



Freedom Network USA

February 24, 2023

VIA EMAIL to tipreportUS@state.gov

TIP Ambassador Cindy Dyer
US Department of State
Office to Combat and Monitor Trafficking in Persons (JTIP)
2201 C Street NW, SA-09 Suite NE3054
Washington, DC 20520

RE: Freedom Network USA's Additional Input for the 2023 Trafficking in Persons Report

Dear Ambassador Dyer:

Freedom Network USA (FNUSA), established in 2001, is a coalition of 92 non-governmental organizations and individuals that provide services to and advocate for the rights of trafficking survivors in the US. FNUSA previously submitted input for the 2023 Trafficking in Persons Report. In light of the recent US Department of Labor (DOL) investigation that revealed the widespread use of child labor in meat packing plants¹ and legislation introduced in multiple states to revoke child labor protections,² we are writing to provide additional input regarding essential protections for children from harmful and unsafe work.

Child labor restrictions are an indispensable form of prevention of child labor trafficking. These labor laws were created because children were working in unsafe factory conditions and exposed to hazardous chemicals.³ Despite these protections, the DOL investigation found at least 102 children between 13 and 17 years old working overnight shifts and using hazardous chemicals to clean dangerous equipment. Federal law prohibits children under the age of 18 from working in meatpacking plants and bars. It also restricts the hours children can work so they can attend school.⁴ This investigation follows other reports of dangerous child labor violations, including an investigation into a Hyundai subsidiary that employed around 50 underage workers. The factory violated federal child labor laws and Alabama state law requiring

¹ US Department of Labor, *More Than 100 Children Illegally Employed In Hazardous Jobs, Federal Investigation Finds; Food Sanitation Contractor Pays \$1.5m In Penalties*, 2/17/2023,

<https://www.dol.gov/newsroom/releases/whd/whd20230217-1>

² Jacob Bogage, Washington Post, *In a tight labor market, some states look to another type of worker: Children*, 2/11/2023, <https://www.washingtonpost.com/business/2023/02/11/child-labor-iowa/>

³ US Bureau of Labor Statistics, *History of child labor in the United States—part 2: the reform movement*, 1/2017, <https://www.bls.gov/opub/mlr/2017/article/history-of-child-labor-in-the-united-states-part-2-the-reform-movement.htm>

⁴ Daniel Weissner, Reuters, *U.S. company fined for hiring kids to clean meatpacking plants*, 2/17/2023, <https://www.reuters.com/world/us/us-company-fined-hiring-kids-clean-meatpacking-plants-2023-02-17/>

children under 17 to be enrolled in school.⁵ In the service industry, employers have been found scheduling children to work hours in excess of federal legal limits and requiring them to operate hazardous kitchen machinery.⁶ A recent DOL investigation found 154 children aged 14 and 15 employed by McDonald's were working excessive hours and outside of the time restrictions set by federal law.⁷

The children most likely to end up in dangerous jobs and working extended hours are the ones who have greater vulnerability to human trafficking. Children who do not speak fluent English, live in mixed-status or undocumented households, have parents out of work or who do not make enough to support a family, have disabilities, or face housing insecurity or homelessness may seek work to support themselves or their family and are more likely to end up in exploitative jobs. In the recent DOL lawsuit in Nebraska, most of the children hired illegally in the meat packing plants did not speak fluent English.⁸ Children in illegal labor in rural areas are less likely to be identified and provided services due to the lack of resources and less frequent opportunities for third-party intervention.

Efforts to remove child labor protections are rising in states with large industrial economies. The proposed legislation in Iowa would expand the hours teenagers can work during the school year and shield employers from liability if a child becomes ill, is injured, or is killed at work. It would also allow children as young as 14 to work in meatpacking plants, industrial freezers, and industrial laundry.⁹ Another bill in Minnesota would permit children as young as 16 to work on construction sites. In Arkansas, a proposed bill would remove the requirement that the Arkansas Department of Labor provide work permits and age verification for children under 16 to work.¹⁰ Removing these protections and shielding companies from liability if a child is harmed or killed will put children in danger and increase the risk of child labor trafficking. A tight labor market and refusal by companies to pay competitive, livable wages will not be solved by putting more children in dangerous jobs and longer shifts.

Recommendation: *FNUSA calls on the US Government to dedicate resources to evaluating US supply chains and businesses using illegal child labor, violating child labor laws, and the impact*

⁵ Joshua Schneyer, et al., Reuters, *Exclusive: Hyundai subsidiary has used child labor at Alabama factory*, <https://www.reuters.com/world/us/exclusive-hyundai-subsidiary-has-used-child-labor-alabama-factory-2022-07-22/>

⁶ US Department of Labor, *Coastal Maine Gourmet Market Pays \$51k To Resolve 'Preventable' Wage, Child Labor Violations After Department Of Labor Investigation*, 2/6/2023, <https://www.dol.gov/newsroom/releases/whd/whd20230206-2>

⁷ US Department of Labor, *US Department Of Labor Finds Mcdonald's Franchise Operator Violated Child Labor Hours, Safety Regulations At Seven Locations In Erie, Warren*, 2/22/2023, <https://www.dol.gov/newsroom/releases/whd/whd20230222-2>

⁸ Daniel Weissner, Reuters, *U.S. company fined for hiring kids to clean meatpacking plants*, 2/17/2023, <https://www.reuters.com/world/us/us-company-fined-hiring-kids-clean-meatpacking-plants-2023-02-17/>

⁹ Jacob Bogage, Washington Post, *In a tight labor market, some states look to another type of worker: Children*, 2/11/2023, <https://www.washingtonpost.com/business/2023/02/11/child-labor-iowa/>

¹⁰ State of Arkansas, 94th General Assembly, House Bill 1410, <https://www.arkleg.state.ar.us/Bills/FTPDocument?path=%2FBills%2F2023R%2FPublic%2FHFB1410.pdf>

of reducing protections on harm to children. The US Government should also commit more resources to expand Wage & Hour investigations teams to ensure all labor violations are thoroughly investigated. Federal child labor law should be strengthened to provide increased protections to minors working in all states. Services and referral networks should be expanded to ensure children who have experienced labor violations and labor trafficking can access the comprehensive resources necessary to heal. An increase in funding is necessary for rural areas to increase oversight of businesses and expand services available to survivors. FNUSA also recommends expanding efforts to ensure US citizen and noncitizen workers of all ages know their rights.

The US Government should take extra care to protect Unaccompanied Migrant Children (UACs) to ensure these particularly vulnerable children do not face abuse and exploitation. The government should provide expanded services and legal counsel to UACs after leaving government care (either immigration detention or HHS custody) so that these children can receive critical prevention services like medical, social, mental health, and legal services.

Thank you for your time and attention to these matters. Please contact me (jean@freedomnetworkusa.org) if you have any questions or need further information.

Sincerely,

A handwritten signature in black ink that reads "Jean Bruggeman". The signature is written in a cursive, flowing style.

Jean Bruggeman
Executive Director
Freedom Network USA