

WEB CONTENT DISPLAY  
February 3, 2012

## FARM CHILD LABOR

My parents took full advantage of child labor in the Pryor family after WWII through the 1970's. I grew up on a small farm with two brothers and two sisters in Nemaha, NE. But that's what it is all about growing up on a family farm. To keep the farm going, we all pitched in to help the family business. It was up to my parents to teach farm safety and, yes, I can still remember Dad taking me to Auburn to the fair building and listening to Rollie Schneider, UNL Farm Safety specialist, rest his soul. This week, farm safety expert Dave Morgan at the Nebraska Tractor Test facility announced his retirement, and now any activity about farm safety education from Extension has been shifted. The lead role was shifted to Sharry Nielsen in Kearney-Franklin Counties.

The Federal Department of Labor (DOL) announced last fall it will revise part of its farm labor rule that aims to increase protection for youth farm workers. The Wage and Hour Division said it will be revising and re-proposing the portion of the rule that interprets "parental exemption." Originally, the rule allowed children of any age employed by a parent or legal guardian to perform any farm duty provided the farm was owned by the parent or guardian. Otherwise, children under the age of 18 would be prohibited from performing certain farm duties that are deemed hazardous, which is pretty much all agricultural work.

The good news is that the DOL agreed to revise the parental exemption portion after hearing months of opposition from farmers and members of Congress. The revised parental exemption portion is expected to be completed and published for public comment by early summer. Meanwhile, the department will continue to seek public comments on the proposed labor rule. Until rule is final, the Wage and Hour Division said it will apply the parental exemption to situations in which the parent or legal guardian is a part-owner of the farm, or part of a partnership or corporation that owns the farm, provided the ownership interest is substantial.

Is the DOL really listening to rural citizens in the Midwest? If only one small piece of the puzzle is taken care of, is that the biscuit to silence all of the potential concerns that have been raised? Federal regulators said in November and last week that they're trying to respond to studies that show children are significantly more likely to be killed when working on farms and ranches than while working in all other industries combined. That is what is driving this continued effort to stifle the work of young people on farms.

Of those active in the issue many say the original rule still goes way too far, and the most recent concession doesn't back off enough to really make a big difference. The rule change still threatens the jobs of thousands of teenagers in the Midwest who detassel corn during their summer vacations, and it makes no allowances for vocational agriculture or 4-H students who tend to livestock on farms their parents don't own or occupy. As I understand it, the adjusted rules appears limited to who, besides parents, might qualify for a parental exemption on the basis of what is described as "substantial ownership" of property where children younger than 16 are

working. I don't know if this allows LLC's or farming corporations to be exempt. We will have to see.

The Nebraska Farm Bureau says the proposed rules are written so broadly that they severely limit young people's exposure to livestock and farm machinery. "Learning by Doing" is critical to young people becoming excited about agriculture and careers in ag and related occupations. Limiting their ability to get their hands dirty keeps them from learning and developing a passion for agriculture. We need to do everything we can to encourage the next generation of food producers.

There are many proposed changes in child labor laws for agriculture that have nothing to do with parental exemptions like allowing young people to be anywhere over 6 feet tall, like on a ladder or in the hay shed. Another rule appears to place major restrictions on working with machinery. Dewey Lienemann, former FFA instructor and Extension Educator in Webster County, says there is still a lot of dialogue that needs to be done on this.

Another public comment period, typically 60 days, will follow this summer.

The above opinion and observations do not reflect an official position of University of Nebraska Extension but rather my personal opinion is being expressed in this article as one who has taught farm safety classes to area youth over the past 29 years.

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