



Model Policy: Youth Employment in Agriculture

Background

Agricultural operations are hazardous by nature and special protections need to be in place to protect youth and untrained workers from the hazards found in specific jobs, locations, and practices. With proper job training, adequate supervision, occupational health and safety education appropriate for the age and developmental level of the learner, and consistent enforcement of work rules, farm work can provide safe and valuable introductory work experiences, and important income opportunities. In many cases, farm work may provide the only introductory employment opportunities available for adolescents. These early employment experiences are increasingly important in motivating young people to seek a career in the industry and enter college programs in farming, food processing, food marketing, landscaping, horticulture, and other agricultural disciplines. Positive early work experiences, hands-on vocational educational training opportunities, and robust post-secondary education programs in agriculture and agribusiness are critical to the future of American agriculture and continuation of our abundant, diverse, safe, and economical food supply.

Ideally, youth will have developmentally- and age-appropriate agricultural work opportunities that can be performed safely and are within their physical, cognitive and emotional abilities. Young workers must be afforded extra protections from hazards or situations that would subject them to undue risk of injury or long-term health risks. The National Council of Agricultural Employers (NCAE) is the national trade association focusing exclusively on agricultural labor issues from the agricultural employer's viewpoint. Over 300 strong, NCAE members are growers, associations, and others whose business interests revolve around labor intensive agriculture. NCAE has a model workplace policy prohibiting unauthorized workers including underage children in the workplace. NCAE also has a 2010 "Youth policies in U.S. Agriculture" position paper. At the annual meeting of NCAE in Washington DC of February 2013, with 80 plus members in attendance, a panel with youth safety experts discussed the value of developing a model policy on youth employment that expands upon the earlier NCAE position statement. It was suggested that with more recent events surrounding regulatory proposals and more information about injuries experienced by youth working in agriculture, now is a good time to update, expand and promote a model position paper.

Through a series of teleconference calls, in-depth discussions were undertaken of relevant voluntary standards and regulations already in use and specific areas of concern regarding job assignments for youth. All drafts and updates were reviewed by members of the 20-person task force.

Purpose

The Model Policy on Youth Employment in Agriculture can be used “as is” or modified for agricultural company purposes. The positioning and model policy applies only to hired labor, not immediate family of farm owners and operators. Parents looking for broad guidelines for their own decision processes may find the general guidelines for employed/non-family youth to be useful. This policy addresses traditional agricultural operations, which encompass predominantly field operations, packing of same-farm produced products, and barn-work. For our purposes “young” workers refers to youth ages 14 through 17 years. We acknowledge that nothing magical happens at age 18 in terms of maturity or risk of occupational injury, and that general occupational safety principles apply regardless of age.

Overarching Principles Regarding Young Workers

Youth Employment

- Career and job training, and education programs for youth in agriculture help integrate occupational health and safety training as part of a comprehensive strategy for jobs skills development.
- It is important to balance training, job assignments, and work hours with individual youth abilities based on age, which impact developmental capabilities and other factors that may impact job performance. Protections for all minors under age 18 vary by developmental stage and age group (e.g., 14- and 15-year-olds vs. 16- and 17-year-old youth).
- Certain exemptions should exist for student-learners to perform hazardous work otherwise prohibited or restricted. Young workers benefit from specific training which includes educational programs to perform the work activity, job-specific health and safety training, and direct supervision while performing the job(s).
- Training programs should be established through a combination of federal funding, state Extension services, and industry.
- Efforts to improve supervisor training specific to young workers should use all available technologies to make materials and information more widely available and accessible.
- Further research and education into youth safety and career development is warranted to effectively prepare a well-trained workforce for agriculture careers and opportunities.

Youth Development and the Work Environment

- Youth under age 18 are in a stage of rapid growth and development which form the basis of the need for restricted work hours and work activities. Youth are not able to safely work as many hours as adults, and they also need more time for sleep and rest. In addition to work, it is important that youth participate in other age-appropriate activities including school, family, community and recreation.
- Youth require additional supervision and training due to their lack of experience and developmental issues that contribute to limitations of specific skills and judgment. This is particularly important in settings where hazards are present.
- Employment of hired workers younger than age 14 should not be permitted.
- There are significant discrepancies between work permitted for hired youth in agriculture and non-agricultural operations in the federal child labor regulations. These discrepancies may not be in the best interests of the young workers, nor their perspective employers.
- On family farms, parental rights and responsibilities prevail regarding age-appropriate work assignments for children, but these voluntary guidelines should be considered.

Voluntary Guidelines for Youth Employment

These voluntary guidelines pertain to hired adolescent workers ages 14 to 17 years.

Training and Supervision

- Youth under age 18 should always work under direct visual supervision (close proximity) of at least one responsible adult supervisor who is physically present at the worksite/location.
- Training for young hired workers should include clear communication and documentation of the allowed and prohibited work activity in and around the workplace, as well as the rights and responsibilities for themselves and others in the work environment.
- Training for all supervisors of hired workers under 18 should include instruction about:
 - Existing age-based work rules
 - Physical and cognitive abilities of youth
 - Need for extra supervision and frequent training
 - Basic emergency response practices, both general and specific to the workplace
 - Harassment prevention, including sexual harassment

Job Assignments: General

- All farms that intend to employ youth should implement a formal worksite hazard assessment program, including regularly updated safety checklists, accident prevention programs, and regular review of health and safety procedures to ensure they are current with existing requirements and recommendations.
- All manufacturer directions/manuals and applicable local, state, and federal laws and regulations must be followed. This includes, but is not limited to, those with age, size, training and certification requirements.
- Job assignments for 14- and 15-year-olds should occur in non-hazardous work only. Work conditions should include specific protections relative to livestock, machinery, and crop protection products, and with written parental consent. There should be assurances that schooling is not disrupted.
- There should be increased but still limited employment opportunities for 16- and 17-year-old youth with restrictions on performing hazardous work activities. These activities can be expanded for those enrolled in approved technical or vocational programs such as FFA or other work-based learning programs, in which instruction in the use of powered equipment and safe work practices around livestock is provided, tested, and certified. Written parental consent must also be obtained.
- Those under age 18 should not be the onsite/in-field designated “responsible” party for emergency response (unless specifically trained/certified as an emergency first-aid responder).
- Noise exposure is a recognized hazard in farming and as such, youth should be provided with appropriate hearing protection and training in hearing conservation strategies (i.e., walk away, turn it down, or wear protection).

Job Assignments: Specific

- Mixing, loading, or application of pesticides should not be done by hired workers under age 18.
- Youth under age 18 should not operate moving equipment in close proximity to other workers, operate equipment that others ride, or provide on-the-job transportation to other workers.
- Generally, workers under age 18 should not drive farm machinery on or across public roads or highways, unless they have received documented training and are licensed or certified to operate the specific farm vehicles.
- No one under age 18 should operate tractors or other ride-on machinery that is not equipped with ROPS and seat belts, and employees must use the safety equipment at all times.
- Certain types of equipment account for a large percentage of on-farm injuries due to complexity of operation, speed, power, or other reasons. Therefore, strong consideration should be given to age, machine-specific training, and experience requirements for any employee allowed to operate this type of equipment. Examples include large tractors, ATVs, skid-steer loaders, augers/conveyers, elevators, chain saws and stationary power equipment requiring hand-feeding such as chippers.
- Hired workers under age 18 should not work on, around, or in grain handling facilities or confined spaces including, but not limited to, upright silos, grain bins, or manure pits/tanks.
- Hired workers under age 18 should not be permitted to engage in work where they handle or come into contact with tobacco in any form.
- Work involving prolonged exposure to extreme heat, cold and other adverse outdoor weather conditions such as storms should be limited. Youth should be given more frequent breaks than what is recommended for adults and opportunities for ample hydration made available. Training regarding symptoms of heat stress and hypothermia, which is a dangerous drop in body temperature from cold exposure, and prevention strategies should be provided. Additional information for dealing with adverse weather conditions should also be in place. For instance, instructions should be provided to youth to contact the supervisor when weather conditions change and making operating equipment more unpredictable and hazardous.

Work Hours

- Employment conditions for 14- and 15-year-old youth should include daily work hour limits, as well as start and stop times that are comparable for this age-group in non-agricultural employment.
- There should be specific start and stop times for 16- and 17-year-olds that may differ during the school-year versus non-school year, and even between school nights and weekends to assure students have adequate rest and study time.
- Those 16- and 17- year-olds who are not enrolled in school, and who support themselves, may be subject to fewer restrictions with regard to hours of work, although hazardous operations would remain off-limits without student learner or other certified training program participation.
- Overnight shift work in field operations should never be assigned to workers younger than 18 years.

Conclusion

We hope this model policy is useful for agricultural employers (farmers, packers, and labor providers) who are personally and directly committed to safeguarding young workers in agriculture across the United States. We welcome the opportunity to engage in dialogue on the topic of young workers in agriculture.

Resources

- National Children's Center for Rural and Agricultural Health and Safety (www.marshfieldclinic.org/nccrahs).
 - Model Youth Employment Policy, www.marshfieldclinic.org/nccrahs
 - Safety Guidelines for Adolescent Farmworkers (SAGHAF): User-friendly safety resources on common agricultural work performed by youth; and basic tips for supervisors of adolescent farmworkers, www.marshfieldclinic.org/saghaf.
 - North American Guidelines for Children's Agricultural Tasks (NAGCAT): Resource for parents and other adults responsible for children in an agriculture setting, www.nagcat.org/nagcat.
 - Cultivate Safety: A web-based resource for parents: www.cultivatesafety.org
- Safety in Agriculture for Youth (SAY) Project at Pennsylvania State University Extension Program: Resources on health and safety curricula for youth working in agriculture: www.extension.org/agsafety
- Accident Prevention Program in Agriculture, Washington State Department of Labor and Industries, lni.wa.gov/Safety/Topics/AtoZ/APP/resources.asp.
- National Council of Agricultural Employers (NCAE): A resource for employers, www.ncaeonline.org.
- US Department of Labor Agriculture Child Labor Rules and other resources: www.dol.gov/whd/childlabor.htm
- Heat Illness Prevention: California and Washington State both have standards and guidance:
 - Washington's Outdoor Heat Exposure: www.lni.wa.gov/safety/topics/atoz/heatstress
 - California's Heat Illness Prevention: www.dir.ca.gov/dosh/heatillnessinfo.html
- Miller, ME and Lee, BC (2014). Developing a model policy on youth employment in agriculture. *Journal of Agromedicine*, 19(3) (*In publication July 2014*).

Contact:

- Mary E. Miller, MN, RN, Child Labor/Young Worker Specialist, Washington State mary.miller@lni.wa.gov. Phone: 360.902.6041. [*The policy does not reflect the position of the Department of Labor and Industries*]
- Marsha Salzwedel, MS, Agricultural Youth Safety Specialist salzwedel.marsha@mcrf.mfldclin.edu. Phone: 800.662.6900, Ext. 8.
- Barbara Lee, PhD, RN, Director, National Children's Center for Agricultural Safety and Health lee.barbara@mcrf.mfldclin.edu. Phone: 800.662.6900, Ext. 2.

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