



CHILD LABOR COALITION

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March __, 2012

The Honorable Hilda L. Solis
Secretary
U.S. Department of Labor
200 Constitution Avenue, NW
Washington, DC 20210

RE: Updates to the Agricultural Hazardous Occupations Orders as Proposed by the Department of Labor

Dear Secretary Solis:

The Child Labor Coalition represents millions of Americans, including teachers, healthcare professionals, workers, farmworkers, farmworker advocates, and human rights activists concerned about the safety, education, and welfare of children who work in agriculture. We understand the needs of our nation's farmworker families and have seen the effects of agricultural work, especially on children. The Coalition, along with the organizations listed below, support the proposed changes to the agricultural hazardous orders and implore the Department to implement the changes as quickly as possible.

As many as 500,000 children and teenagers toil in agriculture, an industry consistently ranked as one of the most dangerous industries in America. Last year, 12 of the 16 children under age 16 who suffered fatal occupational injuries worked in crop production, according to the Bureau of Labor Statistics.

Just this past August, Oklahoma teens Tyler Zander and Bryce Gannon, both 17, each lost a leg in a grain auger accident. We can prevent these tragedies from happening to other children by implementing the proposed updates to the hazardous orders without delay. The rules won't

impair the rural way of life; they simply put the safety and well-being of children above corporate profit.

For agricultural workers 15 to 17, the risk of fatal injury is four times the risk for young workers in other workplaces, according to DOL's Bureau of Labor Statistics. Furthermore, the National Institute of Occupational Safety and Health (NIOSH) reports that between 1995 and 2002, an estimated 907 youth died on American farms, well over 100 per year. Between 1992 and 2000, more than four in 10 work-related fatalities of young workers occurred on farms. Half of the fatalities in agriculture involved youth under age 15.

Agriculture uses more heavy machinery and more dangerous chemicals since the days when the U.S. child labor rules were established, yet there have been no updates to these policies in over 40 years. The DOL's proposed rules will help protect tens of thousands of young workers from life-threatening injuries. In the span of a decade, it will save dozens of lives.

Imperative that Regulations be Adopted without Further Delay

The proposed rules must be adopted as expeditiously as possible. The CLC and undersigned organizations request the DOL's safety rules be adopted within 30 days. The DOL has spent nearly a decade refining the proposed rules and wisely followed the recommendations of NIOSH, producing a body of rules, based upon the evidence of disproportionate injuries and deaths among children performing the tasks outlined in the rules. The proposed update both improves the safety of young workers and passes the common sense tests most average Americans would apply. These health and safety rules for child laborers are reasonable and they will save lives.

As recent months have shown, delaying these rules further at this point will mean that youth working in farm work will be killed and maimed unnecessarily. The updates to the non-agricultural child labor rules took three years to be implemented after they were proposed. Given the extreme dangers posed to children by these types of agricultural work, a delay of this magnitude would have devastating consequences.

The safety of our children needs to be a priority, even over corporate interests. The improved hazardous orders will continue to protect family farms by allowing children to work on their parents' farm without any restriction.

Furthermore, children will still be allowed to perform most types of agricultural work – just not the jobs that have proven to be especially hazardous. The proposed rule would in no way prohibit a child from raising or caring for an animal in a non-employment situation through educational programs, such as Future Farmers of America and 4-H — even if the animal were housed on a working farm — as long as he or she is not “employed” to work with the animal.

We estimate the rules will save 50 to 100 lives of young workers and countless injuries over the next decade. Delaying these common sense protections will certainly result in the needless deaths and permanent disability of numerous young farmworkers.

Sincerely,

Name of Authorized Signator	Title	Organization
Child Labor Coalition (representing 28 groups)		
AFL-CIO		
Agriculture Workers Alliance (Canada)		
American Federation of Teachers		
American Public Health Association		
Americans for Immigrant Justice		
Association of Farmworker Opportunity Programs		
Bon Appétit Management Company		
California Institute for Rural Studies		
California Rural Legal Assistance Foundation		
CATA- The Farmworkers' Support Committee/El Comité del Apoyo a los Trabajadores Agrícolas		
CAUSA		
Centro Camapesino		
CHIRLA: Coalition for Humane Immigrant Rights of Los Angeles		
CITA		
Coalition of Immokalee Workers		
Communications Workers of America		
Eastern Maine Development Corporation		
Equal Justice Center		
FAN—the Farmworker Advocacy Network of North Carolina (representing 20 groups)		
Farmworker Association of Florida		
Farmworker Justice		
Farm Worker Pesticide Project		
First Focus		
Florida Non Profit Housing		
Food Chain Workers Alliance		
Food Forward, Los Angeles		
Greater Rochester Coalition for Immigration Justice (New York)		
International Brotherhood of Teamsters		
Massachusetts Coalition for Occupational Safety and Health		
Migrant Legal Action Program		
HELP – New Mexico		
Healthy Child Healthy World		
Hudson River HealthCare		
Human Rights Watch		
Immigrant Worker Project of Ohio		
Indiana Toxics Action		

International Labor Rights Forum
Kentucky Environmental Foundation
Labor Council for Latin American Advancement (LCLAA)
LULAC
MAFO
Maui Economic Opportunity
Media Voices for Children
Migrant Clinicians Network
Migrant Support Services of Wayne County (New York)
MIRA Coalition (representing 140 groups)
NAACP
National Alliance of Latin American & Caribbean Communities (NALACC)
National Association of State Directors of Migrant Education
National Consumers League
National Council of La Raza
National Center for Farmworker Health
National Farm Worker Ministry
National Migrant and Seasonal Head Start Association
New Jersey Work Environment Council
New Mexico Center on Law and Poverty
NYCOSH (New York Committee for Occupational Safety & Health)
OneAmerica
PathStone
PCUN
Robert F. Kennedy Center for Justice & Human Rights
SEIU
Sin Fronteras Organizing Project
Student Action with Farmworkers
Telamon Corporation
UFW Foundation
La Union del Pueblo Entero (LUPE)
United Farm Workers of America (UFW)
United Food and Commercial Workers Union
United Steelworkers
United Support & Memorial for Workplace Fatalities
Wayne Action for Racial Equality (New York)
West Virginia University Injury Control Research Center
Worker Justice Center of New York
Worksafe