



CHILD LABOR IN AGRICULTURE

It has been estimated that hundreds of thousands of children under the age of 18 work on farms picking the fruits and vegetables that support the multi-billion dollar agricultural industry in the United States.¹ Before the age of 18 these children and teens may work long hours, under dangerous conditions, receiving low pay, while migrating alongside their parents for months at a time. This factsheet is a compilation of the latest data available regarding underage agricultural workers.

Children in U.S. Agriculture

- Child agricultural workers may work on farms under three different scenarios:
 - Those who work on their parents' or family member's farm
 - Those who work on local farms part-time or during the summer to earn extra money.
 - Those who feel compelled to work out of economic necessity, often migrating alone or with their families from farm to farm.²
- Although it is difficult to count the number of adult and underage individuals working in agriculture in the United States, several sources do offer some estimates.
 - A Human Rights Watch publication in 2000, *Fingers to the Bone*, estimated that between 300,000 and 800,000 minors were employed in agriculture.³ This figure ranges widely, and may include both hired workers and children who work on the family farm.
 - Agricultural employers reported directly hiring more than 200,000 workers under the age of 18 in 2006, but this does not account for workers who may have been hired by contractors or subcontractors.¹
 - Results of the 2007-2009 National Agriculture Workers Survey (NAWS) indicate that 3 percent of the agricultural workers surveyed were between the ages of 14 and 17.⁴
- Agricultural workers under the age of 18 are likely found in larger numbers in those states that have the highest number of adult agricultural workers. These states are California, Florida, North Carolina, Texas, Oregon, and Washington State.²
- There is no official data for children under the age of 12 working in the fields but during field visits from 2003 to 2005, the Association of Farmworker Opportunities Program (AFOP) observed children under 12 working in the fields. They also report that many children work "off the books" by using their parents' social security numbers, suggesting that the total of employed child agricultural workers may be closer to 500,000.²

- A 2010 Human Rights Watch study revealed children in the United States working in agriculture as early as age 7, 8 or 9 for a few hours at a time, and by ages 11 or 12, they were out of school and working full time.¹

Injuries and Fatalities

- The nature of agricultural work exposes child laborers to many risks and dangers, many attributed to the following types of work or conditions. Every year, approximately 115 children die in an agricultural-related incident, and nearly 12,000 experience a non-fatal injury. The primary causes of fatal injuries are:
 - Working with machinery, including tractors (25%)
 - Use of motor vehicles, including ATVs (17%)
 - Drownings (16%)⁵
- Research conducted in North Carolina with 87 agricultural workers aged 10-17 years found that 14% had experienced an injury while working during the past year, and 54% reported experiencing musculoskeletal pain.⁶
- A survey of 489 high school students who worked in agriculture in California found that 8% had experienced an agricultural-related injury during the past year, and that fractures were the most commonly reported injury. Working with machinery, tools, motor vehicles, or animals were the greatest risk factors for experiencing an injury.⁷
- Children under the age of 18 are allowed to work in tobacco fields in the U.S., a practice that many countries have banned.⁸ In 2015, Human Rights Watch conducted interviews with 26 16 and 17 year old adolescents employed on U.S. tobacco farms, and 25 out of 26 reported symptoms of acute nicotine poisoning.⁹ Earlier interviews in 2013 with 141 child workers on tobacco farms found children as young as 7 years old experiencing symptoms of acute nicotine poisoning while they were working.⁸
- The United States Department of Agriculture released a report in 2009 that recorded 15,876 injuries to youths under 20 years of age who lived, worked or visited a farm.¹⁰ The following data for 2009 was also noted:
 - 58 percent of injuries were incurred by males;
 - Youth ages 10 to 15 incurred the highest number of injuries at 6,912;
 - Youths under age 10 incurred 4,111 injuries; and
 - Youths ages 16 to 19 incurred 4,148 injuries.¹⁰
- In 2009, youth living on livestock operations had a higher rate of injury (8.1 injuries/1,000 youth) compared to their counterparts on crop operations (6.6 injuries/1,000 youth).¹¹
- Agriculture has the second highest fatality rate among workers of all ages at 22.8 per 100,000 full-time equivalents compared to 3.4 per 100,000 across all industries.¹²
- The number of agriculture injuries among youth has been declining since 2001, but the number of injuries annually remains above 10,000.⁵

Heat and Sun

- In a study conducted by Human Rights Watch in 2010, many children said that their employers did not provide drinking water. The lack of drinking water is especially problematic when considering the risks of dehydration and heat illness.¹ These same children reported that they have either experienced or witnessed thirst, dehydration, dizziness, and/or fainting. Excessive heat exposure can lead to death.
- An example of an underage agricultural worker death occurred in 2008. Seventeen year old Maria Vasquez Jimenez died from heat stroke while laboring in a California grape field. Workers stated that the nearest source of water was a 10 minute walk away, and the labor foreman did not permit breaks long enough to enable workers to reach the water source.¹³
- From 1992 to 2006, 68 agricultural workers were reported to have died from exposure to environmental heat.¹⁴ The average annual fatality rate from heat stress for crop workers during this time was 0.39 per 100,000 full-time employees, as compared to 0.02 for workers in all industries.

Musculoskeletal Injuries

- Farm work is characterized by constant bending, twisting, carrying heavy items, and repetitive motions during long work hours, all of which contribute to musculoskeletal injuries.²
- The Human Rights Watch reported children saying that due to repetitive motion and lifting heavy weights on the job five to seven days a week, they incurred pain to their backs, knees, hands, and feet.¹ This coincides with a study done on agricultural workers of the eastern United States that found that agricultural workers suffered most from injuries and pain to the neck, shoulders, back and upper extremities due to the “repetitive, work-related overloading of selected muscle groups.”¹⁵

Pesticides

- In the study by Human Rights Watch, children who were interviewed said they have come in contact with pesticides through the spraying of adjacent fields, being blown by the wind, working in fields that are still wet.¹ Some reported being sprayed on directly.
- Compared to adults, children are at greater danger when pesticide exposure has occurred due to a greater surface to volume ratio when compared to adults which results in a greater pesticide dose and a slower metabolism of pesticide toxicants which causes pesticides to remain in their systems longer.¹⁶
- Children who do not work on farms but live with agricultural worker parents may be exposed to pesticides through contaminated clothing brought into the house by adults, or through pesticide drift if they reside on a farm.¹⁷
- Almost no children interviewed by Human Rights Watch said they had received training about the dangers of pesticides, safety measures, or what to do in case of exposure.¹

Education Deprivation

- A 2011 documentary, *The Harvest/La Cosecha*, follows the lives of three teenage agricultural workers as they migrate to help increase their families’ income.¹⁸ These children typically

migrate between May and November of every year which means that the school year ends earlier and starts later than non-migrating children.¹⁸

- These migrating patterns cause interrupted school attendance and migrant students interviewed say they do miss exams, are frequently confused about school subjects and feel they need months to “catch up” on their education.¹
- A study that compared migrating and non-migrating students of south Texas reported that migrant students were more likely to miss or arrive late to school, sleep during class, study for fewer hours, sleep less and suffer from minor illnesses more frequently.¹⁹ They also drop out of high school at 4 times the national rate.¹⁸

Child Labor Laws

Fair Labor Standards Act (FLSA) in Agriculture

- When compared to other working youth, there are different protections and guidelines that apply to those working in agriculture. The following are a list of laws that govern youth employment in agriculture and a comparison with other occupations under the Fair Labor Standards Act (FLSA), if applicable.²⁰
 - At age 10 and 11, local youths may hand harvest short-season crops outside school hours for no more than 8 weeks between June 1 and October 15 if their employers have obtained special waivers from the Secretary of Labor.²¹
 - At age 12 and 13, minors may work outside of school hours with parental consent or on the farm where the parent or guardian is also employed. Children aged 12 years or over are allowed to work on commercial tobacco farms.
 - For those under age 12, they may be employed outside of school hours with parental consent on a farm where employees are exempt from Federal minimum wage.
 - At age 14, minors can work outside of school hours in any agricultural occupation, except those deemed hazardous by the Secretary of Labor. The minimum age in other occupations is age 16.
 - At age 16, minors can perform any farm job, including those declared hazardous by the Secretary of Labor, at any time, including school hours. (For a list of hazardous work, see page 4 in the FLSA: <http://www.dol.gov/whd/regs/compliance/childlabor102.pdf>). In other occupations, minors are not allowed to perform hazardous work until the age of 18.
 - Minors working in agriculture can work an unlimited number of hours outside school hours. In other occupations, there are strict limits on the amount of time minors can work outside of usual school hours.
- There have been repeated attempts to introduce bills at both national and state levels to prohibit children from under the age of 18 from working on tobacco farms due to the hazardous nature of the work. None of these bills have become law, although several large tobacco growers have adopted policies that prohibit children from under the age of 16 from working on tobacco farms following public outcry over the findings of the 2014 Human Rights Watch report about child workers in U.S. tobacco fields.^{22,23}
 - Children who work in the fields are exempt from minimum wage provisions in certain cases. Children working in all other occupations are required to be paid minimum wage.²⁰

- Growers often pay agricultural workers piece rate wages. This works well for stronger quicker workers, but hurts slower ones. This is especially true of children who are generally slower than adults. As a result, children can make as little as \$2 to \$3 an hour.²
- In some cases, children who are entitled to minimum wage earnings work alongside their parents but are not paid any wage. This is common when parents are paid on a piece-rate basis. Parents, because of their desperate need for higher wages, allow their young children to work with them so that they plant or harvest more crops and hence receive a higher rate of pay per hour worked. Where employers are aware that children are working in this way, they are required by law to pay the children for this work. However, often these children are not paid at all.²⁴

References

1. Human Rights Watch. Fields of Peril. (2010). Available at: <https://www.hrw.org/report/2010/05/05/fields-peril/child-labor-us-agriculture>. (Accessed: 2nd January 2017)
2. Association of Farmworker Opportunity Programs. Children in the fields: An American problem. (2007). Available at: <http://afop.org/wp-content/uploads/2010/07/Children-in-the-Fields-Report-2007.pdf>. (Accessed: 16th November 2017)
3. Human Rights Watch. United States Failure to Protect Child Farmworkers. Available at: <https://www.hrw.org/report/2000/06/02/fingers-bone/united-states-failure-protect-child-farmworkers>. (Accessed: 16th November 2017)
4. Carroll, D. Changing characteristics of U.S. farmworkers. Available at: <https://migrationfiles.ucdavis.edu/uploads/cf/files/2011-may/carroll-changing-characteristics.pdf>. (Accessed: 23rd October 2017)
5. Marshfield Clinic Research Institute. Childhood Health & Safety Resources. Available at: <http://www.marshfieldresearch.org/nccrahs/recommendedresources>. (Accessed: 23rd October 2017)
6. Kearney, G. D., Rodriguez, G., Quandt, S. A., Arcury, J. T. & Arcury, T. A. Work Safety Climate, Safety Behaviors, and Occupational Injuries of Youth Farmworkers in North Carolina. *Am J Public Health* **105**, 1336–1343 (2015). Available at <https://www.ncbi.nlm.nih.gov/pubmed/25521896>
7. McCurdy, S. A. & Kwan, J. A. Agricultural injury risk among rural California public high school students: Prospective results. *Am. J. Ind. Med.* **55**, 631–642 (2012). Available at <https://www.cdc.gov/niosh/nioshtic-2/20041616.html>
8. Human Rights Watch. Tobacco's Hidden Children. (2014). Available at: <https://www.hrw.org/report/2014/05/13/tobaccos-hidden-children/hazardous-child-labor-united-states-tobacco-farming>. (Accessed: 25th October 2017)
9. Human Rights Watch. Teens of the Tobacco Fields. (2015). Available at: <https://www.hrw.org/report/2015/12/09/teens-tobacco-fields/child-labor-united-states-tobacco-farming>. (Accessed: 11th October 2017)
10. United States Department of Agriculture. Agricultural safety: 2009 injuries to youth on farms. (2012). Available at: http://usda.mannlib.cornell.edu/usda/current/Chillnju/Chillnju-04-05-2012_revision.pdf. (Accessed: 16th November 2017)
11. National Children's Center for Rural and Agricultural Health and Safety. 2012 fact sheet: Childhood agricultural injuries in the U.S. (2012). Available at: https://www3.marshfieldclinic.org/proxy///mcrf-centers-nfmc-nccrahs-childaginjuryfactsheet_april-2012.1.pdf. (Accessed: 16th November 2017)
12. Bureau of Labor Statistics, U. S. D. of L. Census of Fatal Occupational Injuries: Table A-1. (2016).
13. Teen Farmworker's Heat Death Sparks Outcry. *NPR.org* Available at: <http://www.npr.org/templates/story/story.php?storyId=91240378>. (Accessed: 23rd October 2017)
14. Centers for Disease Control and Prevention. Heat-Related Deaths Among Crop Workers --- United States, 1992--2006. Available at: <https://www.cdc.gov/mmwr/preview/mmwrhtml/mm5724a1.htm>. (Accessed: 23rd October 2017)

15. May, J. Occupational Injury and Illness in Farmworkers in the Eastern United States. (2009). Available at: https://link.springer.com/chapter/10.1007%2F978-0-387-88347-2_4. (Accessed: 16th November 2017)
16. Arcury, T., Grzywacz, J., Barr, B., Tapia, J., Chen, H., & Quandt, S. Pesticide urinary metabolite levels of children in eastern North Carolina farmworker households. (2007). Available at: <https://www.ncbi.nlm.nih.gov/pubmed/17687456>. (Accessed: 16th November 2017)
17. American Academy of Pediatrics. Pesticide Exposure in Children. Available at: <http://pediatrics.aappublications.org/content/130/6/e1757>. (Accessed: 16th November 2017)
18. The Harvest (La Cosecha) | Shine Global. Available at: <http://shineglobal.org/project/the-harvest/>. (Accessed: 17th November 2017)
19. Cooper, S., Weller, N., Fox, E., Cooper, S.R., & Shipp, E. Comparative description of migrant farmworkers versus other students attending South Texas schools: demographic, academic, and health characteristics. (2005). Available at: <https://www.ncbi.nlm.nih.gov/pubmed/17236321>. (Accessed: 17th November 2017)
20. U.S. Department of Labor. Child labor requirements in agricultural occupations under the Fair Labor Standards Act. (2007). Available at: <https://www.dol.gov/whd/regs/compliance/childlabor102.pdf>. (Accessed: 17th November 2017)
21. U.S. Department of Labor & Wage and Hour Division. Fact sheet #40: Overview of youth employment (child labor) provisions of the Fair Labor Standards Act (FLSA) for agricultural operations. (2016). Available at: <https://www.dol.gov/whd/regs/compliance/whdfs40.pdf>. (Accessed: 17th November 2017)
22. Wheeler, L. Democrats want children off tobacco farms. *TheHill* (2015). Available at: <http://thehill.com/regulation/239072-dem-bill-aims-to-protect-child-workers-on-tobacco-farms>. (Accessed: 25th October 2017)
23. Party-Line Vote Protects Child Labor at Tobacco Farms in Virginia. Available at: <http://www.connectionnewspapers.com/news/2017/jan/24/party-line-vote-protects-child-labor-tobacco-farms/>. (Accessed: 25th October 2017)
24. Oxfam America. Like machines in the fields: Workers without rights in American agriculture. (2004). Available at: <https://www.oxfamamerica.org/static/media/files/like-machines-in-the-fields.pdf>. (Accessed: 17th November 2017)