



Child Labor Coalition

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October 31, 2003

U.S. Senate
Washington, DC 20510

Dear Senator:

It is with great concern that we write to you about efforts to weaken national safeguards to prevent occupational injuries among working youth. Senator Specter's bill, S. 974, would amend the Fair Labor Standards Act (FLSA) to permit Amish youth as young as 14 years old to be employed in places of business where machinery is used to process wood products. This would allow minors to work on-site in sawmills and in woodworking shops, both of which are currently prohibited for youth under age 18 under Hazardous Occupation Orders 4 and 5.

As you are aware, the FLSA allows minors many opportunities for safe and appropriate employment. In tandem, the FLSA also prohibits minors under age 18 from employment in industries or in operating machinery associated with high rates of occupational injuries.

The National Institute for Occupational Safety and Health's 2002 report, *NIOSH Recommendations to the U.S. Department of Labor for Changes to Hazardous Orders (HOs)*, recommends retention of HOs 4 and 5 in relation to youth employment in sawmills and in the manufacture of lumber and wood products. The report says:

"Fatality data show that work in logging and in sawmills and planing mills continues to be associated with substantial numbers of fatalities and nonfatal injuries, and high fatality rates." (p 27)

"Sawmills, planing mills, and millwork had the 14th highest lifetime risk of 5.8 deaths per 1,000 workers." (p. 28).

"For the six-year period 1992-97, there were a total of 287 deaths among workers of all ages in which this type of machinery [power-driven machines that operate on wood, metal, and other materials] was found to be a primary or secondary contributor to the death." (p. 32)

Sometimes adult supervision fails:

"In 2000, a 14-year-old male youth was pulled into an operating wood chipper and fatally injured. The youth, who had accompanied his father to work, had been assigned the task of dragging limbs and branches to the wood chipper, and was specifically instructed not to feed the chipper. He picked up a 4- to 5-inch diameter limb and began feeding it into the chipper when a branch struck him in the back and pulled him into the rotating chipper knives." (p. 32).

Even when youth are removed from direct contact with sawmill and woodworking operations, there are other dangers — such as in cleanup work:

“In 2000, a 16-year-old male youth was electrocuted while working at a sawmill. The youth was employed to do odd jobs and clean-up work. Working alone while other workers were taking a break, the youth was using a compressed air hose and nozzle to blow sawdust off and away from a 440-volt electric re-saw machine. The youth apparently knelt down under the machine on wet ground and contacted the machine’s metal framework which was energized. The re-saw machine had been powered down, but not de-energized. The re-saw machine was located outside and was not protected from weather elements. Additionally, the machine had exposed wiring and was not appropriately grounded.” (p. 30).

Recently, there was a hearing before the House Committee on Education and the Workforce, Subcommittee on Workforce Protections on the companion legislation, H.R. 1943. Supporters of the Amish exemption offered no data or analysis from occupational health and safety experts to confirm that the amendment will provide appropriate and adequate protection of youth from occupational injury. **This is troubling, for the primary considerations in judging the merits of this amendment must be youth safety based on scientific evidence and evaluation alone.**

The Child Labor Coalition (CLC) acknowledges the right of the Amish community to seek economic security and retain cultural values. We applaud their proven ability to adapt to constraints on agricultural expansion by diversifying their activities to other industries and services. Yet, we strongly believe that this same creative, entrepreneur spirit can and should be applied toward developing non-hazardous industries and services for their community and their youth.

The CLC represents over forty organizations in the United States concerned about child labor. Our member organizations include educators, health groups, religious and women’s groups, human rights groups, consumer groups, labor unions, and child labor advocates. The CLC is a national group that works to end child labor exploitation in the United States and abroad and to protect the health, education, and safety of working minors.

The CLC urges members of the Senate Committee on Health, Education, Labor, and Pensions to stop this amendment in Committee. There is no scientific evidence to support that the safety precautions specified in this amendment will protect working youth from injury. Furthermore, this amendment sets a precedent for weakening the child labor laws and takes a step toward allowing all youth to work in these proven dangerous industries.

Sincerely,

SANDRA FELDMAN
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American Federation of Teachers
CLC Co-Chair

LINDA GOLODNER
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CLC Co-Chair

CLC Advocacy Members: A Minor Consideration; Alliance for Retired Americans; American Academy of Pediatrics; American Ethical Union; AFL-CIO; American Federation of School Administrators; American Federation of Teachers; American Public Health Association; Americans for Democratic Action; Arizona Consumers Council; Association of Farmworker Opportunity Programs; Calvert Group; Child Welfare League of America; Church of the Brethren; Church Women United; Coalition of Labor Union Women; Committee for Children; Communications Workers of America; Consumer Federation of America; Consumers First; Department for Professional Employees, AFL-CIO; Essential Information; Food and Allied Service Trades Department, AFL-CIO; Forgotten Children; General Federation of Women’s Clubs; International Brotherhood of Teamsters; International Center on Child Labor and Education; International Initiative to End Child Labor; Jewish Labor Committee; Jewish Women International; Kids Campaign Against Child Labor; Labor Heritage Foundation; MANA, A National Latina Organization; Maryknoll Office for Global Concerns; National Association of Social Workers; National Child Labor Committee; National Consumers League; National Council of Catholic Women; National Education Association; National Parent-Teacher Association; New Ways to Work; RUGMARK Foundation USA; Service Employees International Union; The Consumer Alliance; The Crafts Center; Union Label & Service Trades Department, AFL-CIO; UNITE!; United Food and Commercial Workers International Union; United Methodist Church, General Board of Church and Society; United Methodist Church, Women’s Division; University of Illinois, School of Social Work; Walden Asset Management; Youth Advocate Program International