

Fact Sheet: US Legislation to Address Child Labor

Children's Act for Responsible Employment (CARE):

The CARE Act would amend the Fair Labor Standards Act to apply the same age and hour requirements to children working in agriculture as for children working in other occupations.

Currently, under the Fair Labor Standards Act, any agricultural employer can hire children ages 12 and 13 to work unlimited hours, outside of school with parental permission. On small farms, there is no minimum age for children who work outside of school hours with their parents' consent. In contrast, employers outside of agriculture are prohibited from hiring children below age 14, and can employ 14- and 15-year-olds for no more than 18 hours in a school week, and not more than 40 in a non-school week.

The CARE Act, which is being reintroduced by Congresswoman Lucille Roybal-Allard (D-CA) would also:

- increase the maximum civil monetary penalties for child labor violations from \$11,000 to \$15,000. It would also raise the maximum penalty to \$50,000 and impose a criminal penalty of up to 5 years imprisonment for willful or repeat violations that lead to the death or serious injury of a child worker.
- codify the labor standards for pesticide exposure to the levels currently enforced by the EPA, which prohibits children under 18 from handling pesticides.
- require data collection on work-related injuries, illness, and deaths of children under age 18 in agriculture, as well as an annual report by the Secretary of Labor on child labor in the US

For HRW's research on child labor in US agriculture:

<https://www.hrw.org/news/2010/05/05/us-child-farmworkers-dangerous-lives>

Children Don't Belong in Tobacco Fields Act:

The Children Don't Belong in Tobacco Fields Act would amend the Fair Labor Standards Act to prohibit children under the age of 18 from coming into direct contact with tobacco plants or dried tobacco leaves. The Act is being re-introduced into the 116th Congress by Congressman David Cicilline (D-RI) and Senator Richard Durbin (D-IL).

Currently, the US has no special regulations or provisions to protect children working in tobacco fields from acute nicotine poisoning, also known as Green Tobacco Sickness, an occupational health risk specific to tobacco farming. Acute nicotine poisoning occurs when workers absorb nicotine through their skin while having contact with tobacco plants. The most common symptoms include dizziness, headaches, nausea, and vomiting.

For HRW's research on child labor in US tobacco farming:

<https://www.hrw.org/news/2014/05/14/us-child-workers-danger-tobacco-farms#>