

INTER-OFFICE MEMORANDUM

Date: October 12, 1993

To: Thomas Glubiak Office: Apparel Industry Task Force

From: Charles Horwitz *CH* Office: Counsel's - NYC

Re: Garment registration of silk screen shops.

You asked whether Section 340(c) of the Labor Law includes apparel industry contractors or manufacturers who employ production workers to silk screen, print or iron onto garments words, pictures, or designs which enhance the value of these products.

As you know Section 340(c) defines "apparel industry" to mean "the making, cutting, sewing, finishing, assembling, pressing or otherwise producing, by any of the foregoing apparel industry services, any...apparel...designed or intended to be worn by any individual which is to be sold or offered for sale...." [emphasis added].

Webster's Third New Dictionary (1967) defines the term produce to mean "to cause to have existence...or make [something] economically valuable..."

Because silk screening, printing or ironing of words, pictures or designs onto garments changes the nature of these garments and increases their value, we concur with your opinion that such activities involve "producing" apparel items. Accordingly, employers who are engaged in the above mentioned activities may be required to register under Section 341 of the Labor Law.

Please contact me if you have any questions.

CH:al

cc: Richard Polsinello