

Testimony for the Record Submitted to:  
The U.S. House Education and Labor Workforce Protections Subcommittee  
**Increasing Protections for Youth Working in Agriculture**  
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Thank you, Chairwoman Adams, Ranking Member Keller, for addressing this important issue of young workers in agriculture. My comments are based on a 35-year career dedicated to improving the health and safety of children (under 18 years) who live and/or work on our nation's two million farms and ranches. Our National Children's Center for Rural and Agricultural Health and Safety is a Center of Excellence that successfully competed for funding from the National Institute for Occupational Safety and Health (NIOSH) since 1997. We are embedded within the National Farm Medicine Center (NFMC) of the Marshfield Clinic Research Institute in Marshfield, Wisconsin. The NFMC has a 40-year history of researching and treating farm-related disease conditions, while promoting safety and health for the farming population. NFMC is now the largest such center in the U.S. My experience also includes working with agribusiness and farm organization leaders to bridge the gaps between research and practice, so that evidence-based safety interventions are applied in agricultural occupational settings from small family farms to large, corporate dairies and hand harvesting field operations.

Four decades ago an estimated 300 deaths and 150,000 serious injuries occurred to children on farms each year. There has been significant progress since then but children and adolescents still die from preventable injuries and more should be done because work can be beneficial for young people. We know that appropriate, supervised agricultural work offers valuable experiences and perspectives that are manifested in mature adults who become productive contributors to our society.

### **Background**

An important starting point is our terminology. The word "accident" is no longer used to describe injury events because that term denotes an "act of God" that cannot be avoided. In fact, agriculture-related disease, injuries and deaths are almost completely preventable. Young workers deserve protection from agricultural work risks by their parents, guardians and/or work supervisors. Public policy plays a critical role in how we as a society ensure that protection.

When I started in this field, there were virtually no child safety resources for farm parents. Additionally, there were minimal resources for young hired farm workers and regulations were largely unknown to, or not complied with, by employers. Federal agencies overlooked the problem of children being exposed to hazards in agriculture – which remains one of the most dangerous industries in our country and the only occupational setting in which children of all ages are permitted. Our team led the development of a National Action Plan for Protecting Children in Agriculture.<sup>1</sup> The goals and strategies received input from many farm organizations, and other stakeholders. In 1996 it was endorsed by the U.S. Congress with funds appropriated to the National Institute for Occupational Safety and Health (CDC/NIOSH) to launch the plan.

Early accomplishments included the establishment of a Child Agricultural Injury Surveillance system that gathered injury data over a 10-year period, revealing trends and major agents of work-related injuries.<sup>2</sup> Additionally, the initiative included the development of voluntary work

guidelines that match a child's abilities with the hazards of farm tasks in order to guide parents' decisions about if, when, and how their child might safely work on the farm. For the majority of the detailed 62 different farm tasks (e.g. milking cows, operating a tractor), the earliest age at which the job could be done safely is 14 years, based on principles of child development.<sup>3</sup> The aim of these work guidelines (now called Agricultural Youth Work Guidelines (<https://cultivatesafety.org/safety-guidelines-search/>)) is encapsulated by its tagline: "Helping children do the job safely", creating the likelihood of a positive experience for all. For more than two decades, these voluntary guidelines have been fully vetted and tested in multiple settings. They provide guidance beyond the current FLSA Hazardous Occupation Orders in Agriculture<sup>4</sup> and serve as the basis for an agribusiness-endorsed Policy for Hiring Youth in Agriculture.<sup>5</sup>

To increase collaboration between child safety advocates, researchers, educators and agriculture business and farm organization leaders, we established the Agricultural Safety and Health Council of America (ASHCA) in 2007 ([www.ASHCA.org](http://www.ASHCA.org)). Over these 15 years, ASHCA's leadership Board, comprised of major farm organizations, companies and academic partners, has demonstrated the private sector's commitment to promote best management practices in agriculture via training opportunities, safety certificates, conferences and other outreach. Although there will always be a few "bad apples" in the mix, the vast majority of today's farm owners, producers, and agribusiness leaders support the goal of providing young people with vital, valuable, and safe work experiences in agriculture. The request we most often receive is "break it down - give us clear, practical guidance - to do the right thing."

My current research program may have relevance to this committee's focus. Our team is investigating legal cases where an adult was charged with a criminal offense, e.g. reckless child endangerment following a death or serious injury on a farm. From 2016-2021, of the 12 reported criminal cases only one addressed a hired farmworker, while the others occurred on family farms involving parents and relatives.<sup>6</sup> We found almost a total lack of activity by public agencies (e.g. police, District Attorneys, Child Welfare Agencies). This is disappointing and leaves young workers in a most vulnerable situation with no legal redress. While we appreciate the independent agrarian culture, acknowledge parents' rights, and realize the pressures and uncertainties of farm work, it is our society's obligation to ensure we safeguard all children from known dangers.

### **Scope of the Problem**

Our most accurate estimates of working youth are from 2014, with data reporting that of the 893,000 youth living on farms, 51% (455,000) actively work on their farms. Add to this the 265,000 non-resident youth hired in agriculture, bringing the total of the exposed population to about 720,000 youth (under 18 years) each year.<sup>7</sup> The number of migrant and seasonal young workers is not known but estimates range from 40,000 (young crop workers per GAO) to more than 200,000 (12-18 years per Child Labor Coalition).

In agriculture, there are myriad risks associated with the work itself, the work environment and the status of the worker. Young people are more susceptible than adults to certain exposures, given their physical developmental stage combined with cognitive and social growth.<sup>8</sup> Among the most concerning risks are respiratory exposures from irritants including organic dusts, airborne pathogens, pesticides, cleaning agents, toxic gases and wildfire smoke. In non-agricultural settings, Hazardous Orders bar the employment of youth younger than 18 years at such work sites as mining and the manufacture of paints and other chemicals which are known to create many of the same toxic conditions subjected to young people in agriculture.

There is no question that climate change is negatively impacting agriculture and may intensify in the future. Young workers' duties include extended hours outdoors, leading to heat-related illness, dust associated with droughts, flood-related molds and fungus, and severe storms including tornadoes and potential lightning strikes. Extreme weather events are often followed by pests and diseases infecting crops and livestock with potential for human transmission.

Zoonoses (animal/insect-related infections) are frequently ascribed to farm work. Mosquito and tick-borne conditions include encephalitis, Lyme disease and many more. Other infections and diseases are associated with the critters that populate rural areas including spiders, rodents and snakes. Rabies can be transmitted to workers by a bat, raccoon, skunk or fox. The COVID-19 pandemic also affected many young people in agriculture and a study revealed that, given the closure of schools and daycare centers, young people spent increased time in agricultural work settings.<sup>9</sup>

Noise-induced hearing loss is a common ailment for youth working in agriculture, given their extended exposure to high levels of noise. Several studies have established that high-school age farm workers experience hearing loss by adulthood at twice the rate of their counterparts who did not work in agriculture.<sup>10</sup>

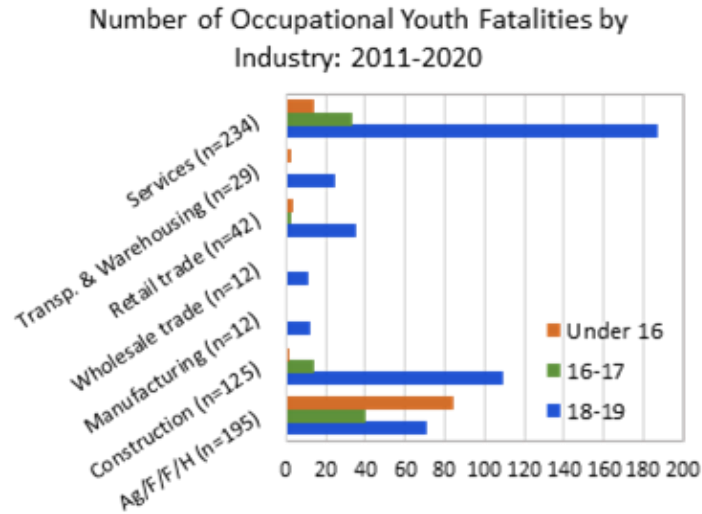
Sun exposure from outdoor work is a well-known risk and is sometimes unavoidable, especially when doing fieldwork. Young people are less likely than adults to adhere to sun protection behaviors (i.e. sunscreen, clothing cover). We know that people who have had five or more sunburns are at double the risk of melanoma, the most deadly type of skin cancer. In the past decade, the number of new invasive melanoma cases increased annually by 31%.<sup>11</sup> Although skin cancer is widely associated with fair-skinned Caucasians it affects all ethnic/racial groups and is sometimes more deadly among Hispanic and Black people because detection is delayed.

Two other conditions deserve mention. Musculoskeletal disorders (MSDs) are associated with repetitive handwork, hauling heavy objects, and repeated bending and lifting. Many young farm workers have already developed chronic pain in their back, shoulder, arms and wrists. Mental health is also gaining increased attention among rural populations and young workers. Research on adolescents has shown that migration and rural isolation is associated with poor mental health including depression, anxiety, and insomnia.<sup>12</sup>

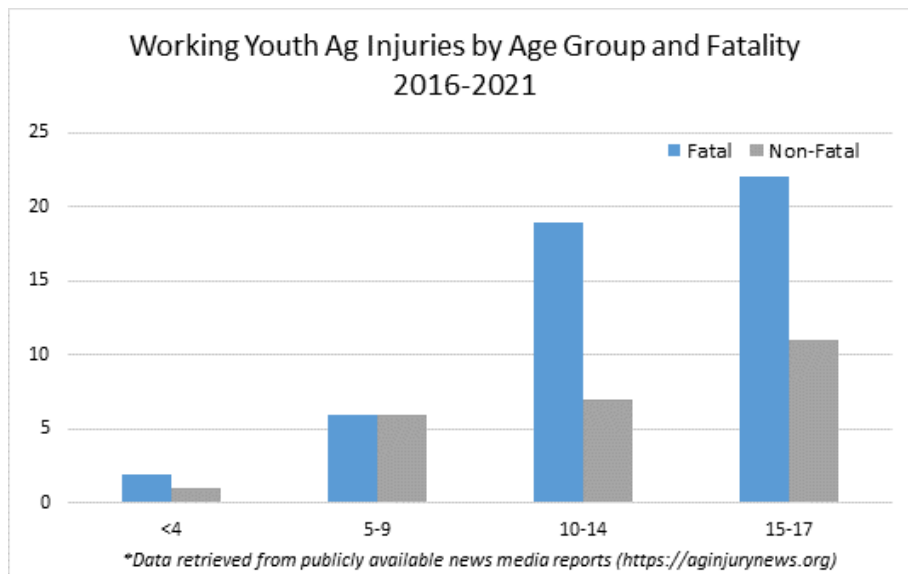
Regarding fatal and nonfatal injuries, several data sources confirm that nearly three-fourths of children injured or killed on farms are not working, but merely present in a hazardous work setting. The primary prevention strategy for non-working children is physical separation from the work site. [Note: The attention of committees addressing social services and childcare services should be active in requiring that non-working children be limited to farm areas where work is not being conducted.]

NIOSH data revealed that from 1994-2013, of the 389 work-related deaths, 40% occurred to youth younger than 14 years, meaning an average of 8 farm workers younger than 14 years die each year on the job. Very recent data gleaned from a comprehensive newspaper clipping service 2016-2021 reported 279 fatalities (0-17 years) on farms, of which 17% (n=47) of victims were conducting work at time of death.<sup>13</sup> Adding to the dangers of the work itself, are the numerous transportation injuries/deaths associated with farm vehicles and work-related roadway incidents. Tractors, ATVs and UTVs are the leading source of fatal events, followed by machinery and contact with livestock. The simple fact is that agriculture has the leading number of occupational fatalities across all industries for workers younger than 16 years. The below chart represents data from the Bureau of Labor Statistics. The bottom bar depicts 195 youth

fatalities by age category in the Agriculture/Forestry/Fishing sector, clearly the highest proportion of the youngest workers across all industries.



For nonfatal work-related injuries, annual estimates are that about 2,900 family farm youth and 750 hired youth are seriously injured, requiring at least four hours away from work. Injuries are associated with farm vehicles, machinery, hand tools, structures, and animals. The most common types of injuries are fractures or broken bones, followed by cuts, lacerations, and contusions. Severe trauma including amputations or spinal cord injuries cause lasting disability, not to mention tremendous health care costs. The following figure depicts ages of recent work-related injury and death victims. Data are striking in that very young children, mostly males, are dying while working in agriculture. This information is from publicly available news clippings, thus, captures only about half of actual events.



## The Landscape for Improvement

Changes in public policy must account for our nation's rural and agricultural landscape because traditions, values, and expectations differ from urban settings. Rural communities make up tens of millions of people from diverse backgrounds, comprising 14% of the total U.S. population. They are an underprivileged group of people. Their rate of poverty is 24% higher, their rate of food insecurity is 22% higher, and their lack of health care insurance is 15% higher than urban areas.<sup>14</sup> These facts, combined with weak social support systems, likely influence decisions that adults make to involve children, relatives and/or hired youth to work in agriculture. Thus, efforts to update child labor policies must include strategies to strengthen economic stability of farmers and farm worker families, to increase options for education and training of youth, to increase availability and affordability of off-farm childcare and school services, and to support sustainability of agricultural communities.

The legal protections of young workers in agriculture should match those of youth working in other industries. We have an opportunity here to move toward that goal by: a) raising the minimum age for hired agricultural work from 12 to 14 years; b) updating the Hazardous Orders consistent with current work practices, technology and scientific evidence - in partnership with representatives of agricultural business, organizations and youth-serving groups; c) improve rural community access to education and childcare services; and d) provide training for public agency staff such as Child Welfare Services and District Attorneys to intervene in cases where young workers are at high risk of disease, injury or death in agricultural settings.

There are untapped, exciting, and safe opportunities for young people to have positive work experiences in the expanding realm of global agriculture. We now have options and obligations to make that happen. What is needed is the political will to make these possibilities a reality.

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