

**SECRETARY OF LABOR
WASHINGTON**

MAY - 4 2010

The Honorable George Miller
U.S. House of Representatives
Washington, DC 20515

Dear Congressman Miller:

I am writing to express my interest in working with you to improve working conditions for our nation's child farm workers. Children employed in agriculture are some of the most vulnerable workers, and ensuring that they are well-protected is a priority for me and an important part of the Administration's vision of "Good Jobs for Everyone."

I understand that this week Human Rights Watch is issuing a report that documents the many dangerous jobs that U.S. farm worker children perform, the long hours they work, and the harmful effects on their education and well-being. We cannot stand by while many children in rural America continue to be exposed to unsafe and unhealthy workplaces.

The Department of Labor has already begun to increase protections for child workers. We will soon issue regulations to expand the list of dangerous non-agricultural jobs that children are not permitted to perform. We are also carefully examining the National Institute for Occupational Safety and Health recommendations on child farm work and actively exploring additional regulatory changes to bolster protections for children in the fields.

Thanks to you and your congressional colleagues, the Department of Labor has also been able to dramatically increase enforcement efforts, including those on behalf of child farm workers. Every Wage and Hour Division (WHD) agricultural enforcement initiative includes a child labor component. WHD uses its many enforcement tools to correct any violations identified and to ensure employers attain and maintain compliance, including civil penalties, litigation, "hot goods" actions, and injunctions. With the addition of new investigators, WHD will be able to significantly increase its directed investigations of U.S. farms and its agricultural initiatives in the coming years.

However, building a stronger legal regime to protect U.S. child farm workers requires a multifaceted strategy. Tighter regulation and better law enforcement are critical, but more robust legislation is important as well.

The Fair Labor Standards Act (FLSA) currently establishes different standards for child farm workers than for most other child workers. It permits children ages 16 and 17 to perform hazardous agricultural work, while the minimum age for hazardous work in most other sectors is 18. Children ages 12 and 13 working on non-family farms alongside their parents or with

parental consent are excluded from FLSA minimum age provisions. These 12- and 13-year-olds, as well as 14- and 15-year-old children, are also excluded from certain FLSA hours of work limitations that apply to most non-agricultural child labor.

My goal is to work together to address this protection gap effectively and create safer and healthier workplaces for our child farm workers. I look forward to collaborating on this important issue.

Sincerely,

A handwritten signature in black ink that reads "Hilda L. Solis". The signature is written in a cursive, flowing style.

HILDA L. SOLIS
Secretary of Labor