



## **ALL HANDS IN: Creating Just and Sustainable Nail Salons in NY**

### **What's the Nail Salon Minimum Standards Council Act?**

The Nail Salon Minimum Standards Council Act (S8166 - Ramos/A no. forthcoming - Bronson) is a unique and inclusive model for change in an industry that has long struggled with poor and exploitative working conditions. Nail salon workers, who have been organizing for change for many years, are now calling for a more holistic approach that helps to reshape the entire industry, with the voices of both nail salon workers and small business employers in the process. The bill seeks to achieve the long-term sustainability of the nail salon industry where workers' rights are respected, consumer health is protected, and salon owners no longer feel that they have to engage in illegal and exploitative practices to stay in business.

This innovative bill calls for the creation of two bodies that will help to set new standards for the entire industry in New York State:

- 1) A permanent industry council made up of workers, employers, and public representatives who will come together to recommend new minimum workplace standards for nail salons statewide. The key stakeholders of this industry will have a seat at the table and work with the New York State Department of Labor to shape new labor policy for the industry.
- 2) An independent committee of economic experts that will be convened by the Commissioner of Labor to devise a new minimum pricing model for nail services in New York State. This is necessary to address the extremely low prices in the industry that impact the ability of businesses to comply with labor and safety laws and that create unfair competition against responsible businesses.

### **Addressing Poor Working Conditions in New York's Nail Salon Industry is a Racial and Gender Justice Issue**

Nail salon work is overwhelmingly performed by immigrant women of color. Nail technicians (i.e., manicurists and pedicurists) make up the vast majority of New York's nail salon industry workforce, with 85% identifying as women. Among these workers, 73% identify as Asian or Pacific Islander, and 21% identify as Hispanic or Latinx. Despite the implementation of new protections for nail salon workers in the last five years, workers in the industry continue to organize against exploitative and unsafe working conditions.

Wage theft is pervasive and widespread in the industry. In one research study released in 2021, 80% of nail salon worker respondents reported wage theft, with workers losing an average of \$9,400 in wages per year.



Poor working conditions also impact public health and reproductive rights of the workforce, many of whom are single mothers and sole breadwinners for their families. Without proper protective equipment and proper ventilation, workers are exposed to toxic chemicals that have been [linked](#) to miscarriages, birth defects, difficulty conceiving, cancer, asthma, menstrual disorders, and other serious health issues. Unsafe working conditions also impact owners who work/spend all day in the salon.

### **Sustainable Nail Salons Strengthen NY's Economy**

New York State is home to an estimated 5,700 nail salons. NYC's five boroughs have the highest number of nail salon workers and nail salon establishments in the state. Over half of all nail salons in New York State are located in NYC and Long Island. Brooklyn, Manhattan and Queens are among the top five counties with the largest number of nail salons in the nation. Outside of the downstate region encompassing NYC, Westchester, and Long Island, upstate cities with the highest concentrations of nail salon workers and businesses include Rochester, Albany, and Newburgh.

The industry presents opportunities for immigrant New Yorkers to become small business owners, but the race to the bottom has made it difficult for responsible businesses to compete and achieve long-term financial stability and sustainability. While the industry is growing rapidly in New York, prices have remained stagnant for years. The average price of a manicure in NYC and Long Island is \$13.71. Research shows that there is a strong correlation between low prices and wage theft. Wage theft not only impacts workers and their families, but also results in decreased spending in the workers' local communities, lost state and local tax revenue, and competitive disadvantage for law-abiding businesses.

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*The New York Healthy Nail Salons Coalition ("NYHNSC") is a coalition created in 2014 to transform the New York nail salon industry into healthy and just workplaces. Since its founding, the coalition has won the Nail Salon Workers' Bill of Rights in 2015, and successfully advocated to eliminate the tipped subminimum wage for nail salon workers in 2019. The coalition (still in formation) includes:*

*Adhikaar \* Asian Pacific American Labor Alliance, AFL-CIO (APALA)\* Mekong NYC \* National Employment Law Project (NELP) \* New York Committee for Occupational Safety and Health (NYCOSH) \* Western NY Committee for Occupational Safety and Health (WNYCOSH) \* Workers United NY/NJ Regional Joint Board*