

Changes to Wage Law for the Garment Manufacturing Industry

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On September 27, 2021, the Governor signed [Senate Bill 62](#) (SB 62), which expands the definition of the garment manufacturing industry for purposes of wage claim enforcement to include brand guarantors. A brand guarantor is a person who contracts for the performance of garment manufacturing.

SB 62 specifies that a garment manufacturer, contractor, or brand guarantor who contracts with another person for the purpose of garment manufacturing operations would be jointly and severally liable with any other manufacturer or contract for an employee's full amount of unpaid wages and any other compensation, including interest, attorney's fees, and civil penalties, as specified in the Labor Code if a violation is found. Garment manufacturers and contractors would be liable for the full amount of damages and penalties for any violation, as specified in the Labor Code.

SB 62 also prohibits any employee engaged in the performance of garment manufacturing to be paid by the piece or unit, or by piece rate, except for workplaces covered by a collective bargaining agreement. Employers must pay employees who are engaged in the process of garment manufacturing no less than minimum wage. Garment manufacturers and contractors may be subject to statutory damages per employee for each pay period during which an employee is paid by the piece or unit.

SB 62 will take effect on January 1, 2022.

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