

Congress of the United States
House of Representatives
Washington, DC 20515

December 18, 2018

Bryan Jarrett
Acting Administrator
Wage and Hour Division
U.S. Department of Labor
Frances Perkins Building
200 Constitution Avenue, NW
Washington, DC 20210

Dear Acting Administrator Jarrett:

More than 75 years after the passage of the Fair Labor Standards Act, which strengthened protections for America's most vulnerable children, serious violations persist for child laborers working on farms in the United States. We request your agency to provide a comprehensive strategy on enforcement to address this problem and provide transparency to the public on your agency's findings related to child labor.

To protect children, the Fair Labor Standards Act (FLSA) and its associated regulations limit the work permitted by minors, generally restricting child employment in non-agricultural work to jobs not deemed hazardous and to children 14 and older. However, in the agricultural sector, labor laws allow work by children as young as 12 years old, as well as hazardous work by children ages 16 and older. Children working in agriculture risk pesticide poisoning, serious injury, and heat illness.


Per our request, the Government Accountability Office (GAO) released a study (GAO-19-26) on child labor in the United States, including the latest statistics and trends regarding children working in agriculture. The report confirms that work in the agriculture sector puts children at great risk. Despite employing a small percentage of working children, the data concludes that the agriculture sector is responsible for over half of the 452 work-related fatalities among children during the duration of the study.

Moreover, the study conducted by GAO revealed that although the agricultural sector surpasses all industries for most work-related fatalities, it ranks just fifth for most Wage and Hour violations. We are therefore concerned that your agency lacks strategic enforcement to ensure there is proper accountability for violations, as logic dictates that the sector responsible for the most deaths by far would also commit the most violations.

Oversight provided by the Department of Labor is necessary to protect the welfare of children in the workforce, especially in the agriculture sector where a disproportionate number of children are being killed. We request a comprehensive strategy to address this gap in enforcement no later than April 2019.

Thank you for attention to this critical matter. We look forward to hearing from you.

Sincerely,


ROSA L. DeLAURO
Member of Congress


LUCILLE ROYBAL-ALLARD
Member of Congress