

An important Agricultural law update from the law firm of Jackson Walker

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Labor Department Abandons Updated Child Labor Laws for the Agricultural Industry

By Sara K. Hollan

When you think of summer jobs for youth in rural communities, several things may come to mind. You probably imagine a young woman rounding up cattle to send to auction. It is also likely that you imagine a young man baling hay, helping to sort cattle at a feedlot, or driving a tractor and planting crops. Many young men and women living in rural areas do not have the opportunity to work in fast food restaurants, at movie theaters, or retail stores because they are miles and miles away from their homes. They work on farms and ranches, earning money and learning life lessons. Last week, the Department of Labor announced that it was abandoning proposed regulations that would have limited, or eliminated, several of these opportunities.

In August 2011, the U.S. Department of Labor announced that it would revise child labor regulations to strengthen safety requirements for young workers employed in agriculture and related fields. The current agricultural hazardous occupations orders under the Fair Labor Standards Act that acted to bar young workers from specific tasks had not been updated since their promulgation in 1970.

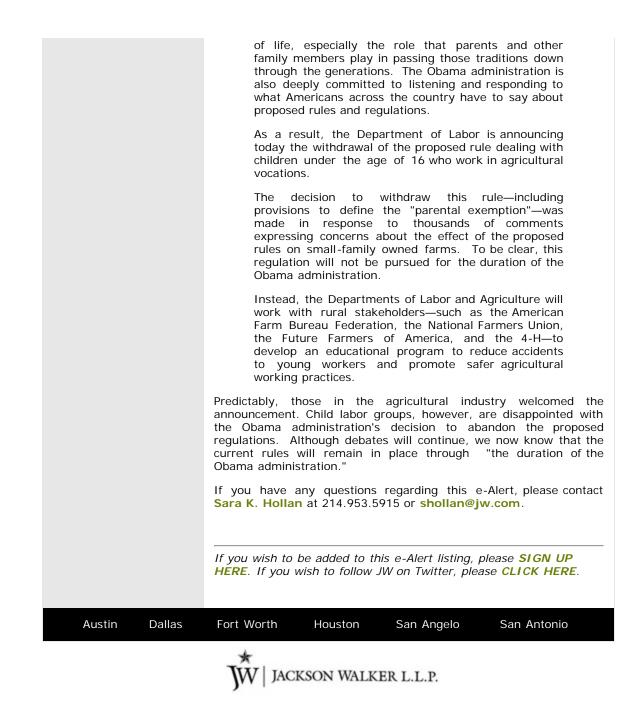
As announced, the proposal sought to:

- "Strengthen current child labor regulations prohibiting agricultural work with animals and in pesticide handling, timber operations, manure pits and storage bins"
- "Prohibit farmworkers under age 16 from participating in the cultivation, harvesting and curing of tobacco"
- "Prohibit youth in both agricultural and nonagricultural employment from using electronic, including communication, devices while operating power-driven equipment"
- "Create a new nonagricultural hazardous occupations order that would prevent children under 18 from being employed in the storing, marketing and transporting of farm product raw materials"
- Prohibit employment at "country grain elevators, grain bins, silos, feedlots, stockyards, livestock exchanges and livestock auctions"
- "Prohibit farmworkers under 16 from operating almost all power-driven equipment"

In a press release dated April 26, 2012, the Department announced the withdrawal of the proposed regulations—an action taken in response to the public outcry over the proposal.

The Department stated:

The Obama administration is firmly committed to promoting family farmers and respecting the rural way



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