

Lawsuit against fashion designer details sweatshop conditions in New York City garment factories

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A group of immigrant workers has launched a suit against a famous New York fashion house charging it with running clothing sweatshops that forced employees to work long hours and cheated them out of overtime.

The suit was filed in a New York federal court by the Asian American Legal Defense and Education Fund on behalf of five workers, mostly Chinese, and could ultimately embrace some 300 workers who sew apparel for the clothing designer and retailer Donna Karan International.

“Donna Karan has been treating workers like slaves,” charged Sau Kwan Yu of the Chinese Staff and Workers' Association, an organization that helped to bring the exploitation of the garment workers to light. “We want to see a 40-hour workweek and a living wage.”

Donna Karan International has dismissed the suit claiming it is “without merit” and, as is typical for the clothing manufacturers, defended itself by saying it should not “be held responsible for another company's business practices over which we have no control.”

But the suit filed last week aims to prove that the clothing maker had representatives making daily visits to the manufacturing premises of both factories named in the suit and that the prices laid out in the contracts essentially dictated amounts for wages and piecework along with working conditions. Since 1992 workers were compelled to put in 70 to 80 hours per week but were denied overtime pay for hours worked beyond 40.

Feng Jiang, an immigrant from China, described working 11 hours a day Monday through Friday, 10 hours on Saturdays and 8 hours on Sundays. “I was too scared to miss a day because I was worried that if I did,

I would lose my job,” she said. Jiang kept this schedule up for as long as 100 days in a row, while making gowns and dresses for Donna Karan. Her pay was based on piecework, which worked out to less than \$5.15 an hour.

Another worker who put in 80 hours a week reported he received a mere \$130-150. “They had very high expectations for us,” he told reporters. “There was a lot of work to be done. There were surveillance cameras to monitor key areas.”

In 1998 one of the factories was visited by a New York State Department of Labor inspector. In order to continue operations the sweatshop kept two sets of books, one real and one fictional. Many workers were paid \$8.50 an hour but would be denied overtime pay. Checks were written out for 40 hours at straight time while hours over 40 would be compensated at the \$8.50 rate and paid on the side in cash. Several weeks ago workers at Jen Chu, one of the factories, protested against the denial of overtime. The company responded by shutting down its operations and putting the workers out in the street. The Asian American Legal Defense and Education Fund estimates that each of the 300 workers in the suit is owed at least \$10,000 in overtime pay.

As a further defense against sweatshop charges, Donna Karan has pointed to the fact that workers at the Jen Chu factory, before it was shut down, were unionized. Indeed, Local 89-22-1 of the Union of Needletrades, Industrial and Textile Employees (UNITE) represented workers there. When the local was asked about overtime violations it responded that since workers had not filed grievances, it was unaware of the problem. The Chinese Staff and Workers'

Association charges that the union is negligent in the defense of the garment workers' rights.

Charges of using sweatshop labor are not new to Donna Karan. Last October the company, along with five other clothing manufacturers, agreed to settle a lawsuit over sweatshop conditions in factories on Saipan, one of the islands in the Mariana chain and a US protectorate since World War II.



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