



# Federal Enforcement of the Child Labor Provisions of the Fair Labor Standards Act



Branch of Child Labor and  
Special Employment Enforcement  
Wage and Hour Division  
Employment Standards Administration  
U.S. Department of Labor

**Boston, Massachusetts**  
**September 2009**

# Child Labor Enforcement



First, Some Wage and Hour  
Division Enforcement Statistics

# Child Labor Statistics



Child Labor Statistics	FY 2004	FY 2005	FY 2006	FY 2007	FY 2008
Cases with CL Violations	1,616	1,129	1,083	1,249	1,129
Minors employed in violation	5,840	3,703	3,723	4,672	4,734
Minors Per Case	3.6	3.3	3.4	3.7	4.2

# Child Labor Statistics



Child Labor Statistics	FY 2004	FY 2005	FY 2006	FY 2007	FY 2008
Cases with HO Violations	459	396	361	410	466
Minors employed in violation of HOs	1,087	1,091	994	1,000	1,617



# Youth Labor Force Participation

*New Sherriff in town.....*





# Child Labor Enforcement

The Buzzword is.....

Enforcement

Enforcement

Enforcement



# Child Labor Enforcement

The new Administration has authorized the hiring of 200 Wage and Hour Investigators this year and another 250 next year.

Our enforcement staff will most likely double over the next few years.



# Child Labor Enforcement

## Our STRATEGY

Enforcement

Education and Outreach

Rulemaking

Partnerships



# Child Labor Enforcement

FY 2010

- We will continue our efforts in hazardous occupation orders.
- We will continue to include a child labor component in every investigation we conduct.



# Child Labor Enforcement

FY 2010

- We will target enforcement efforts in agriculture.
- We target enforcement efforts in low wage industries, including "protein" processors.



# Child Labor Enforcement

When we find violation, we will assess Child Labor Civil Money Penalties in accordance with the Genetic Information Nondiscrimination Act of 2008 (GINA).



# Child Labor Enforcement

## Child Labor Enhanced Penalty Program (CLEPP).

Authorizes the assessment of \$50,000 for each violation that causes the death or serious injury of a minor.



# Child Labor Enforcement

## Child Labor Enhanced Penalty Program (CLEPP).

Penalties may be doubled, up to \$100,000, when the violations are determined to be willful or repeated.



# Child Labor Enforcement

## Child Labor Enhanced Penalty Program (CLEPP).

Includes "victims"

Wage and Hour has adopted a new assessment protocol and has assessed two CLEPP penalties.

# Child Labor Education and Outreach



- Public Appearances
- Fact Sheets
- Field Operations Handbook
- *E-Laws*
- *FedNet*
- Mass Mailings
- Public Service Announcements



# Child Labor Rulemaking

- April 17, 2008 Child Labor Notice of Proposed Rulemaking—Midnight Regulations
- The Department must proceed with rulemaking on GINA—CLEPP
- The Department is considering rulemaking on:
  - the NIOSH Agricultural HO recommendations
  - The NIOSH “New HO” recommendations



# Child Labor Partnerships

- OSHA
- NIOSH
- State Departments of Labor (ISLA)
- **Young Worker Safety Research Center**
- FedNet
- National Children's Center for Rural and Agricultural Health and Safety
- Young Workers Health and Safety Network
- Child Labor Coalition



# Child Labor

# The future....

- Train new WHD Investigators
- Develop education and outreach pieces regarding new Rule
- Explore new partnership activities
- Institutionalize "Early Warning" fatality notification system
- Rulemaking

# Wage and Hour Division



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