

Stop Trafficking!

Awareness Advocacy Action

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FOCUS: This newsletter focuses on trafficking for child labor in the United States.

Children have always worked, often under dangerous and unhealthy conditions. However, over the years significant progress has been made. Child labor, once common in the agricultural sector, was curbed when the states enacted compulsory school laws in the United States. In 1938, the Federal Child Labor Law, under the Fair Labor Standards Act (FLSA), finally put an end to child labor in factories and mines, marking a crucial step towards a safer future for our children.

Child labor has always been a reality in the agricultural sector and still persists. In the United States, a growing number of children are engaged in hazardous jobs in violation of the nation's labor laws and at the cost of their safety. While recent public attention has been focused on the exploitation of migrant children, it's crucial to recognize that labor trafficking affects a broad spectrum of children in the United States who are vulnerable due to individual and structural factors.

Child and Forced Labor Defined

Child Labor is defined by International Labor Organization Conventions 138 as the Minimum Age for Admission to Employment and 182 on the Worst Forms of Child Labor. It includes employment below the minimum age as established in national legislation, hazardous unpaid household services, and the worst forms of child labor: all forms of slavery or practices similar to slavery, such as the sale or trafficking of children, debt bondage, and serfdom, or forced or compulsory labor; the use, procuring or offering of a child for prostitution, for the production of pornography or pornographic purposes; the use, procuring or offering of a child for illicit activities; and work which, by its nature or the circumstances in which it is carried out, is likely to harm the health, safety or morals of children.

Child labor is a form of work that is likely to be hazardous to the health and/or physical, mental, spiritual, moral, or social development of children and can interfere with their education.

The International Labor Organization estimates worldwide that there are 246 million exploited children aged between 5 and 17 involved in debt bondage, forced recruitment for armed conflict, prostitution, pornography, the illegal drug trade, the illegal arms trade, and other illicit activities around the world.

Forced labor is defined by ILO Convention 29 as all work or service exacted from any person under the menace of any penalty and for which the person has not offered himself voluntarily.

The Palermo Protocol defines Human Trafficking as the recruitment, transportation, transfer, harboring, or receipt of an individual by means of threat or use of force or other forms of coercion for the purpose of exploitation. Unlike child sex trafficking, child labor trafficking victims need to show evidence of force, fraud, or coercion.

Awareness

Children Exploited for Labor



Child labor trafficking remains a “largely hidden” phenomenon that imperils economically and socially vulnerable youth in the United States, including 58% of youth who are from other countries and 42% who are American citizens, according

to a recently released report, [Understanding the Trafficking of Children for the Purposes of Labor in the United States](#). “The prevalence of child labor trafficking victims who experience exploitative labor practices (97%), fraud (91%), and/or threats of physical violence (95%) paints a distressing picture,” according to the report.

The report identified both male (38%) and female (59%) child labor victims. The average age of the children was 14 years.

Undocumented foreign national children were particularly vulnerable to labor trafficking as their lack of immigration status and work authorization, coupled with pre-existing debts, poverty, and financial obligations to families, makes them more susceptible to exploitive practices.

Child victims living with their traffickers identified the lack of safe, affordable housing alternatives as a barrier to leaving the trafficking situation. Older children stated they wanted to work for financial security and gain essential life skills but wanted to do so safely, without being harmed or exploited.

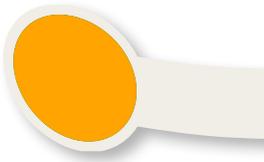
Children were working in a wide range of industries, including domestic work, forced criminality, entertainment, and agriculture.

Who are the traffickers?

According to the recently released report, [Understanding the Trafficking of Children for the Purposes of Labor in the United States](#), while there is no dominant profile of perpetrators of child labor trafficking, they are commonly known to the victim and include biological parents (29%), other family members (11%), and acquaintances (28%). Many were individuals, families, and “organized” non-criminal groups, such as cult or spiritual leaders and sports team leaders. The study found that the perpetrators are typically in their 20s and 30s.

A 16-year-old high school student died after getting trapped in a machine at a meat packing plant.

[Click here](#) to learn more.



Investigating Child Labor in the United States

In 2023, the *New York Times* investigated child labor in the United States, which brought national attention to this issue. The newspaper highlighted the case of one Guatemalan-born teen working at a Virginia factory who needed several surgeries to heal his arm, which was mangled when he tried to unjam a machine, and the case of another teenager working for a contractor for Frito-Lay in western Michigan, who told the newspaper how much his lungs hurt on nights when the factory sprays the dust used to coat Flamin' Hot Cheetos. The Department of Labor has investigated many cases over the years of children employed in violation of federal child labor laws. Several of these cases are listed below.

Perdue Farms and JBS, the world's largest meat processor, were fined a combined \$8 million after the Department of Labor found the companies relied for years on migrant children to work in their slaughterhouses. Investigators found that children as young as 13 were working overnight cleaning shifts at its slaughterhouses in states including Colorado, Minnesota, and Nebraska. A 16-year-old boy from Guatemala died in a machinery-related incident at a Mar-Jac poultry plant—according to federal law, he was too young to be legally working at the poultry plant.

QSI, a sanitation company, was fined \$400,000 for employing children to clean slaughterhouses in eight states, including a Tyson Foods plant in Virginia.

Hearthside Food Solutions, which manufactures and packs food for some of the nation's best-known brands, agreed to pay \$4.5 million to settle a child labor investigation with the Illinois Department of Labor and the attorney general.

Fayette Janitorial Service LLC agreed to pay nearly \$650,000 for illegally hiring children to clean meat processing plants.

Meat processing giant Smithfield will pay a \$2 million penalty to resolve a child labor compliance order. The company's parent company, WH Group Limited, has an annual revenue of over \$26 billion.

Tuff Torq, a Tennessee parts manufacturer for major companies including John Deere and Yamaha, has been ordered to turn over \$1.5 million to be used to compensate teen victims as young as 14 years old subjected to "oppressive child labor."

The Department of Labor investigated 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. 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.

At 16 McDonald's franchise locations in Louisiana and Texas, children as young as 14 operated dangerous equipment and worked long and late hours. Two months earlier, in a Louisville, Kentucky, McDonald's, the Department of Labor found two 10-year-olds working without pay until 2 a.m., preparing and serving meals, working the drive-thru and cash register, and cleaning the restaurants. A teen worker was burned while illegally using a deep fryer. McDonald's was fined more than \$3,000.

In some cases, when they sought help, assistance was denied due to characterization of the trafficking as a 'family problem' or 'labor issue' versus the crime of labor trafficking.

Click [here](#) to learn more.



The Rise of U.S. Child Labor

**Economic
Policy
Institute**

The Rise of U.S. Child Labor, and How We Can Fight Back

December 5, 2023 • 2:00 PM ET



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A December 2023 Report from the Economic Policy Institute urgently warns that child labor laws are under severe threat in states across the United States. Many states are actively seeking to dilute child labor protections, just as violations of these standards are on a steep rise. The number of minors employed in violation of child labor laws surged by 37% in 2022, emphasizing the critical need for immediate intervention.

This report identifies legislation weakening child labor standards in 10 states, introduced or passed during 2021-2023. A tight labor market has driven many employers to seek the cheapest available

labor; state legislators are even proposing bills that would limit legal protections for underage workers. Several states have suggested or passed legislation extending the hours 14- and 15-year-olds can work. The potential consequences of these changes are deeply worrying, as they could lead to increased school dropouts, health issues, and exploitation of young workers. A New Jersey law increased the number of hours teens can work during the summer months to 50 for 16- and 17-year-olds, which is more than full-time.

Iowa may have the most drastic new law intended to roll back child labor protections. New legislation allows children as young as 14 to work in meat coolers and industrial laundries and teens 15 and older to work on assembly lines around dangerous machinery. This legislation puts children at significant risk. Moreover, in Iowa, teens as young as 16 can now serve alcohol in restaurants as long as two adults are present. The legal drinking age in Iowa is 21.

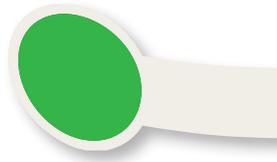
Ohio state lawmakers are proposing to allow 14- and 15-year-olds to work until 9 p.m. during the school year with their parents' permission, a clear violation of federal regulations that prohibit teens that age from working past 7 p.m.

Business groups and their state affiliates, notably the National Federation of Independent Business, the Chamber of Commerce, and the National Restaurant Association, are the leading proponents of nationwide liberalizing legislation regarding child labor. They exert significant influence, and it is crucial that policymakers actively oppose their efforts. The support of hotel, lodging, tourism, and grocery industry associations and home builders for bills relaxing child labor laws in several states further underscores the urgency.

As of the report's publication, sixteen states had adopted weaker standards on child work hours than those stipulated in the Fair Labor Standards Act. Lobbyists representing businesses for the liberalization of state child labor laws are advocating to legalize forms of child labor that have long been deemed hazardous or exploitative. The goal is to expand the pool of low-wage labor available to employers and dilute federal standards that currently apply nationwide, which is also a goal of Project 2025.

The Economic Policy Institute report offers key policy recommendations for lawmakers at the federal and state levels. At the federal level, it suggests that Congress supports deterring child labor violations by increasing penalties when violations are detected. The report also points out the need to address the chronic underfunding of agencies responsible for enforcing labor standards, passing the Protecting the Right to Organize (PRO) Act, and implementing immigration reforms to end the exploitation of unauthorized immigrants and unaccompanied migrant youth.

At the state level, lawmakers should abolish subminimum wages for youth, raise the minimum wage, eliminate a system that fails to protect children from hazardous work in agriculture, strengthen labor standards, and empower young people to build and strengthen unions. The report's authors also stress the importance of education for young adults, which can significantly increase their long-term employability and earnings.



How does child labor still exist in America?

Child labor is all over the news again. Most recently, at least 100 children were found illegally employed in dangerous meat-packing plant jobs across eight states. To understand why the United States has a child labor problem, we have to go back and look at our history. In this segment of Stay Tuned, they cover when child labor started, what it looked like, how we cracked down on it, and why it's still around. Please click [here](#) to view this 7-minute video from NBC News.

Understanding the Trafficking of Children for the Purposes of Labor in the United States

This report showed that most first responders who engage with children are not identifying child labor trafficking cases or misidentifying child labor trafficking cases. Farrell and the other report authors including Meredith Dank, New York University, Katherine Kaufka Walts, Loyola School of Law, Callie Hansson, Northeastern University, Andrea Hughes, New York University, and Chlece Neal, Loyola School of Law, are hopeful this new research will fill in the gaps, helping first responders more accurately and effectively identify instances of child labor trafficking.

This study is the first comprehensive examination of child labor trafficking in the U.S. and provides detailed information about the nature of child labor trafficking. This report may be accessed by clicking [here](#).

How child migrants are put to work in unsafe and illegal conditions

Migrant children in the U.S. are working some of the most dangerous jobs in the country and private auditors assigned to root out unlawful labor practices often overlook child labor. The most common job for migrant children is also one of the most hazardous, roofing and construction, despite laws prohibiting anyone under 18 from doing so.

Please click [here](#) to view this 7-minute video.

[Governing for Impact](#)

is a 2024 report by the Economic Policy Institute and Child Labor Coalition which explores the increasing child labor violations and the moves of over two dozen states that are exacerbating the issue.



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