



NEW YORK STATE SENATOR

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Senate Co-Leader Jeff Klein, Sen. Diane Savino Announce Legislation Preventing the Exploitation and Abuse of Child Models in New York - Supermodel Coco Rocha, child models and victims join call for full protection of child models under existing laws

JEFFREY D. KLEIN June 9, 2013

| ISSUE: **LABOR, CHILDREN**

Today, Senate Co-Leader Jeff Klein and State Senate Labor Committee Chairwoman Diane Savino joined supermodel Coco Rocha, former child models and victims to announce legislation that will protect child models from exploitation and abuse. These abuses--and the shortfalls in New York's child labor laws-- are detailed in a report prepared by the Independent Democratic Conference, also released today.

In the analysis concerning current protections for child models, the IDC found that runway and print models receive shockingly few protections in comparison with children in other entertainment sectors such as child actors, dancers or musicians.

Senate Majority Coalition Leader Jeff Klein (D-Bronx/Westchester) said, “While New York may set the trends when it comes to fashion, we are falling short when it comes to setting fair labor standards for young people who are trying to break into the industry. That’s why Senator Savino and I are taking action to push for legislation that would extend the educational and financial protections currently afforded to all other child performers. The health and safety of our children is always a tantamount issue, and this legislation will ensure the health and safety of all young people working in the entertainment industry.”

Senator Diane Savino (D-Staten Island/Brooklyn), Chair of the Senate Labor Committee said, "As a former caseworker for NYC's Child Welfare Administration, I've dedicated my life to protecting children from abuse and neglect. Most models begin their career around the age of 13, sacrificing their education, health and financial security to model without the basic protections they deserve under New York's current law. Today, we are bringing attention to the rampant exploitation and sexual abuse of child models and announcing legislation that will give child models these critical protections they have gone without for too long."

Under current law, child models are **denied** the following protections afforded to other child performers:

- **Responsible Person:** A responsible person must be designated to monitor the activity and safety for each child performer under the age of 16 at the work place;
- **Nurse:** An employer must provide a nurse with pediatric experience;
- **Education Requirement:** Mandates employers to provide teachers and a dedicated space for instruction;
- **Health and Safety:** Employers must provide safety-based instruction and information to performers, parents/guardians and responsible person and;
- **Financial Trust:** A trust must be established by a child performer's parent or guardian that an employer must transfer at least fifteen percent of the child's gross-earnings into.

The Independent Democratic Conference believes that the lack of full protection entitled to other child performers has contributed to a prevalence of financial and sexual abuse.

The IDC supports legislation sponsored by Senator Savino (S.5486) that will mandate that print and runway models are included in the definition of "cultural and artistic services," currently protected under Labor Law, entitling them to the full protections afforded to other child performers working in New York State. It will also mandate that child

models be included in the Arts and Cultural Affairs Law §35.01 and §35.03. This will require the parents or guardians of infants engaged in modeling to obtain judicial approval of certain contracts.

"Having once been a teenage model, living and working in New York, I know all too well the difficulties that face underage models. Little to no workplace standards at times made my profession a very dangerous one for a minor," said **supermodel Coco Rocha**. "When it comes to protecting children, the moral argument overrides any perceived inconvenience of rules, record keeping or expense. That fact has long been acknowledged for other child performers like actors, dancers and singers, all who enjoy protection under law. Perhaps due to an unfortunate oversight, this has never applied to child models. I'm thankful the Model Alliance and Senators Savino and Klein are raising awareness around this issue and confident that through continued efforts we can ensure a safer environment for the next generation of child models."

Model and Executive Director of the Model Alliance Sara Ziff said, "Most fashion models begin their careers in their early teens, and the choices they make as kids may have long-lasting repercussions. During these critical years, models often experience pressures, including nudity, sexual demands, starvation dieting, working long hours for no pay, and foregoing education, that would not be tolerated in any other work environment. Yet fashion models, uniquely among child performers in New York State, do not receive adequate protection under existing law. That is why I am thrilled to be working with Senators Jeffrey Klein and Diane Savino, and Assemblyman Steven Otis, to ensure that the next generation of children and teens who enter the fashion industry are fully protected by the law. This is a momentous step forward in the recognition of models' rights."

"As an advocate for worker rights, but just importantly, as a father, I'm troubled that child models do not have the same basic safeguards as other young performers," said **Mario Cilento, President of the New York State AFL-CIO**. "Child models work in an all too adult world, yet under current law they are given second rate protections. This bill will begin to address that inequity, and help ensure the well-being of our children."

Super model, business woman, TV producer and personality, Tyra Banks said, "There are significant gaps in the protections afforded to child models. The move towards proposing legislation which would allow print and runway models under the age of 18 who work in New York State to enjoy the same benefits as child actors, including chaperones, trust accounts and basic educational requirements should be a young model's basic right. I look forward to seeing young models have rights my generation did not and I applaud Senator Diane Savino,

Senator Jeffrey Klein, Assemblyman Steven Otis, and the Model Alliance for their efforts on this very important issue."

Child model Lily Goodman said, "This legislation would benefit all models and encourage them to go to more castings. When I hear stories about some kids quitting school, or coming to America without their parents to model, I break a little inside. Although modeling is very important, a child should never have to choose between modeling and education. Missing out on education can hurt you in the long run. Overall I believe this legislation will benefit children that model like myself and allow child models more opportunity. I am thankful to Senator Savino and Senator Klein for taking the lead in working to pass this legislation that will directly impact my future modeling career."

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