



## **ISSUE PAPER: Youth labor policies in U.S. Agriculture. May 2010**

The National Council of Agricultural Employers (NCAE) is the ONLY national association focusing exclusively on Agricultural Labor issues from the Agricultural Employer's viewpoint. Over 300 strong, NCAE Members are growers, associations, and others whose business interests revolve around labor intensive agriculture.

The popular media and a recent Human Rights Watch document on children in agriculture paint a false picture of U.S. farm labor. The portrayal of American farms and agribusinesses populated by poorly paid underage workers toiling in dangerous unhealthy conditions while being forced to forgo the opportunity to participate in the American dream of education and social/economic advancement is simply false. These allegations are not reflective of conditions in modern American agriculture. Standard practice on American farms when underage minors apply for jobs, or are brought into the fields by their parents is to keep them out of the workplace. In most states, agricultural employers must get proof of age, parental permission and school authorization (during the school year) before they hire minors. NCAE has a model workplace policy prohibiting unauthorized/underage children in the workplace for our members to use on their farms. A major reason that parents bring children to the fields is the lack of day care available in their locations and open at the times which accommodate farm work schedules. This is an issue that needs a solution, but is not unique to agriculture alone.

We believe that youth should only work in safe situations and tasks, unexposed to hazards or situations that would subject them to undue risk of injury or long-term health risks. We believe that teenagers can work in agriculture or other businesses, in a way that provides safe conditions and appropriate hours. We understand that teenagers differ from adults in many respects, and that businesses that employ teenagers must supervise them differently from adults, to that end we support the work of the National Children's Center for Rural and Agricultural Health and Safety, and the National Farm Medicine Center.

Some agricultural operations are hazardous and special protections must be mandated and implemented to protect youth and untrained workers from specific jobs, locations, and practices. This does not mean wholesale bans on participation of youth, less trained, or less able workers from agricultural work. With proper training, adequate supervision, and consistent enforcement of work rules, farm work, can provide safe and valuable introductory work experiences, and important income opportunities, for youth. In many cases, farm work may be the only introductory employment opportunities available for rural youth. With fewer and fewer people directly engaged in agriculture, an early employment experience is increasingly a motivation for

young people to enter college programs in farming, food processing, food marketing, landscaping, horticulture, and other agricultural disciplines so important to the future and well-being of the American people. Positive early work experiences, hands-on vocational educational training opportunities, and robust post-secondary education programs in agriculture/agribusiness are critical to the future of American agriculture and continuation of our abundant, diverse, safe, and economical food supply.

Additional legislation or regulatory authority is not needed. The abuses held up as examples are illegal and improper under current law and should be fully prosecuted. Congress must adequately fund the Department of Labor to assure that current laws and regulations are obeyed in order to prevent, or stop, employment abuses in all industries.

NCAE and our industry support legal and responsible employment of youth. We believe all children should attend school. If teenagers work, their work should not interfere with their education or their safety. NCAE strongly supports agricultural occupational work experience opportunities for youth through approved education and training programs such as Vocational Agriculture, Occupational Work Experience, and others.

General positioning:

- NCAE opposes employment of children less than 12 years of age in agriculture (except farm-owners children.) Current laws and regulations should be strictly enforced.
- NCAE supports limited employment opportunity for 12 to 13 year old youth with daily work hour limits, start and stop times, restrictions to non-hazardous work only; including specific protections relative to livestock, machinery, and crop protection products, written parental consent, and assurances that schooling is not disrupted.
- NCAE supports limited employment opportunity for 14 to 15 year old youth with daily work hour limits and workplace hazard restrictions which can be expanded for those enrolled in approved technical or vocational programs such as FFA in which instruction in the use of power equipment is provided, tested, and certified; in addition to written parental consent, and assurances that schooling is not disrupted.
- NCAE supports employment of 16 to 18 year old youth in agriculture with parental permission, certified safety training and strict supervision for power equipment operation; and strict adherence to federal and state youth employment laws and regulations as well as educational policies.

We welcome the opportunity to engage in dialogue on the topic of child labor. In return, we expect allegations to be factual and current so that appropriate follow-up can be conducted.

NCAE members are farmers, packers, and labor providers who are personally and directly involved in agricultural employment issues across the United States. We can readily arrange for individual members to phone, write, or visit legislators and regulators to personally express their views and to discuss their needs and suggested solutions for this important issue.