



Assemblywoman Nily Rozic

FOR IMMEDIATE RELEASE:

October 23, 2017

Meagan Molina, 718-820-0241

Rozic Announces Legislation to Protect Models from Sexual Harassment

New York, NY – Today, Assemblywoman Nily Rozic (D, WF-Fresh Meadows) announced the introduction of legislation that would provide models with protections against sexual and other forms of harassment in the industry. The bill, referred to as the “Models’ Harassment Protection Act,” follows months of research and coordination with the Model Alliance, a research and policy organization that advocates for labor rights for models and other workers in the fashion industry.

“If there is anything we are learning from over the past few weeks is that we have reached a turning point whether to accept sexual harassment as a norm, or end the cycle by enacting protections and providing a path of recourse,” said Rozic. “No one should ever experience sexual harassment in or outside of the workplace.”

“Models lack basic rights and protections as workers, including protection against sexual harassment,” said Sara Ziff, a model and the founder and executive director of the Model Alliance. “For years, other models and I have spoken out about systemic sexual harassment and abuse on the job – and yet, powerful individuals have tried to silence us and tacitly given approval that this behavior is okay. Sexual harassment is not okay and should not be tolerated by models, nor should it be tolerated by our industry.”

Critical to the bill is establishing that the provisions apply to models regardless of their status as employees or independent contractors. In the United States, fashion models are generally considered as independent contractors, excluding them from protections against harassment and discrimination afforded to employees under state law. The inconsistencies in classification in addition to the way modeling agencies have been able to skirt around state law and regulations have cultivated a workplace environment that lacks accountability.

Though modeling agencies in New York State are licensed alongside other employment agencies under the general business law, it is common practice for agencies to claim that they instead serve as management companies. This allows modeling agencies, which call themselves model management companies, to exploit the “incidental booking” exception clause under New York’s employment agency laws, which provides that their efforts in securing modeling work for models is merely incidental to their provision of career management. As a result, agencies that claim to be management companies have escaped licensing requirements, avoided caps on commissions, and accountability to the models whose interests they represent.

The bill would address loopholes in current law by making it an unlawful discriminatory practice for a modeling entity, whether it be a management agency or company, to subject a model to harassment, regardless of their status as an independent contractor or employee. Harassment includes but is not limited to unwelcome sexual advances, requests for sexual favors, and harassment based on age, race, national origin, color, sexual orientation, sex, and disability.

“Models, especially the younger ones, are particularly vulnerable to sexual predators and abuse of power within the fashion industry. Models, like actresses, are often shamed into silence or expected not to complain when conditions at work make them uncomfortable. Thanks to the Model Alliance, at least we are beginning to take action to give models basic protections they deserve, and hold accountable those who abuse, harass and demean these young girls,” said Karen Elson, supermodel and Model Alliance advisory board member.

“How can a model stand against an abusive photographer, stylist, or casting director when people in the industry have built a wall of protection around predators and are willing to look the other way to protect their own interests, regardless of the well-being of the model or the industry as a whole? Through the Model Alliance, the young men and women who have been victims of this rampant abuse of power can learn their rights, file complaints, and rally together to gain the protections they deserve. Models need protection against sexual harassment on the job and they deserve to have a voice to hold the industry accountable when they are expected to remain silent,” said James Scully, casting director and Model Alliance advisory board member.

“Because our work is based on physicality, certain people assume the boundaries with sexuality are blurred and that it gives them the right to abuse their power. I don’t know anyone, man or woman, in our industry who hasn’t experienced sexual harassment at some point in their career. We might work as independent contractors, but we still need legal protections. This is a tipping point in our society across so many industries, and it is time to truly address the elephant in the room,” said Kenza Fourati, top model and Model Alliance advisory board member.

“In every other workplace, there are protections against sexual harassment. I am so proud of the Model Alliance for working to ensure protections in the one industry that needs it most: where models often start young and are required to be adults on camera, where we travel to shoots alone and are often alone on set. Feeling safe is a basic and fundamental requirement for doing our job, for allowing us to explore different versions of ourselves in front of the intimate gaze of a camera lens,” said Dana Drori, model and actor.

“Models are often put on the spot to appear nude without their informed prior consent, they are not always provided adequate changing areas, and sometimes they are pressured to succumb to inappropriate sexual demands by people who control their professional destinies. In some cases, it’s the agents – the very people who are supposed to be looking out for the models’ best interests – who are the harassers or who facilitate meetings with people who abuse their power,” added Ziff. “It’s time to hold people in the industry accountable by turning outrage into policy.”

Rozic added, “This legislation is no different from any other measure that aims to protect the well-being of workers on the job.”

Rozic’s announcement coincides with her recent sponsorship of legislation that would prohibit the use of non-disclosure agreements to conceal cases of sexual harassment following the Harvey Weinstein revelations. Both bills would serve as steps towards challenging the status quo that permeate workplace culture across various industries.

###