

Child labor laws are under attack in states across the country

Amid increasing child labor violations, lawmakers must act to strengthen standards

Report • By [Jennifer Sherer](#) and [Nina Mast](#) • March 14, 2023

What this report finds: States across the country are attempting to weaken child labor protections, just as violations of these standards are rising. This report identifies bills weakening child labor standards in 10 states that have been introduced or passed in the past two years alone. It provides background on child labor standards and the coordinated push to weaken them, discusses the context in which these laws are being changed, and explains the connection between child labor and the United States' broken immigration system. It also provides data showing that declines in labor force participation among young adults reflect decisions to obtain more education in order to increase their long-term employability and earnings, and that nearly all youth currently seeking work report being able to find it.

Why it matters: Federal laws providing minimum protections for child labor were enacted nearly a century ago, leading many to assume that children working in grueling and/or dangerous jobs was a thing of the past. In fact, violations of child labor laws are on the rise, as are attempts by state lawmakers to weaken the standards that protect children in the workplace.

What lawmakers can do about it: This report provides policy recommendations for lawmakers at both the federal and state levels. At the federal level, Congress should heed calls to increase penalties for child labor violations and address chronic underfunding of agencies that enforce labor standards, eliminate occupational carve-outs that allow for weaker standards in agricultural employment, pass the Protecting the

SECTIONS

1. Across the country, both violations of child labor laws and proposals to roll back protections are on the rise • [3](#)
 2. Industry groups are pushing state legislatures to weaken child labor protections • [5](#)
 3. Weakened state child labor protections contradict federal standards—and they're intended to • [8](#)
 4. Declines in youth labor force
-

Right to Organize (PRO) Act, and implement immigration reforms that curb the exploitation of unauthorized immigrants and unaccompanied migrant youth. At the state level, lawmakers should eliminate subminimum wages for youth and raise the minimum wage, eliminate the two-tiered system that fails to protect children from hazardous or excessive work in agriculture, strengthen labor standards enforcement, and empower young people to build and strengthen unions.

participation reflect the growing importance of education for career success • 10

5. Policy recommendations • 11

At a time when serious child labor violations are on the rise in hazardous meatpacking and manufacturing jobs, several state legislatures are weakening—or threatening to weaken—child labor protections. The trend reflects a coordinated multi-industry push to expand employer access to low-wage labor and weaken state child labor laws in ways that contradict federal protections, in pursuit of longer-term industry-backed goals to rewrite federal child labor laws and other worker protections for the whole country. Children of families in poverty, and especially Black, brown, and immigrant youth, stand to suffer the most harm from such changes.

Notes • 14

References • 15

Summary of findings

- Both violations of child labor laws and proposals to roll back child labor protections are on the rise across the country. The number of minors employed in violation of child labor laws increased 37% in the last year and at least 10 states introduced or passed laws rolling back child labor protections in the past two years.
- Attempts to weaken state-level child labor standards are part of a coordinated campaign backed by industry groups intent on eventually diluting federal standards that cover the whole country.
- Youth labor force participation declines over the past 20 years reflect that a steadily growing share of young people are choosing to complete high school and obtain additional education in order to increase their long-term employability and earnings. Putting off work in order to obtain more skills and education is a positive trend—for both individuals and the economy—not one that should be slowed or reversed.
- State and federal lawmakers must act to protect and advance the rights of workers of all ages and backgrounds while protecting poor and/or immigrant youth from exploitation. Policy recommendations include raising the minimum wage (and eliminating subminimum wages for youth), ending the two-tiered system of standards for agricultural and nonagricultural work, enforcing wage and hour laws, passing key immigration reforms, and supporting workers' right to organize and form unions.

Across the country, both violations of child labor laws and proposals to roll back protections are on the rise

In February 2023 the U.S. Department of Labor (DOL) issued new findings on an ongoing investigation of Packers Sanitation Services, Inc. (PSSI) for illegally employing over 100 children between the ages of 13 and 17 in hazardous occupations at 13 meatpacking facilities owned by JBS, Cargill, Tyson, and others (DOL 2023). These children worked illegally on overnight shifts cleaning razor-sharp saws and other high-risk equipment on slaughterhouse kill floors. At least three of them suffered injuries, including burns from caustic cleaning chemicals. The Department of Homeland Security has announced a parallel investigation into whether these young workers, many of whom may be unaccompanied migrant children, were connected to illegal employment by traffickers who profited from their labor (Strickler and Ainsley 2023).

Multiple factories in Hyundai-Kia's supply chain in Alabama are also under DOL investigation for employing children as young as 14 (DOL 2022a). Many of these children are from Guatemalan migrant families. Like meatpacking plants across the Midwest, "many of the Alabama [auto] plants relied on staffing firms to recruit low-wage assembly line workers" (Schneyer, Rosenberg, and Cooke 2023).

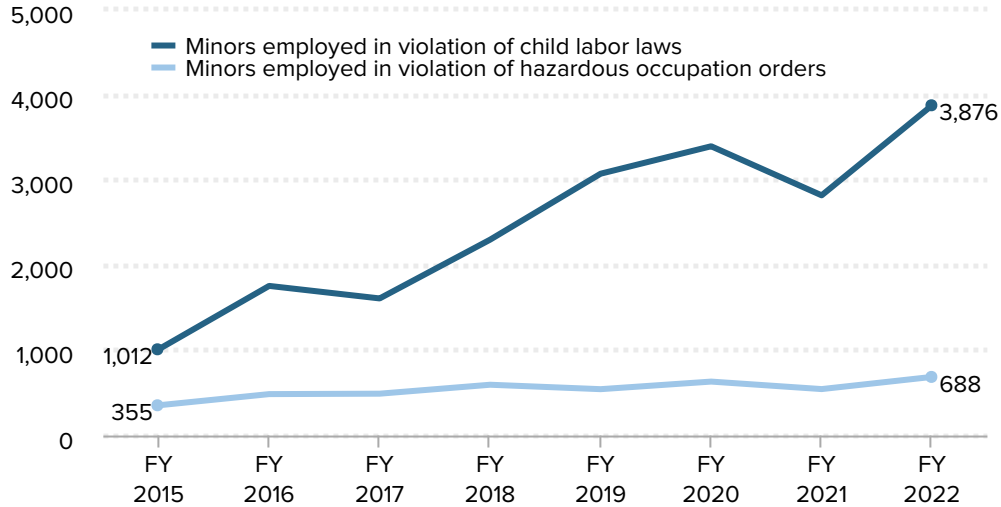
Violations uncovered in recent federal enforcement actions are not isolated mistakes of ill-informed individual employers. PSSI, one of the country's largest food sanitation services companies, is owned by the Blackstone Group, the world's largest private equity firm (PESP 2022). DOL investigators found PSSI's use of child labor to be "systemic" across eight states, "clearly [indicating] a corporate-wide failure." DOL (2023) reports that "the adults—who had recruited, hired, and supervised these children—tried to derail our efforts to investigate their employment practices."

Recent DOL cases and media reports make clear that unaccompanied migrant youth left in limbo by a broken U.S. immigration system have become particularly vulnerable to exploitation by employers and networks of labor brokers and staffing agencies who recruit workers on their behalf. Nearly 130,000 unaccompanied migrant children arrived at the U.S. border in 2022 alone, many fleeing poverty and violence (Dreier and Luce 2023). Many are eligible for asylum protection but have ended up among the 1.6 million people caught up in a record-high backlog of asylum claims awaiting processing or hearing dates, with claims taking years to adjudicate (TRAC 2022). In the meantime, many unaccompanied minors are sent to live with relatives or other sponsors. Both youth and adults awaiting asylum claims processing are ineligible for work permits for many months and cannot access social safety net programs (Workie, Hinkle, and Heredia 2022), leaving them impoverished and desperate to accept work of any kind to pay for necessities like food and rent, as well as repay debts to sponsors or help support family members in their countries of origin. Until federal agencies address the asylum backlog and the

Figure A

Child labor violations are on the rise

Minors employed in violation of child labor laws and hazardous occupation orders, fiscal years 2015–2022



Notes: Minors are workers less than 18 years old. Hazardous occupation orders ban minors from working in **nonagricultural** and **agricultural** occupations the Department of Labor defines as particularly hazardous for minors, or detrimental to their health or well-being.

Source: EPI analysis of Department of Labor (DOL) **child labor violations** data.

Economic Policy Institute

downstream issues it creates, young migrant children will continue to be a pool of potential workers whom employers may exploit, knowing they have no other viable options.

According to DOL, the number of minors employed in violation of child labor laws in fiscal year 2022 increased 37% over FY2021 and 283% over FY2015 (**Figure A**). The number of minors employed in violation of hazardous occupation orders increased 26% over FY2021 and 94% over FY2015 (DOL WHD 2022). In the six months prior to March 2023, DOL reported findings from 14 separate investigations into child labor violations. As of February 2023, it was investigating over 600 child labor cases (DOL OSEC 2023). These numbers represent just a tiny fraction of violations, most of which go unreported and uninvestigated.

The Biden administration recently announced plans to target additional enforcement toward companies illegally employing migrant youth in hazardous jobs (Rainey 2023). Proposed steps include the formation of a new interagency task force on the exploitation of child labor made up of representatives from DOL and the Department of Health and Human Services, the launching of a new DOL enforcement initiative, and an appeal to Congress to increase employer penalties for child labor law violations.

Industry groups are pushing state legislatures to weaken child labor protections

While federal agencies are ramping up enforcement of child labor protections in response to increasing violations (DOL 2022b), industry groups are working to roll back child labor protections via state legislation.

Already in 2023, eight bills to weaken child labor protections have been introduced in six Midwestern states (Iowa, Minnesota, Missouri, Nebraska, Ohio, and South Dakota) and in Arkansas, where a bill repealing restrictions on work for 14- and 15-year-olds has now been signed into law. One bill introduced in Minnesota would allow 16- and 17-year-olds to work on construction sites.¹ Ten states have introduced, considered, or passed legislation rolling back protections for young workers in just the past two years (**Table 1**).

Iowa's proposed bill has generated national headlines for being particularly extreme (Sainato 2023). As introduced, the bill proposed lifting restrictions on hazardous work to allow children as young as 14 to work in meat coolers and industrial laundries, teens as young as 15 to work on assembly lines, and 16- and 17-year-olds to serve alcohol, among a long list of changes. The bill seeks to create special permits that would allow 14.5-year-olds to drive themselves up to 50 miles to and from work between 5:00 a.m. and 10:00 p.m. and state authorities to waive restrictions to allow teenagers 14–17 to perform various forms of hazardous work if approved as part of a “work-based learning program.”² Other deeply disturbing proposals in the bill include removing rules that bar parents from making false statements (such as misreporting a child's age) in order to procure employment that violates child labor law; eliminating the labor commissioner's authority to require work permits for children in some occupations; granting new discretion for the state to waive, reduce, or delay civil penalties if an employer violates child labor laws; and providing employer immunity from legal claims arising from the injury, illness, or death of a child while engaged in a “work-based learning program.” Last year, Iowa enacted a law that allows 16- and 17-year-olds to care for school-age children in child care centers without supervision.³

In Arkansas, Governor Sarah Huckabee Sanders has signed into law a 2023 bill repealing restrictions on work for 14- and 15-year-olds. Under the new law, children under 16 will no longer need to provide an employment certificate from the Division of Labor that verifies proof of their age and parental consent to work.⁴ A spokesperson for Sanders called parental permission requirements for children to work an “arbitrary burden” (Picchi 2023). Removing requirements to provide proof of age or permission to work can, however, easily facilitate the exploitation of migrant youth while giving cover to adults who connect them with illegal employment.

And, in Ohio, Republican lawmakers in the Senate passed a bill proposing that 14- and

Table 1

In the past two years, at least 10 states have introduced or passed laws rolling back child labor protections

State child labor legislation activity, 2021–2023

Bill	Bill details	Status	Year	Industry supporters
Arkansas				
HB 1410	Eliminates age verification and parent/guardian permission requirements	Enacted	2023	
Iowa				
SF 167	Lifts restrictions on hazardous work; lowers age for alcohol service; extends work hours; grants employer immunity from civil liability for workplace injuries, illness, death	Introduced	2023	Americans for Prosperity; Home Builders Association of Iowa; Iowa National Federation of Independent Business (NFIB); Iowa Farm Equipment Dealers Association; Iowa Association of Business and Industry (ABI); Iowa Hotel and Lodging Association; Iowa Restaurant Association
HF 2198	Lowers minimum age of child care workers; reduces staff-to-child ratios	Enacted	2022	Dubuque Area Chamber of Commerce
Minnesota				
SF 375	Lifts restrictions on hazardous work	Introduced	2023	BATC–Housing First Minnesota lobbied to allow 16- and 17-year-olds to work in construction in 2019
SF 1102	Extends work hours	Introduced	2023	
Missouri				
HB 960	Extends work hours	Introduced; postponed	2023	
Nebraska				
LB 15	Subminimum wage for youth	Introduced	2023	Nebraska Chamber of Commerce and Industry; Nebraska Grocery Industry Association
New Hampshire				
SB 345	Lowers age to bus tables where alcohol is served; extends work hours	Enacted	2022	New Hampshire Lodging and Restaurant Association; New Hampshire Liquor Commission
New Jersey				
A4222	Extends work hours; increases time before break	Enacted	2022	New Jersey Chamber of Commerce; New Jersey Business and Industry Association

Table 1
(cont.)

Bill	Bill details	Status	Year	Industry supporters
Ohio				
SB 30	Extends work hours	Passed in the Senate	2023	Americans for Prosperity; Pickerington Area Chamber of Commerce; Ohio NFIB; Ohio Restaurant Association
South Dakota				
HB 1180	Extends work hours	Introduced; withdrawn	2023	
Wisconsin				
SB 332	Extends work hours	Passed in the House and Senate; vetoed by the governor	2021–2022	Wisconsin Grocers Association; Wisconsin Independent Businesses, Inc.; Wisconsin NFIB; Association of Wisconsin Tourism Attractions; Wisconsin Hotel and Lodging Association

Source: EPI analysis of state legislative activity and news related to child labor legislation.

Economic Policy Institute

15-year-olds be able to work until 9:00 p.m. during the school year.⁵ The Ohio Restaurant Association, the National Federation of Independent Business, and the Pickerington Area Chamber of Commerce testified in support of the bill (Buchanan 2023). The bill was first introduced in 2021, when it passed the Ohio Senate but was not put to a vote in the House.⁶

In the past two years, several states have proposed or enacted laws extending the hours 14- and 15-year-olds can work. Both New Jersey and New Hampshire passed such laws in 2022. The New Hampshire law lowered the age for minors to bus tables where alcohol is served from 15 to 14, increased the number of hours per week 16- and 17-year-olds can work, and repealed a provision that limited the number of night shifts these teens can work per week.⁷ The New Jersey law increased the number of hours teens can work during the summer months to 40 a week for 14- and 15-year-olds and 50 (more than full time) for 16- and 17-year-olds. It also increased the number of hours minors can work before a break from five to six.⁸ In Wisconsin, a 2021 bill to extend work hours for minors was passed by both chambers of the legislature before being vetoed by Governor Evers in 2022.⁹

Across the country, the primary proponents of these laws are business groups and their state affiliates, particularly the National Federation of Independent Business, the Chamber of Commerce, and the National Restaurant Association (Lazare 2022). Hotel, lodging, and tourism associations, grocery industry associations, home builders, and Americans for Prosperity—a billionaire-funded right-wing dark money group—have also supported bills in various states (see **Table 2**).

In Nebraska, lawmakers have introduced a bill to pay two groups of young workers below the state’s current minimum wage.¹⁰ In 2022, Nebraska voters approved a ballot measure to increase the minimum wage to \$15 by 2026, starting with an increase from \$9 to \$10.50 in January 2023 (Mast, Woods, and Sherer 2022). In direct opposition to this change, the bill proposes that 14- to 17-year-olds be paid only \$9, with a gradual increase to \$10 by 2026. The bill also proposes paying “training wages” to 18- and 19-year-olds of \$9.25 an

hour, increasing to \$10 by 2026 and then remaining at 75% of the minimum wage thereafter. In defense of his proposal to pay young workers a subminimum wage, State Senator Tom Briese (R-Albion) stated that “we shouldn’t be making it harder for employers to hire young folks” (Stoddard 2023).

Enforcing labor standards that mandate fair and efficient wages do not “make it hard to hire young folks” or anyone else. A minimum wage that was too high and hence constraining job growth would suppress employer demand for workers while boosting their supply. The growing gap between reduced demand and increased supply would show up as an increase in unemployment rates for the affected group. Yet the unemployment rate for 16- to 24-year-olds currently sits at a rate (8.0%) that matches pre-COVID lows of 2019, when the unemployment rate for young workers was lower than it had been since the 1950s (BLS CPS 2023). Employers seem uncomfortable with the reality that they must pay higher wages to attract workers in a tight labor market—yet this is exactly the way markets are supposed to work.

Weakened state child labor protections contradict federal standards—and they’re intended to

Newly weakened state laws fly in the face of decades of research documenting that excessive work hours can jeopardize teens’ health and development (Monahan, Lee, and Steinberg 2011) and that youth are developmentally and biologically more vulnerable to workplace injuries (NIOSH 2022) and long-term harms from chemical exposures and other workplace hazards (Graczyk and Riediker 2019) than older adults. They also jeopardize the futures of young people, as young adults who drop out of school to work have the lowest earnings and highest unemployment rates of all workers (BLS 2022a).

Many proposed changes to state child labor laws also directly contradict federal standards designed to protect youth from well-documented dangers. The Fair Labor Standards Act (FLSA) sets a floor on wages, hours, and child labor standards; state laws can provide more protection than federal statutes mandate, but they cannot provide less. Where state standards are weaker than those provided in FLSA, federal law preempts the state standard.

Federal law includes a youth subminimum “training” wage for teens at the start of jobs and a two-tiered system of far weaker protections for youth working in agriculture. These substandard wages and protections in agriculture especially disadvantage low-income and migrant youth who are compelled to work by economic desperation (**Table 2**).

Generally, workers are covered by the FLSA if their work engages them in interstate commerce or if they work for a private business with annual sales of at least \$500,000 or a hospital, health care facility, school, or public entity (DOL WHD 2009). Weaker state standards on work hours, wages, or protections from hazardous work thus legally apply

Table 2

Federal law sets minimum standards for child labor in agricultural and nonagricultural employment

Law	Nonagricultural employment	Agricultural employment
Minimum age for “nonhazardous” employment	14 with exceptions for delivering newspapers; performing in radio, television, movie, or theatrical productions; and performing nonhazardous work for parents in a family business	10 with parental consent on farms not covered by the minimum wage requirements of the Fair Labor Standards Act 12 with parental consent 14 with no restrictions on nonhazardous work
Minimum age for hazardous employment	18	16
Maximum hours of employment for youth under 16	No work during school hours When school is in session: max 3 hours/day on a school day, max 8 hours/day on a nonschool day, max 18 hours/week	Federal law does not limit the number of hours or times of day, other than outside of school hours, that youth can work in agriculture
Minimum hourly wage and overtime	Adult minimum: \$7.25 per hour “Youth” minimum: \$4.25 per hour for employees under 20 years of age during their first 90 consecutive calendar days of employment Overtime for all workers: 1.5 times regular hourly wage after 40 hours/week	Many agricultural employers are exempt from federal minimum wage requirements Agricultural employers are exempt from federal overtime requirements

Source: EPI summary of U.S. Department of Labor [Child Labor Bulletins](#) No. 101 and No. 102.

Economic Policy Institute

only to the small subset of employment situations not covered by the FLSA.

Sixteen states already have weaker standards on youth work hours than those in the FLSA. They permit youth working for non-FLSA-covered employers to start work earlier, end work later, and work additional hours per day or week (DOL WHD 2023). Many state legislators seeking to remove prohibitions on hazardous forms of work or allow youth to work extended hours have been clear that they understand that these weaker standards would conflict with FLSA rules (remaining applicable only in non-FLSA-covered employment contexts)—and that such conflict is part of the point. Industry lobbyists backing state child labor law changes appear to view state-by-state erosion of protections as a way to build pressure for eventual relaxation or elimination of federal wage and hour standards for the whole country, legalizing forms of child labor long considered to be hazardous or exploitative and expanding the pool of low-wage labor available to

employers in industries ranging from restaurants and retail to construction, logistics, and manufacturing.

Lawmakers in Ohio, for example, accompanied their 2022 proposal to extend hours for youth work covered under state law with concurrent resolutions calling on Congress to “change [the] Fair Labor Standards Act re: minors,” bringing federal standards in line with the looser rules proposed for Ohio.¹¹ Last year, South Dakota’s lone member of Congress, Dusty Johnson, introduced a bill to lift limits on work hours for teens 14 and 15.¹² The bill would extend work hours to 9:00 p.m. and increase the number of workable hours to 24 per school week for young workers nationwide. The South Dakota Retailers Association, the National Restaurant Association, and the National Fireworks Association supported the bill (Johnson 2022).

Creating additional discrepancies between state and federal labor standards (which already involve a complex patchwork of rules and coverage guidelines within and across states) also makes it more difficult for workers to understand their rights and for employers to understand their legal obligations, increasing the likelihood that some employers will inadvertently violate federal prohibitions against employment of minors by following state guidelines that are inconsistent with FLSA requirements.

Declines in youth labor force participation reflect the growing importance of education for career success

Industry lobbyists backing changes to child labor law have recently cited the 56% labor force participation rate among 16- to 24-year-olds as “awful low” (Bogage 2023). Let’s pretend for a moment that these lobbyists are truly concerned with the career trajectories of young people, and not merely the inconvenience that higher-wage jobs pose for the interests they represent. Referring to a 56% labor force participation rate among young people as “low” ignores macroeconomic trends, demographic changes in the workforce, and rational choices made by youth and their families about when and how much teens and young adults can or should work as opposed to attending school or engaging in other activities that support learning and development. It also begs the question: Do we really want most children and young adults working in the labor market most of the time, or do we want them to make long-run investments in education and training?

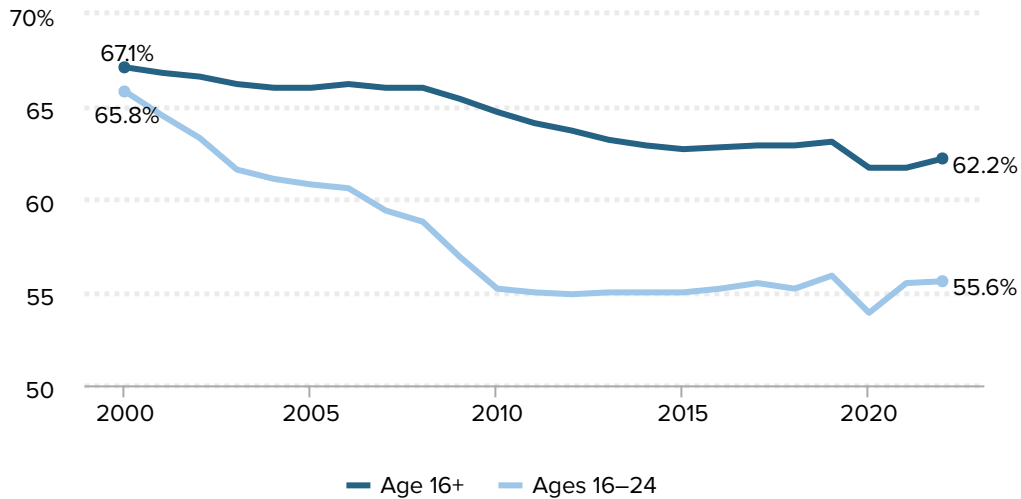
The labor force participation rate among people 16–24 has largely recovered to 2019 rates, following the COVID-19 pandemic recession, outpacing the recovery of overall labor force participation (**Figure B**). Declines over the last two decades reflect the fact that a larger share of young adults are in school today.

Between 2001 and 2021, the share of 16- to 24-year-olds not working has increased 16.5 percentage points, while the share of this group who reported not working because they

Figure B

Labor force participation among young adults has recovered to pre-pandemic levels

Labor force participation rate among adults age 16+ and among young adults ages 16–24, 2000–2022



Notes: Labor force participants are employed workers and unemployed workers who are actively seeking work. The labor force participation rate for a given age group is the number of labor force participants divided by the total number of people in that age group.

Source: EPI analysis of Current Population Survey microdata.

Economic Policy Institute

were in school rose by nearly 15 percentage points (**Figure C**). Among 16- to 19-year-olds, there was a 22.4-percentage-point increase in the share who were not working and a 21-percentage-point increase in the share who reported going to school as the reason they were not working.

The share of young people who are not working because they cannot find work has remained low since 2001 (except during the Great Recession). Between 2001 and 2021, it increased by less than 1 percentage point. The decrease in labor force participation among both 16- to 19-year-olds and 16- to 24-year-olds is thus almost entirely explained by the larger share of young people prioritizing education and training over work. Given these findings—and the long-term increases in earnings associated with higher educational attainment (BLS 2022a)—higher labor force participation rates among youth seems undesirable, for both the individuals and for the economy as a whole.

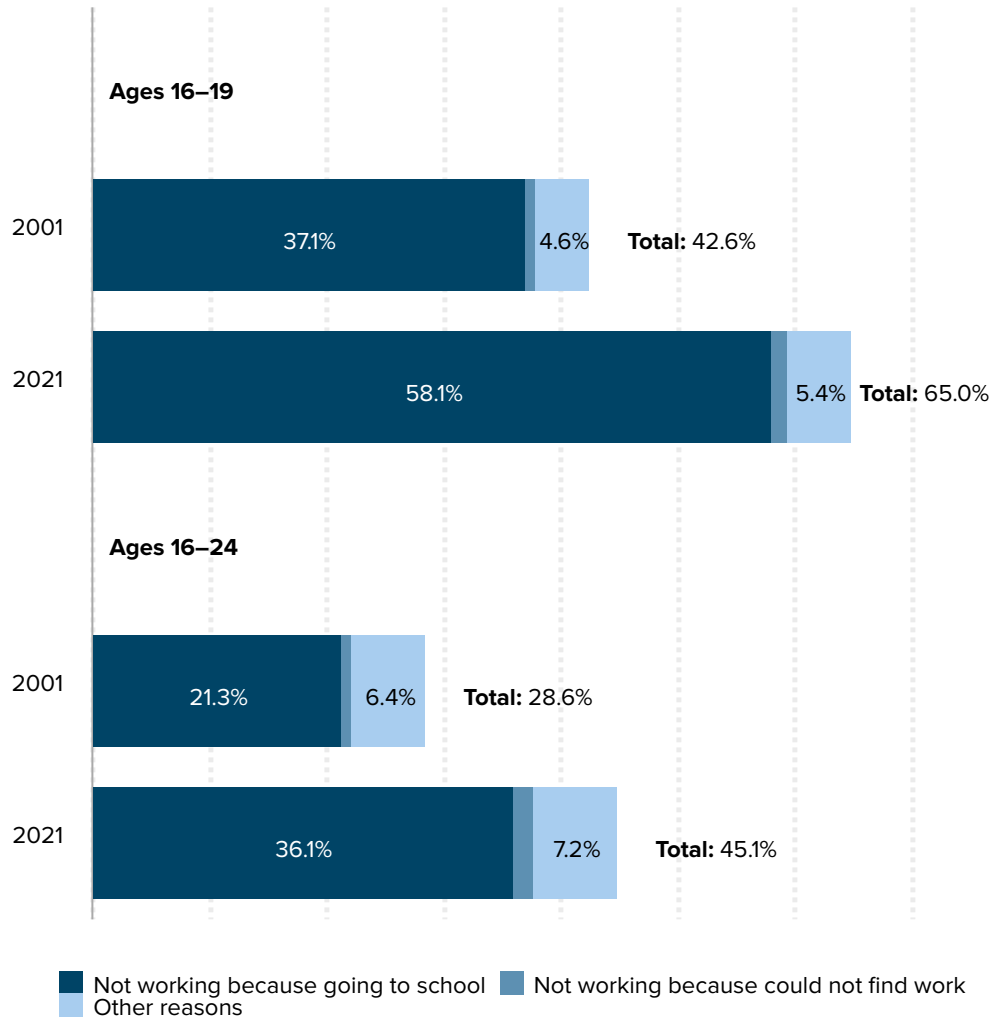
Policy recommendations

Today’s young workers, both immigrant and native-born, are asking more of the workplace and economy than previous generations, not less. They want living wages (Kaplan 2022), equitable and diverse workplaces (Miller 2021), equal employment opportunities

Figure C

Most young people who are not in the labor force are in school

Share of 16- to 19-year-olds and 16- to 24-year-olds not working, by selected reasons, 2001 and 2021



Note: “Not working for other reasons” include illness, disability, taking care of family member, retired, and other.

Source: IPUMS online data analysis system (SDA) analysis of Current Population Survey Annual Social and Economic Supplement, “Reason not working last year by survey year.”

Economic Policy Institute

regardless of immigration status (Lopez 2023), and a collective voice at the table—and many are eager to organize and advocate to achieve these ends (Glass 2022). If employers hope to recruit and retain young workers, they should recognize and respond to these realities rather than lobbying to suppress wages and roll back existing minimal labor standards. Policymakers should ensure that young workers’ reasonable expectations can become realities by enacting policies that begin to address the vastly unequal power

of workers and employers.

Action is needed at both the federal and state levels. Recommendations for high-priority improvements at the federal level include the following:

- **Fully fund labor standards and their enforcement, and enhance penalties for violating the rules.** Congress should heed recent calls to increase penalties for child labor violations (Baldwin 2023) and address chronic underfunding of DOL's Wage and Hour Division, where investigators are responsible for more than twice the number of workers they were 40 years ago (Costa 2022).
- **Eliminate the disparate treatment of agricultural workers under federal law.** Congress should eliminate occupational carve-outs in labor and employment laws (Dixon 2021) that have long enabled widespread exploitation of immigrant youth in agricultural employment (Wurth 2019).
- **Support the PRO Act.** Lawmakers should strengthen all workers' rights to organize through reforms such as the recently reintroduced PRO Act, which would reform our nation's labor law so that private-sector employers can't perpetually stall union elections and contract negotiations and coerce and intimidate workers seeking to unionize.
- **Fix the United States' broken immigration system, in order to protect migrant children.** Congress should pass immigration reform that includes a path to citizenship for unauthorized immigrants, addresses the asylum-processing backlog, and provides adequate oversight and protection of unaccompanied migrant children after they are released to sponsors.

In the absence of federal action on these major reforms, there is much state legislatures can do to better protect young workers. Instead of competing in a race to the bottom on child labor standards, states can eliminate significant gaps and exclusions in existing child labor laws, strengthen protections beyond the minimal and limited standards mandated by federal law, and improve job quality for workers of all ages. Actions state lawmakers should prioritize include the following:

- **Eliminate subminimum wages for youth.** Young workers perform the same jobs as older colleagues, often at greater risk to their health and well-being. There is no justification for paying youth subminimum wages, which studies show can exacerbate child and family poverty (Maroto and Pettinicchio 2022).
- **Raise the minimum wage.** Nearly half of young workers are paid the federal minimum wage (or less) (BLS 2022b), and a larger share of young workers earn less than \$15 than any other age group—nearly 7 million young workers. Raising the minimum wage would raise the floor for these and the nearly 14 million other workers nationwide who are paid less than \$15 an hour (Zipperer 2022).
- **Eliminate the two-tiered system that fails to protect children from hazardous and/or excessive work in agricultural jobs.** Federal and most state laws allow lower standards for agriculture—allowing children as young as 10 to take jobs on some farms and placing no limits on work hours, for example (DOL 2016). These long-

standing exemptions for agricultural work are outdated and out of compliance with international standards governing child labor (HRW 2022). Until Congress ends this system, states can and must step in to close these loopholes.

- **Strengthen the enforcement of wage payment laws.** Young workers are particularly vulnerable to wage theft. They account for nearly one-third of reported minimum wage violations (Cooper and Kroeger 2017)—and actual rates of wage theft are much higher, as most wage theft goes unreported. Strengthening legal protections against wage theft, bolstering enforcement capacity, and increasing penalties would help deter employers from violating the law (Mangundayao et al. 2021).
- **Empower young workers to build (and rebuild) unions.** Historically and today, young workers and immigrant workers are often at the forefront of efforts to organize unions to improve their jobs and reduce inequalities in the U.S. economy, but their rights are too often limited by gaps and exclusions in labor law (Glass 2022; Moreta and Figueroa 2018). States have critical roles to play in guaranteeing full union rights for both youth and adults working in agricultural occupations and in domestic work, where large numbers of young immigrant women are employed (Banerjee et al. 2022). Unless states act, these occupations are otherwise excluded from federal labor law (Mikolajczyk 2022; Lieberman et al. 2021).

Notes

1. S.F. 375, 93rd Sess. (Minn. 2023).
2. S.F. 167, 90th Gen. Assemb. (Iowa 2023).
3. H.F. 2198, 89th Gen. Assemb. (Iowa 2022).
4. H.B. 1410, 94th Gen. Assemb. (Ark. 2023).
5. S.B. 30, 135th Gen. Assemb. (Ohio 2023).
6. S.B. 251, 134th Gen. Assemb. (Ohio 2021).
7. S.B. 345, 2022 Leg. (N.H. 2022).
8. A4222, Leg., 2022–2023 Sess. (N.J. 2022).
9. S.B. 332, 2021–2022 Leg. (Wis. 2021).
10. L.B. 15, 108th Leg. (Neb. 2023).
11. SCR 14, 134th Gen. Assemb. (Ohio 2022).
12. Teenagers Earning Everyday Necessary Skills Act, H.R. 8826, 117th Cong. (2022).

References

- Baldwin, Tammy (U.S. Senator). 2023. “[Senator Baldwin, Colleagues Introduce Legislation to Help Stop Child Labor](#)” (press release). March 3, 2023.
- Banerjee, Asha, Katherine deCourcy, Kyle K. Moore, and Julia Wolfe. 2022. *Domestic Workers Chartbook 2022: A Comprehensive Look at the Demographics, Wages, Benefits, and Poverty Rates of the Professionals Who Care for Our Family Members and Clean Our Homes*. Economic Policy Institute, November 2022.
- Bogage, Jacob. 2023. “[In a Tight Labor Market, Some States Look to Another Type of Worker: Children.](#)” *Washington Post*, February 14, 2023.
- Buchanan, Tyler. 2023. “[Ohio May Loosen Its Labor Laws.](#)” *Axios Columbus*, March 7, 2023.
- Bureau of Labor Statistics (BLS). 2022a. *Career Outlook: Education Pays, 2021*. May 2022.
- Bureau of Labor Statistics (BLS). 2022b. *Characteristics of Minimum Wage Workers, 2021*. Bureau of Labor Statistics Report 1098, April 2022.
- Bureau of Labor Statistics Current Population Survey (BLS CPS). 2023. Federal Reserve Economic Data. “[Unemployment Rate – 16-24 Yrs.](#)” Various years. Data accessed through the FRED database. Accessed February 2023.
- Cooper, David, and Teresa Kroeger. 2017. *Employers Steal Billions from Workers’ Paychecks Each Year: Survey Data Show Millions of Workers Are Paid Less Than the Minimum Wage, at Significant Cost to Taxpayers and State Economies*. Economic Policy Institute, May 2017.
- Costa, Daniel. 2022. *Threatening Migrants and Shortchanging Workers: Immigration Is the Government’s Top Federal Law Enforcement Priority, While Labor Standards Enforcement Agencies Are Starved for Funding and Too Understaffed to Adequately Protect Workers*. Economic Policy Institute, December 2022.
- Department of Labor (DOL). 2016. *Fact Sheet #40: Overview of Youth Employment (Child Labor) Provisions of the Fair Labor Standards Act (FLSA) for Agricultural Occupations*. December 2016.
- Department of Labor (DOL). 2022a. “[Federal Court Orders Hyundai, Kia Auto Parts Manufacturer to Stop Employing Minors Illegally, End ‘Oppressive’ Child Labor Law Violations](#)” (news release). October 11, 2022.
- Department of Labor (DOL). 2022b. “[Increases in Child Labor Violations, Young Workers’ Injuries Prompts Enhanced Outreach, Strong Enforcement by US Department of Labor.](#)” (news release). July 29, 2022.
- Department of Labor (DOL). 2023. “[More than 100 Children Illegally Employed in Hazardous Jobs, Federal Investigation Finds; Food Sanitation Contractor Pays \\$1.5M in Penalties](#)” (news release). February 17, 2023.
- Department of Labor Office of the Secretary (DOL OSEC). 2023. “[Departments of Labor, Health and Human Services Announce New Efforts to Combat Exploitative Child Labor](#)” (news release). February 27, 2023.

Department of Labor Wage and Hour Division (DOL WHD). 2009. *Fact Sheet #14: Coverage Under the Fair Labor Standards Act (FLSA)*. Revised July 2009.

Department of Labor Wage and Hour Division (DOL WHD). 2022. *Fiscal Year Data for WHD: Child Labor*. Accessed March 2023.

Department of Labor Wage and Hour Division (DOL WHD). 2023. *Selected State Child Labor Standards Affecting Minors Under 18 in Non-Farm Employment as of January 1, 2023*.

Dixon, Rebecca. 2021. "From Excluded to Essential: Tracing the Racist Exclusion of Farmworkers, Domestic Workers, and Tipped Workers from the Fair Labor Standards Act." Hearing before the U.S. House of Representatives Education and Labor Committee, Workforce Protections Subcommittee, May 3, 2021.

Dreier, Hannah, and Kirsten Luce. 2023. "Alone and Exploited, Migrant Children Work Brutal Jobs Across the U.S." *New York Times*, February 25, 2023.

Glass, Aurelia. 2022. *The Closing Gender, Education, and Ideological Divides Behind Gen Z's Union Movement*. Center for American Progress, October 2022.

Graczyk, Halshka, and Michael Riediker. 2019. "Occupational Exposure to Inhaled Nanoparticles: Are Young Workers Being Left in the Dust?" *Journal of Occupational Health* 61, no. 5: 333–338. <https://doi.org/10.1002/1348-9585.12056>.

Human Rights Watch (HRW). 2022. *How Do US States Measure Up on Child Rights? Challenging US States to Meet International Child Rights Standards for Child Marriage, Corporal Punishment, Child Labor, and Juvenile Justice*. September 2022.

Johnson, Dusty (U.S. Representative). 2022. "Johnson Introduces TEENS Act to Increase Youth Workforce Participation" (press release). September 2022.

Kaplan, Zoe. 2022. "Generation Z Workplace Statistics." *Forge*, October 26, 2022.

Lazare, Sarah. 2022. "The Conservative Astroturf Organization Rolling Back Child Labor Protections." *American Prospect*, October 11, 2022.

Lieberman, Abbie, Aaron Loewenberg, Ivy Love, Cassandra Robertson, and Lul Tesfai. 2021. "Policy: A Roadblock and Pathway to Securing Care Worker Rights." In *Valuing Home and Child Care Workers*. New America, June 2021.

Lopez, Mitzi Colin. 2023. "Biden Touts Immigration Ideals. When Will He Protect Dreamers Like Me from Deportation?" *USA Today*, March 3, 2023.

Mangundayao, Ihna, Celine McNicholas, Margaret Poydock, and Ali Sait. 2021. *More Than \$3 Billion in Stolen Wages Recovered for Workers Between 2017 and 2020*. Economic Policy Institute, December 2021.

Maroto, Michelle, and David Pettinicchio. 2022. "Worth Less? Exploring the Effects of Subminimum Wages on Poverty Among U.S. Hourly Workers." *Sociological Perspectives*. <https://doi.org/10.1177/07311214221124630>.

Mast, Nina, Lea Woods, and Jennifer Sherer. 2022. "Voters Turned Out for Economic Justice: A Review of Key Ballot Measures from the 2022 Midterm Elections." *Working Economics Blog* (Economic Policy Institute), November 17, 2022.

Mikolajczyk, Samantha. 2022. "Collective Bargaining Rights for Farmworkers." *National Agricultural*

Law Center, July 14, 2022.

Miller, Jennifer. 2021. “For Younger Job Seekers, Diversity and Inclusion in the Workplace Aren’t a Preference. They’re a Requirement.” *Washington Post*, February 18, 2021.

Monahan, Kathryn C., Joanna M. Lee, and Laurence Steinberg. 2011. “Revisiting the Impact of Part-Time Work on Adolescent Adjustment: Distinguishing Between Selection and Socialization Using Propensity Score Matching.” *Child Development* 82, no. 1: 96–112. <https://doi.org/10.1111/j.1467-8624.2010.01543.x>.

Moreta, Cristina Jiménez, and Hector Figueroa. 2018. “Immigrants and Unions Make America Great.” *American Prospect*, July 6, 2018.

National Institute for Occupational Safety and Health (NIOSH). 2022. “Young Worker Safety and Health.” August 2022.

Picchi, Aimee. 2023. “Arkansas Is Rolling Back Child Labor Protections.” CBS News, March 8, 2023.

Private Equity Stakeholder Project (PESP). 2022. *Profit Over Safety. Private Equity’s Leverage Bet on Packers Sanitation*. March 2022.

Rainey, Rebecca. 2023. “Labor, Health Agencies Launch Taskforce Tackling Child Labor.” *Bloomberg Law*, February 27, 2023.

Sainato, Michael. 2023. “It’s Just Crazy’: Republicans Attack US Child Labor Laws as Violations Rise.” *Guardian*, February 11, 2023.

Schneyer, Joshua, Mica Rosenberg, and Kristina Cooke. 2023. “Exclusive: Hyundai in Talks with U.S. Labor Department over Alabama Child Labor.” *Reuters*, February 8, 2023.

Stoddard, Martha. 2023. “Nebraska Lawmakers Hear Arguments Over Bill to Pay Teens Less Than Minimum Wage.” *Lincoln Journal Star*, January 31, 2023.

Strickler, Laura, and Julia Ainsley. 2023. “DHS Investigating Possible Human Trafficking of Kids Who Cleaned Slaughterhouses.” *NBC News*, January 19, 2023.

Transaction Records Clearinghouse (TRAC). 2022. *A Sober Assessment of the Growing U.S. Asylum Backlog*. December 2022.

Workie, Essey, Lillie Hinkle, and Stephanie Heredia. 2022. *The Missing Link Connecting Eligible Asylees and Asylum Seekers with Benefits and Services*. Migration Policy Institute, July 2022.

Wurth, Margaret. 2019. “Children Working in Terrifying Conditions in US Agriculture: New Research Shows Child Farmworkers Unprepared for Workplace Dangers” (Dispatches). Human Rights Watch, November 13, 2019.

Zipperer, Ben. 2022. “How Many Low-Wage Workers Are in the US?” Analysis of Economic Policy Institute Current Population Survey extracts, January through December 2022.