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Fall 12-16-2016

Still Here: Life in a New York Garment Factory

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DESPITE INDUSTRY'S DECLINE, NEW YORK CITY GARMENT WORKERS ARE STILL SEWING (AND STILL STRUGGLING)

By: Veronika Bondarenko

When Flor Dueñas burned both arms ironing a pattern onto a t-shirt, she knew that she needed to return to work as soon as possible. The clothing factory had recently received a new order and she worried about not having enough money to make that month's rent if she took too much time off.

"The hot environment was uncomfortable," said Dueñas, who still has the burn scars from the accident. "So I managed to work as I could."

The company covered some of the medicine Dueñas needed to treat the third-degree burns and gave her the rest of the day off work. She came back to her sewing machine the next day.

Dueñas said that she didn't expect to be working with unhealed burn wounds when she moved to New York from Ecuador in 1995. Since then, she spent more than nine years working at a Midtown Manhattan clothing factory that produced t-shirt and dress samples for both designer stores and J.C. Penney. When that factory closed down, she moved to another one in South Brooklyn.

Like thousands of others who move to the US with low English skills and the hope to get out of poverty, Dueñas took on the only job she felt available to her — a Midtown clothing factory looking for workers who could sew and iron fast. She could start right away and did not need to know much English.

After the majority of clothing production jobs left the US for Asia in the 1990s, a new market of smaller factories that employ mostly immigrant women in their forties and fifties to create high-end clothes with a "Made in the USA" label emerged. But as factories struggle to survive in New York, large numbers of workers still endure long hours, on-job injuries, and lack of overtime pay in the name of homegrown fashion — often with little oversight.

Even though New York City's garment industry shrunk dramatically in the last two decades, many present-day workers still struggle in its margins. In 1990, the industry had 105,000 apparel manufacturers in the city, according to the Department of Labor.

Today, there are 18,000 apparel manufacturers working in the entire state — a number that, while a fraction of what it was during the industry's boom in the mid-twentieth century, still contributes to a significant part of the city's image as a fashion center. The 200 or so garment factories operating in the historic Garment District (between Fifth Avenue and Ninth Avenue, from 34th to 42nd Streets) make up roughly a third of all businesses in the area.

“I’m not sure that there’s anywhere else that you’ll find a concentration in these numbers of one industry,” said Gerald Scupp, vice president of the Garment District Alliance, which promotes trade and investor interests in that area.

New York’s garment industry has also always been a hotbed for immigrant exploitation. Overcrowded and improperly heated rooms, low pay and pressure to produce clothes as quickly as possible have been documented by New York State factory inspectors as far back as 1888.

Today, the garment workers who remained after the decline of the industry face many of the same problems.

“If there are only 40,000 [garment workers], there are 40,000 unjustly treated people,” said Robert Ross, who is the son of two New York garment workers and author of *Slaves to Fashion: Poverty and Abuse in the New Sweatshops*. “They are human beings.”

New York’s fashion industry, which is still mostly concentrated in the five boroughs, employs more than 183,000 people and pays more than \$11 billion in wages for anyone from designers to manufacturers per year, according to a 2015 report from the New York City Economic Development Corporation. The report estimates that there are now eight manufacturers for every designer.

As cheap clothes from countries such as China and Vietnam started to flood US markets in the 1990s, more and more local factories gave up trying to compete with mass production overseas by closing down or shifting gears entirely. In 2016, most of the factories that remained produce either high-end clothes, brand samples or embellishments such as beaded decals or silk screen designs that go on larger items produced overseas.

Peter Chan, a Fashion Institute of Technology instructor and owner of Sunrise Studio on 39th street, said that it would be impossible for him to compete with globalized mass production due to cheaper labor costs in other parts of the world. His studio instead makes samples for designer brands such as Calvin Klein, Alexander Wang, Proenza Schouler, and The Row. Even though his factory employs more than 70 people and has high-profile fashion clients, Chan struggles to break even with the cost of production every month.

“If the wages keep going up, there will be problems,” said Chan. “We will have to change our business model.”

In the US, clothing manufacturers make an average of \$11.37 per hour and \$34,110 per year, according to a 2015 Joint Economic Committee report. Another report from the Brennan Center for Justice found that the average garment worker, who is usually over 40 and of Chinese, Latino or Korean background, often ends up making less than minimum wage when you factor in work at home and unpaid overtime.

Although an aging worker base and the push to get production out of Manhattan mimics struggles faced by other industries in the city, New York still touts itself as the center of fashion. That only happens when there's both local production and design, said Ross.

"We have a tradition in this industry and it's still a world leader after all," he said. "[...] It's part of the texture of our city."

While New York's garment factories were once run by families who would pass on the business from generation to generation, today's workers are proud that their children can go to college and find better work.

Lao Seto, who is now in her fifties and has been sewing dress samples at 55 Elizabeth factory for more than 30 years, is glad that she gave her two children the chance to break away from the garment industry and work in tech.

"I could not find a job here before because I do not speak very good English," she said, through an interpreter. "That's why I had to learn sewing."

Chan from Sunrise Studio confirmed that he has difficulty recruiting younger people to do that kind of work — many of his sewers are in their sixties.

"A lot of people want to go to college and, then, go work in their white-collar jobs," said Chan. "In consequence, we're losing a lot of workers."

But apparel production still continues to offer a steady income — and with it, a certain amount of worker exploitation and wage theft — for immigrants and older generations.

Poorly ventilated rooms, lack of proper lunch times and long hours without overtime pay are some of the most common problems in the industry, said lawyer David Klein, who represented multiple NYC garment workers from different factories in wage and work condition cases against their employers.

"People need employment but not at the cost of breaking laws and taking advantage of people," Klein said, adding that high rents and globalized competition are no excuse for the worker exploitation that still goes on.

[A 2008 report](#) that examined more than 4,000 workers in low-wage industries also estimates that 42.6 percent of garment factories in New York City failed to pay workers minimum wage at least once. 71 percent of the clothing factories surveyed had overtime violations and 73.2 percent also did not give their workers adequate meal breaks.

After similar problems started to make the news in the 1980s, the New York State Department of Labor created The Apparel Industry Task Force to investigate pay and work condition violations in 1987. While the task force still actively investigates local

clothing factories, they published their last industry report in 2005 — without much pushback from fashion insiders.

After repeated requests by phone and email, the New York Department of Labor issued only a written statement that said it conducted 316 garment factory investigations so far in 2016, but it is not clear where. The statement said that there are currently 20 investigators employed to look into the garment industry — that's one for roughly every 69 apparel firms registered in the state. Some of the inspectors also split their time between other industries.

But wage and hour enforcement records from Department of Labor data show that while the DOL conducted 230 factory work condition inspections based on complaints in Manhattan in 2005, the numbers dropped down to only 2 such inspections a year in 2014 and 2015.

Despite a history of poor work conditions in the industry, violations can be difficult to both catch and control. Many factories operate under several names or close down and reopen after an inspection, said Kenneth Kimerling, an employment lawyer who represented garment workers suing Walker Street Factory in Chinatown for unpaid wages in 2009.

Another garment factory, which used to supply clothes for Macy's and The Gap, switched its name from Venture 47 to Jin Shun Inc. before its owners got sued for more than \$3 million in unpaid wages in 2008.

But even in the rare case that garment workers make it to court, they can often wait years before they see the money. With many of the factories renting both studio space and sewing equipment, it is often easier for a dishonest factory to close down and declare bankruptcy rather than attempt to pay, said Kimerling.

"In the last decade, the increased number of wage claims is so large that [the factories and the suppliers] all should have learned that they're vulnerable and at risk for substantial claims," he said. "That doesn't necessarily stop them."

Liu, who chose to identify only by his first name from fear of losing his job, is 50 years old and works at one of several garment factories in the 247 building on 38th Street. He said that he sews anything from dress shirts to pajama sets and does not receive overtime despite working six days a week.

"The work is OK," Liu said through an interpreter. Because he does not speak much English, he stayed at the same Chinese-owned factory for the ten years he's been in the US without the right documents.

As many New York factories may rely on undocumented workers, some employers scare them into keeping quiet about poor work conditions, according to Klein. He said

that he encountered many garment workers who have come to him with a work violation case but later withdrew it for fear of job loss or a call to immigration services.

“First you hire someone and then you bully them and terrorize them,” said Klein. “That’s like wage terrorism and it’s most egregious.”

Even though hiring undocumented workers is illegal, it is often the workers rather than the employers who face the biggest risks.

Rather than decreasing the number of undocumented workers, the Immigration Control and Reform Act of 1986 simply made it easier for employers to force workers underground, said Zishun Ning, a representative of the Chinese Staff & Workers’ Association (CSWA). He’s seen garment workers who had 80-hour workweeks while receiving less than minimum wage pressured into staying silent about their conditions.

“The factories use undocumented immigrants because they can put the fear on them,” he said. “You have to work for a low wage. They really know what they’re doing.”

Choosing to identify only as Tim, a manager at Design Incubator factory said that the company pays employees \$600 for a 40-hour week to make sure they do not feel any pressure to rush. That said, he also refused to allow pictures of the factory or interviews with any of the workers.

“Factory work is not something that they would like to choose,” he said.

The steady decline of the garment industry made it especially difficult for honest factories to get by without cutting any corners, said Nelson Mar, an education attorney and longtime activist with the National Mobilization Against Sweatshops. As New York rents rise and cheap clothes from overseas overwhelm the market, companies that pay fair wages will often be the first to get pushed out of the industry — partly due to competition from other factories that underpay.

“If we’re not mindful of those who are committing the worst practices then they will lower the bar for everyone else,” said Mar. “These conditions will stand to filter into all those other workplaces.”

Laura Weber, the manager for New York Embroidery Studio on 36th Street, said that sewing machine operators without any special skills can earn \$10 an hour making embroidered and beaded embellishments that later go on high-end pieces by designers like Ralph Lauren and Marc Jacobs. Specific work hours are hard to define — during Fashion Week, the regular workweek is non-existent.

“Dealing with the pressure and working under such tight deadlines, it takes a certain type of person,” she said.

Whether now or throughout history, New York's reputation as a world fashion center has often come at the expense of low-wage and immigrant workers. After the Triangle Shirtwaist Factory fire killed 146 people in 1911, garment workers formed the International Ladies' Garment Workers' Union to advocate against exploitation and sweatshop conditions.

Today, generalized unions such as UNITE and Workers United represent sewers along with other low-wage workers but there is no active union exclusive to their line of work. Julie Kelly, the general manager at Workers United, said that approximately half of the city's factories are unionized.

"There aren't enough inspectors to keep track of all the violations going on in this industry," she said, adding that the factories that are non-unionized usually have the highest violation rates.

In its 2016 Budget Testimony statement, the DOL calls itself a national leader in finding workplace violations and returning underpaid wage money for low-wage workers. That said, they chose not to answer any questions about the lack of published apparel task force reports or the drop in wage and hour enforcement records between 2005 and 2015.

Scupp from the Garment District Alliance said that while his team focuses on keeping that stretch of the city attractive to vendors and designers, they do not monitor work conditions in individual factories.

"We're not in there to say whether certain rules are being followed," he said. "That's really not in our jurisdiction to oversee it or comment on."

Wing Lam, a member of the CSWA, worked as a garment worker in Manhattan's Chinatown for more than 30 years. Now retired and living through the help of her children, Lam served dim sum in a restaurant during the days and sewed zippers onto skirts and pants in a factory in the evenings — sometimes for as low as \$3 an hour throughout the 2000s.

Lam said that she and some of her co-workers tried to bring up their work conditions at 446 Garment Factory on Broadway with UNITE but did not receive any support for the lawsuit. Instead, the workers gathered by the factory's gate and blocked its entrance on their own for two days. 446 Factory closed down shortly after they tried to take action.

"The workers sat in the union for two days and the union said 'we'll help you' but then the factory closed and we didn't get any help to sue them," she said, with the help of an interpreter.

Over the last decade, members of the CSWA and NMASS have run the "Ain't I A Woman?" campaign in the spring of each year to draw attention to garment workers and women in other low-wage industries in the city. Now, most garment workers are no

longer concentrated around Chinatown — and the campaign has trailed off in recent years.

Mar, who first started participating in this campaign against poor work conditions in the city as a college student in the 1990s, said that most New York residents would be shocked to learn that there are still clothes being produced a few blocks away from Times Square.

“Not all the jobs went overseas,” he said, adding that it is the people who remained in the industry from a lack of choice that will be most affected by these ebbs and flows.

Garment worker Luz Elena Narvaez, who operates a sewing machine for Johnny’s Fashion Studio on 35th street, likes being able to continue the same work that her mother and grandmother did back home in Colombia. She earns \$13 an hour and gets frequent breaks in between work.

“There are many factories, still, that generations carry on,” she said during an on-job interview.

But Joann Kim, who took over Johnny’s Fashion Studio from her father, is struggling to find experienced sewers and plans to move the factory to Brooklyn, where she can pay nearly a third of the rent. Given the instability of the work coming in from designers, the \$35-a-square-foot rent in Manhattan is getting too difficult to handle.

“It’s very, very grueling and very challenging because the fashion calendar is not steady and there’s never steady work,” said Kim, who added that balancing wages with rent while still trying to make a profit is a constant challenge.

As some factories close or move to other parts of the city, many more manage to survive in the heart of Midtown — often, from cutting corners in pay and work hours. As such, supporting homegrown fashion often also means closing an eye to the work practices that take place in our own backyard.

In recent years, major fashion houses and local nonprofits have started pushing for a revival of Manhattan’s garment industry — often advertised as a way of bringing good manufacturing jobs back to the US. The Council of Fashion Designers of America, an industry trade group that includes famous members such as Diane Von Furstenberg and Rebecca Minkoff, launched its Fashion Manufacturing Initiative to support local clothing factories in 2009. Sunrise Studio, Design Incubator and New York Embroidery Studio have all received grants through the program in the last two years.

Fashion insiders such as Seth Friedermann, who previously advocated for support of the Garment District through Manufacture New York, are also touting the benefits of homegrown fashion. Clothes made locally stand out from their mass-produced counterparts by their craftsmanship and connection to local design houses, he said.

But as various fashion groups such as the CFDA, Manufacture New York and Save the Garment District focus on making sure designers can rely on local sources of production, the difficulties that the workers face often get pushed aside as a given for the industry.

“I think it’s hard, I think it’s physical, I think it’s not pleasant and there’s a very steep learning curve but nobody hustles like a hungry person,” said Friedermann.

In reality, securing a good living as a garment worker is rarely as easy as merely working harder — particularly for workers who have families and a poor knowledge of English. The Garment Industry Day Care Center (GIDC) opened in 1983 to help low-income garment workers with inconsistent schedules and still sees parents who work far beyond the usual 40 hours.

Kitty Wong, who runs the GIDC in Chinatown, said that many of the parents sew for a living because they have few other work options.

“I would be [tired] too,” said Wong.

As easy as it is to think of garment production as something that has left the city long ago, the recent push for locally-produced clothes could cause an uptick in the industry — one that would be great for fashion but bring more of the same problems that occurred throughout its history.

New York could see a resurgence in manufacturing jobs that are more artisanal and local-based, said Elena Volovelsky, a labor analyst at New York’s DOL.

“They’re focusing more on advanced manufacturing, the kind of manufacturing that pays a little more,” said Volovelsky. “It’s going to probably involve a different kind of skills.”

But Michelle Feinberg, who owns New York Embroidery Studio and supervises the factory’s production alongside Weber, already calls her workers artisans. Even if they make minimum wage operating a sewing machine, the workers get to create unique and beautiful pieces, she said.

“Labor’s different in New York,” said Feinberg, comparing the silk flowers and sequined details that will go on designer dresses with the J.C. Penney shirt orders she used to receive while overseeing a mass-producing factory in the 1990s. “My people are still craftspeople.”

And yet Dueñas, who worked on both mass-produced t-shirts and designer dresses before leaving the industry entirely for food catering, believes that sewing in a small factory is grueling work no matter how fashionable the design. As the garment industry adapts to these changes, it is still immigrants like her who continue to make the clothes we tout as homegrown fashion.

“I brought some friends aboard and they didn’t last a day,” she said.