Insights: Publications

5 Key Takeaways | Styled for Compliance: What the NY Fashion Workers Act Means for Your Brand

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New compliance requirements are now in effect for fashion brands, agencies, and intermediaries. The New York Fashion Workers Act, effective June 19, 2025, introduced significant legal obligations for brands that hire models and creatives — whether directly or through third parties. Kilpatrick's **Sindy Ding-Voorhees** and **Samera Ludwig** recently presented a session, as part of the firm's three-part Fashion Law series, breaking down the Act's core requirements, including agency registration, mandatory contract terms, anti-harassment policies, and AI-related protections. They explored what the Act means for brands and offered practical guidance to prepare legal teams for compliance.

Samera and Sindy's key takeaways from the presentation include:

1. Landmark Legislation Regulating Model Management Companies and Clients Began June 19, 2025
The new Fashion Workers Act regulates Model Management Companies and Clients, providing models and other fashion creatives with transparency in contracts, safer workplaces, and additional protections—closing long-standing gaps that left many workers vulnerable. Noncompliance may result in government investigations, penalties, and potential lawsuits.

2. Registration and Accountability for Management Companies
Model management companies must register with the NY Department of Labor, post a surety bond, and act as fiduciaries for their models. They are required to provide deal memos in advance, obtain written approval for expenses and deductions, and are prohibited from imposing blanket powers of attorney.

3. Client Responsibilities Go Beyond Payment
Clients (including brands, designers, advertising agencies, stylists, and photographers) must ensure safe working environments, provide meal breaks, pay overtime, and maintain liability insurance. They must also confirm that the model management companies they work with are in compliance with the law.

4. Digital Replica & AI Safeguards
The use of a model's likeness in AI-generated or digital replicas requires separate, written consent—distinct from any representation agreement. This is a direct response to rising concerns over unauthorized digital exploitation.

5. Practical Next Step for Brands & Agencies
Audit current contracts and policies now. Ensure agreements cover AI likeness rights, anti-harassment procedures, timely payment, and compliance with registration requirements before December 21, 2025.

For more information, please contact:
Samera Ludwig, sludwig@ktslaw.com or
Sindy Ding-Voorhees, sding-voorhees@ktslaw.com.

Related People



Samera S. Ludwig

t 312.628.7189
sludwig@ktslaw.com



Sindy Ding-Voorhees

t 206.626.7716
sding-voorhees@ktslaw.com