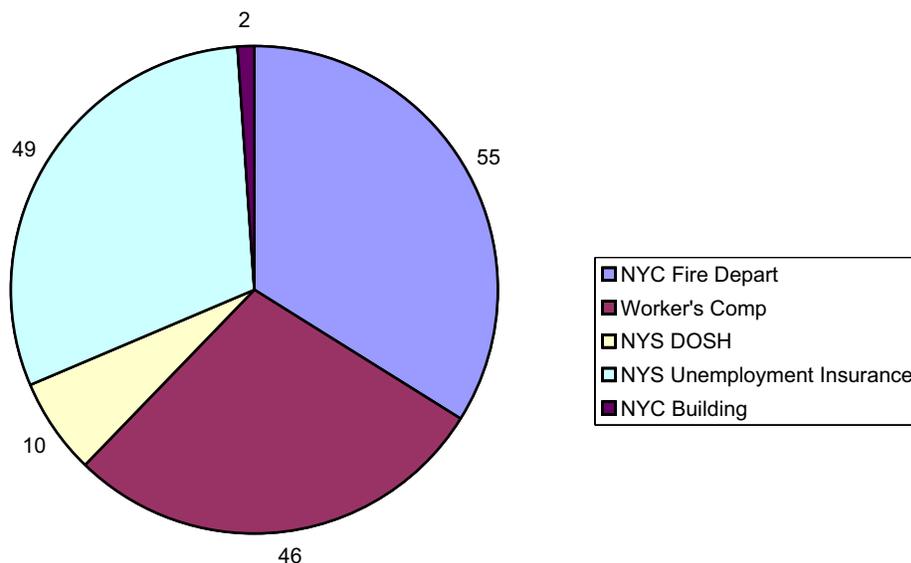
Garment factory lavatory with a broken sink and without bathroom paper or soap.

While the Task Force vigorously enforces our referral mandate, we are particularly aware of the importance of referring health and safety issues to the appropriate agencies. If there is an issue of imminent public danger, the Task Force immediately contacts the New York City Fire or Building Department or other appropriate government agency.



The Task Force regularly makes referrals to the Department of Labor’s Unemployment Insurance and Safety and Health Divisions, the Workers’ Compensation Board and the New York City Departments of Building, Fire (FDNY) and Health. When appropriate, the Task Force refers issues of possible tax evasion to other government agencies for investigation. The criteria for referrals to these agencies include non or under-payment of taxes, disregard for safety of the workers and health, fire or building code violations. Please see attached chart for the breakdown of the referrals for 2004.

2004 Task Force Referrals



Human tragedies can be avoided or significantly reduced if proper fire and/or OSHA regulations are strictly enforced. Task Force investigators have been trained by the New York City Fire and Building Departments and Department of Labor’s Safety and Health Divisions to identify and immediately report a potential deadly situation.



Investigator Jorge Alvarez examining a fire extinguisher to make sure that it was recently inspected.



TASK FORCE STAFFING

While the Task Force is continually adopting new tactics to protect the garment worker, the stability of our staff has allowed us to remain focused on our mission. Eight current staff members have been with the Task Force since its inception in 1987.

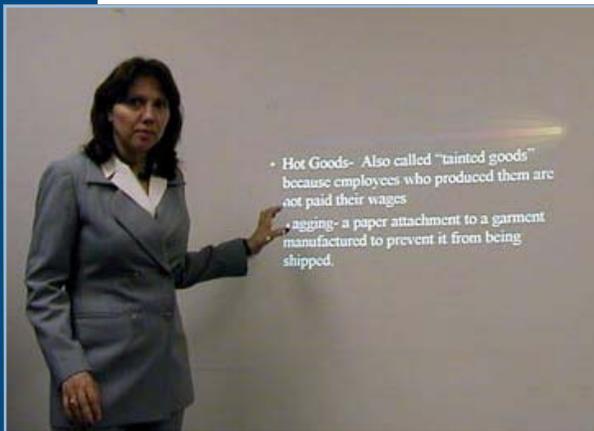


Deputy Commissioner Connie Varcasia with members of the Task Force at the 2004 Triangle Shirtwaist Commemoration.

In addition, seven of the original ten investigators hired as a result of Governor Pataki's 2001 initiative to increase the Task Force remain. Five new investigators were hired in 2004 (two Spanish-speaking, two Chinese-speaking and one Korean-speaking), to replace investigators who were promoted, retired or resigned.

PUBLIC EDUCATION AND IN-HOUSE TRAINING

PUBLIC EDUCATION



Senior Investigator Maritza Lamboy giving Labor Law Seminar to apparel manufacturers and contractors.

The award-winning monthly educational Employer Seminar program is conducted using a power-point format and in 2004 was upgraded to include a presentation from the NYSDOL Division of Safety and Health (DOSH) and the United States Department of Labor.

The monthly Employer Seminar — which began in 1989 — is given at the DOL midtown Manhattan West 54th Street complex during business hours. Other seminars — which are presented during either daytime or evening hours — take place at community centers, hotel conference rooms and restaurant banquet rooms.

In 2004 there were 674 seminar attendees. This is an increase of 50% from the number of attendees in 2003.

The program for the monthly Employer Seminar gives employers an overview of the New York State Labor Law. Topics discussed include the Minimum Wage, overtime compensation, wage payments, employer record-keeping requirements and health and safety issues.



The attendees include employers who have been invited after receiving citations for violating the Labor Law and those who are starting up new businesses and have requested to attend. Our multi-lingual staff can answer specific questions in Spanish, Korean and various dialects of Chinese during and after the seminar presentation.

With regret in 2004 we moved our educational seminar program from Garment Industry Development Corporation (GIDC) in downtown New York City to 254 W 54th Street in New York City because of GIDC's relocation from 180 Centre Street. GIDC says we would be welcome to continue our seminar program at their location when they finish renovating their new headquarters at 182 Mulberry Street, located in the heart of Chinatown. We appreciate their offer and hope they can accommodate us at their new headquarters.



Senior Investigator Andy Chan at a Labor Law seminar.

In 2004 the Task Force used its multi-lingual skills and expanded the impact of its seminar presentations to include workers from immigrant communities and employers from industries other than apparel manufacturing such as the nail salon industry. Some of these seminars received extensive coverage in the Chinese-language and Korean-language print and broadcast media.



Supervisor Michael Kramer with Korean Language Investigators Bo Kim and David An at a Korean Language Labor Law seminar.



In addition to the regular monthly Employer Seminar, other seminars were held in conjunction with the Continental Garment Manufacturers Association, Metropolitan Area Apparel Association, Office of the Governor / Citizenship Unit, Queens Chinese



Senior Investigator Maritza Lamboy instructing new investigators on the Minimum Wage Law.

Woman's Association, Inc., Korean Apparel Manufacturers Association, Korean Nail Association, Korean-American Association, Korean Business Leaders Council of New York, Flushing Chinese Business Association and the Asian Job Service Employer Committee, Inc.

IN-HOUSE TRAINING

Before going into the field, new Task Force investigators receive formal classroom Labor Law instruction from Task Force Seniors and Supervising Labor Standards Investigators. In addition, they receive on-the-job field training from experienced Senior Investigators who accompany them in the field and consult with them on

their cases. Staff take training in recognizing fraudulent documents, teamwork, money laundering and investigative techniques. New investigators must complete an extensive training program both in the field and in the office to help them learn the necessary skills for conducting apparel industry investigations before they get a case load and go out as lead investigators.



FDNY Fire Fighter Bruce Silas gives pointers to Task Force Investigators on what fire hazards to look out for in factories.

Section 346 of the Labor Law provides that the Task Force "shall receive training to be provided by the state in each of the areas of the labor law, state or local building codes, state or local fire codes, laws or regulations and state or local health codes, laws or regulations in which

potential violations exist..." Periodically the Task Force Investigators receive special training by personnel from the New York City Fire Department and Department of Labor's Division of Safety and Health to help field investigators recognize various factory hazards and how to accurately report the hazards to the appropriate agencies.



TECHNOLOGY

The Task Force gathers extensive data to determine current sweatshop locations, track egregious violators and keep in step with the latest trends in the industry. Staff members of the Task Force have a personal computer or laptop on their desk and every field investigator has a laptop computer for field use.

Every violation goes into a database in order to effectively track each case, reduce redundancy and help bring each case to a quick resolution.

The Task Force lists currently registered manufacturers and contractors on the Department of Labor web site <http://www.labor.state.ny.us/workerprotection/laborstandards/workprot/garment.shtm>

Manufacturers and contractors can search the database to determine if firms they may want to do business with are registered with the Department of Labor. In addition contractors and manufacturers can use the list to expand their business ties in the New York garment community.

The New York State Department of Labor web site has a vast amount of Labor Law information for employers, employees and the general public. Employees can download Labor Law information and claim forms. Employers can download various forms, including the 12A Registration form. As discussed earlier in this report, there is also a link to the September 11th Bidders Registry on the web site.

OUTSIDE TASK FORCE ACTIVITIES

In compliance with its legislative mandate, the Task Force met with various apparel-related groups and community organizations as well as federal and state agencies during 2004. These meetings provide an opportunity to develop relationships, to share information and to respond to industry problems and concerns.



New York State employers attending a meeting presented by NYSDOL Asian JSEC to help foster better relations between employers and the Task Force. Labor Standards Director Richard Cucolo (middle) responding to a question from the audience. Two local Chinese-language newspapers reported the event.



NATIONAL CONFERENCE ON HUMAN TRAFFICKING

Chief Charles DeSiervo, representing the Task Force, was invited to the National Conference on Human Trafficking: Rescuing Women and Children from Slavery. The Conference was a three-day event last July in Tampa, Florida. The invitation recognized the unique work that the Task Force does in protecting the rights of the disfranchised workers. Of the 450 attendees, the New York State Labor Department was the only state department in the nation that was invited to this conference. The purpose of the conference was to provide federal, state and local governmental agencies and community organizations with the tools needed to begin eliminating human trafficking (modern-day slavery) within the United States.

President George W. Bush emphasized that the "American government has a particular duty, because human trafficking is an affront to the defining promise of our country. People come to America hoping for a better life. And it is a terrible



tragedy when anyone comes here, only to be forced into a sweatshop, domestic servitude, pornography or prostitution. It is estimated that between 14,500 and 17,500 victims of trafficking cross our borders every year. U.S. law enforcement has documented cases of Latvian girls trafficked into sexual slavery in Chicago, or Ukrainian girls trafficked in Los Angeles, and Maryland, or Thai, Korean, Malaysian and Vietnamese girls trafficked in Georgia, or and Mexican girls trafficked in California, New Jersey and here in Florida. Many of the victims are teenagers, some as young as 12 years old. Many

victims are beaten. Some are killed. Others die spiritual and emotional deaths, convinced after years of abuse that their lives have no worth. This trade in human beings brings suffering to the innocent and shame to our country, and we will lead the fight against it."



