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September 13, 2023

The Honorable Virginia Foxx
Chair
Committee on Education and the Workforce
U.S. House of Representatives
Washington, D.C. 20515

Dear Chair Foxx:

We write to reiterate our request that you schedule a hearing to examine the illegal employment of children in unsafe conditions in violation of both the *Fair Labor Standards Act* (FLSA) and the *Occupational Safety and Health Act* (OSH Act).¹

Since we sent our letter on June 6, the evidence has mounted of the need for oversight by this Committee. Just two days after our letter, a Missouri 16-year-old boy died at work, in the first of three work-related deaths of 16-year-old boys in a mere five-week span.² Meanwhile, a Scripps News investigation last month found children as young as six working in the North Carolina blueberry fields.³ “We have a copy machine around the corner here in the office, and I can’t bring in a 12-year-old nephew to work on that copy machine,” Child Labor Coalition coordinator Reid Maki told Scripps News, “but that same child can be put on a farm and work 12- or 14-hour days.”⁴ Additionally, at least two states have reported an increase in both state child labor violations and work-related injuries to children.⁵

¹ A copy of the letter can be found on the website of the House Committee on Education and the Workforce Democrats at https://democrats-edworkforce.house.gov/imo/media/doc/scott_adams_letter_to_foxx_re_request_for_child_labor_hearing.pdf.

² Nina Gologowski, *Third Teen Worker Killed In Industrial Accident As States Try To Loosen Child Labor Laws*, HUFF. POST (July 20, 2023), https://www.huffpost.com/entry/teen-poultry-factory-child-worker-deaths_n_64b7ecbce4b0ad7b75f67af7.

³ Patrick Terpstra *et al.*, *Children as Young as 6 Help Harvest Blueberries in America*, SCRIPPS NEWS (July 11, 2023), <https://scrippsnews.com/stories/children-as-young-as-6-help-harvest-blueberries-in-america/>.

⁴ *Id.*

⁵ *Child Labor Violations Continue to Rise in Maine*, MAINE DEP’T OF LAB. (Aug. 9, 2023), https://www.maine.gov/labor/news_events/article.shtml?id=11553225; Maddie White, *Record Number of*

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The U.S. Department of Labor's Wage and Hour Division (WHD) is rising to the challenge with the resources available to it. As of July, the WHD had more than 700 open child labor cases.⁶ Between October 2022 and the middle of July 2023, WHD concluded 765 child labor cases involving almost 4,500 children—a 44% increase in the number of children found in child labor violations for the same period a year before.⁷ WHD assessed more than \$6.6 million in child labor penalties in that period, for an 87% increase over penalties collected for the same period a year before.⁸ One value of a hearing is that the Committee would be enabled to probe whether the WHD could continue enforcing the nation's child labor law at this rate if the agency is subjected to a cut of as much as \$75 million, as proposed in the House Republicans' Fiscal Year 2024 Labor, Health and Human Services, Education, and Related Agencies funding bill.

Additionally, a hearing would help Committee Members learn more about state efforts to weaken child labor laws. At least 14 states have proposed or enacted laws in the last two years to weaken child labor protections,⁹ and at least 7 states have passed laws specifically lowering the age at which child workers are allowed to serve alcohol.¹⁰ As states weaken their laws, they not only will put children at increased risk but also will effectively shift even more of the burden of protecting children onto WHD at a time when some in Congress are proposing radical budget cuts to that agency.

This Committee cannot ignore this crisis. Committee members have a responsibility to explore the scope of the child labor problem and proposed legislation that has been referred to our Committee that would help address it.

Sincerely,



ROBERT C. "BOBBY" SCOTT
Ranking Member



ALMA S ADAMS
Ranking Member
Subcommittee on Workforce Protections

Businesses in Washington Cited for Child Labor Violations in 2022, KING5 (July 3, 2023), <https://www.king5.com/article/money/business/businesses-washington-child-labor-violations-2022/281-cd321f5a-4e65-47e9-95d4-3c47aae07a92>.

⁶ *Department of Labor, Interagency Task Force Announce Recent Actions to Combat Exploitative Child Labor With New Partnerships, Innovative Tactics, Ramped Up Enforcement*, U.S. DEP'T OF LAB. (July 27, 2023), <https://www.dol.gov/newsroom/releases/osec/osec20230727>.

⁷ *Id.*

⁸ *Id.*

⁹ Jennifer Sherer & Nina Mast, *Iowa Governor Signs One of the Most Dangerous Rollbacks of Child Labor Laws in the Country*, ECON. POL. INST. (May 31, 2023), <https://www.epi.org/blog/iowa-governor-signs-one-of-the-most-dangerous-rollbacks-of-child-labor-laws-in-the-country-14-states-have-now-introduced-bills-putting-children-at-risk/>; Jennifer Sherer & Nina Mast, *Child Labor Laws Are Under Attack in States Across the Country*, ECON. POL. INST. (mar. 14, 2023), <https://www.epi.org/publication/child-labor-laws-under-attack/>.

¹⁰ Nina Mast, *States Across the Country Are Quietly Lowering the Alcohol Service Age*, ECON. POL. INST. (July 20, 2023), <https://www.epi.org/blog/alcohol-service-age/>.