



NEW YORK STATE SENATOR

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## Senate Co-Leader Jeff Klein, Sen. Diane Savino and Assemblyman Steve Otis Announce Passage of New Child Labor Laws Aimed at Protecting Child Models

JEFFREY D. KLEIN June 13, 2013

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**ALBANY, NY-** Last night, both the New York State Senate and Assembly passed legislation protecting child models from exploitation and abuse. State Senate Labor Committee Chairwoman Diane Savino (D-Staten Island) was the prime sponsor in the Senate (S.5486) and Assemblyman Steve Otis was the prime sponsor in the Assembly (A.7787). Senate Majority Coalition Leader Jeffrey D. Klein (D-Bronx/Westchester) co-sponsored the legislation and helped fast track the measure through the legislature.

At a press conference last Sunday, the Senate's Independent Democratic Conference detailed how child runway and print models receive shockingly few labor protections when compared to child actors, musicians, and dancers. The report included testimonials from current and former child models who had been victimized by physical, sexual, and financial abuse as a result of the labor law's shortcomings. Seeking reforms to the system, Supermodel Coco Rocha, Model and Executive Director of the Model Alliance Sara Ziff, and former child abuse victims joined Senators Savino and Klein at the press conference calling for immediate passage of S.5486. If adopted, the legislation would finally allow print and runway models to be included in the definition of "cultural and artistic services" under state labor law, entitling

these workers to the full protections afforded to other child performers working in New York State.

**Senate Majority Coalition Leader Jeff Klein (D-Bronx/Westchester)** said, “This week’s news is an inspiring success for child advocates everywhere. We were shocked when we learned about how New York—the fashion capital of the world—discriminated against young people who were trying to break into the industry. The swift passage of this bill illustrates how we can make quick progress on important issues when we have the right partners and a smart approach. I commend Senator Savino and Assemblyman Otis for providing these children the educational and financial protections they deserve.”

If this legislation is signed by Governor Cuomo, it will afford child models the following protections previously denied to them:

- **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 legislation also mandates 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.

**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. By making this legislation the law in New York, we are bringing an end to the rampant exploitation and sexual abuse of child models by giving child models the critical protections they've been denied for too long."

**Assembly Sponsor Steve Otis (D-Rye)** commented upon passage of the bill, "I am very pleased that we are closing a gap in New York State law that left some working children without labor law protections that shield them from exploitation, abuse, and unacceptable working conditions. Print and runway models under the age of eighteen deserve the same legal and educational protections as other child performers. This legislation accomplishes that goal."

**Supermodel Coco Rocha** said: "I'm thrilled to see the overwhelming support for the legislation protecting our models. Beyond ineffective industry guidelines and suggestions, we now have the rule of law protecting a large number children working in the modeling industry. If the Model Alliance never achieves anything further, this was monumental."

"The Model Alliance is committed to promoting fair labor standards in the American modeling industry, and we are grateful to Senator Klein, Senator Savino and Assemblyman Otis for their support," **Model and Executive Director of the Model Alliance Sara Ziff** said. "With most models beginning their careers in their early teens, this legislation is vital to ensuring these young workers are protected under the law. As a New Yorker who started modeling at 14, I am heartened that the next generation of girls who pursue modeling will finally have the same protections as other child performers in New York."