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FashionMANUSCRIPT



Apparel Information Management System

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A SECOND CHANCE FOR THE GARMENT CENTER

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Walking on 39th Street and 7th Avenue in Manhattan, it's almost impossible to miss the impressive statue of a man hunched over a sewing machine, depicting the hard work of thousands of immigrants beginning in the early 1900s to build the fashion industry, once the largest employer in New York City. Although the New York City Garment Center continues to be home to fashion's greatest designers and showrooms, local manufacturing has almost ground to a halt due to offshore competition and zoning restrictions.

Fortunately, there is a recent long overdue surge of interest to save the local New York City Garment Center. This October's highly publicized *Save the Garment Center* rally in Manhattan, featuring such distinguished supporters as Michael Kors, Diane von Furstenberg, Nanette Lepore and Elie Tahari, took on causes such as protecting American workers, real estate tax incentives to keep production in the city and promote the marketing of a "Made in New York" label.

The unified interest to rebuild a shrinking industry with Manhattan as the centerpiece is welcomed news, especially since production in the United States accounts for only five percent of American clothing purchased. Garment production in New York is only a fraction of the five percent, as small pockets of manufacturing continue throughout the country in California, Florida, North Carolina and other states.

As New York City shows increased interest in the renewal of the fashion industry on a local level, there are many changes taking place on a national level. The Obama Administration has made it clear that worksite enforcement and reducing illegal immigration are a top priority to reform our immigration system so that illegal labor is not used to achieve an unfair advantage in the market place.

On November 13th, 2009, Secretary of Homeland Security Janet Napolitano spoke at the Center for American Progress about national immigration worksite enforcement and addressed the demand side of illegal immigration including her agency's priority in auditing the books, including Form I-9s, of thousands of employers suspected of relying on illegal labor. As part of the effort, Secretary Napolitano stated that Immigration and Customs Enforcement ("ICE") audited more employers suspected of hiring illegal labor in a single day in July 2009 than had been audited in all of 2008.

Since November 6th, 1986, *The Immigration Reform and Control Act of 1986* mandates that all United States employers, large

and small, are required to have on file a Form I-9, Employment Eligibility Verification for each newly hired employee to document that the employee is authorized to work in the United States. Recent random Form I-9 audits by ICE are resulting in civil and criminal fines being assessed against employers, including jail time, for failure to comply. The current Obama strategy is to create a deterrent in the hiring of undocumented workers by punishing the employer.

More recently within the fashion industry, the well-known clothing manufacturer American Apparel came under Form I-9 scrutiny by ICE. As a result of the government audit, American Apparel was forced to lay off from its Los Angeles factory about 1,800 of its 5,600 employees lacking proper documentation to work in the United States. American Apparel was also subjected to heavy fines in addition to the huge loss of employees, many of whom had been with the company for many years.

As Secretary Napolitano expressed in her November 13th, 2009 speech, Americans value our identity as both a nation of immigrants and a nation of laws. She went on to state that the immigrant story is part of what it means to be an American—and she underlined her belief that failing to fix our broken immigration system is what undermines our shared values of both lawfulness and fairness.

Perhaps the best example of an industry built on the backs of immigrants is the New York City Garment Center. It would be a monumental achievement to see the New York City Garment Center returned to its early days of glory and prosperity. As immigrants arrived in the early 1900s into New York, many relied on their sewing skills to provide for their families. The Garment Center afforded these individuals the ability to escape the horrors of war and the ability to offer their families a dignified new life. A new, bigger and better, New York City Garment Center can offer the same to a new generation of immigrants willing to work hard to gain opportunities to their families that were unavailable in their former countries of citizenship.

The New York City Garment Center may get a second chance. It is imperative that employers take the right legal steps to allow their employees a path for growth, prosperity and security.

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