

Public Policy & Advocacy

Approaches for Protecting Youth in Agriculture

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OUTLINE

- **Definitions**
- **Federal/state/local regulations**
- **Safety practitioners' and the law**
- **Objections from the ag community**
- **Advocacy "stories"**
- **Building coalitions**
- **Communicating with policymakers**



Definitions

- **Laws**
- **Regulations**
- **Policies (organization)**
- **Guidelines**
- **Advocacy**
- **Lobbying**
- **Children's Work & Child Labor**
- **NIOSH & OSHA**

Is this for real?

- Farm mother and 4 sons in field, picking rock. 5-year old is operating the skid steer loader; runs over 3-year old.
- Barn with unguarded fans. 3-year old walks into fan blades.
- Grandfather giving 4-year old “joy ride” in bucket of front-end loader; hit rock; child pinned underneath.
- Fundraising event for infant – teen drives tractor to school and features mother & infant inside cab.
- Mother interviewed by media (“we need kids to keep farm going... you don’t get it”); later child’s leg shredded in machine.
- 10-year old driving tractor downhill, hip LP tank, rolled over, pinned beneath.

Laws/Regulations

- Department of Labor, 1938 Fair Labor Standards Act
 - Minimum age, work hours, Hazardous Orders
 - YouthRules! Website
- State regulations

Child Labor Bulletin 102

Child Labor Requirements in
Agricultural Occupations Under
the Fair Labor Standards Act



YouthRules!
Preparing the 21st Century Workforce

Know the Rules | Find Support | Teen Work Stories | News & Resources

Everything You Need to Know to Work

Know the Rule
Young Worker
Labor Laws in

The image shows a screenshot of the YouthRules! website. At the top, there is a logo with a star and the text "YouthRules!" and "Preparing the 21st Century Workforce". Below the logo are four navigation buttons: "Know the Rules", "Find Support", "Teen Work Stories", and "News & Resources". The main content area features a photograph of a young woman with long dark hair, wearing a striped apron, smiling and holding a red apple. She is standing in a grocery store aisle with shelves of produce in the background. At the bottom of the image, there is a blue banner with the text "Everything You Need to Know to Work" and "Know the Rule Young Worker Labor Laws in".

Health/Safety Regulations

- OSHA standards
 - Enforced if ≥ 10 employees
 - Provide housing



- EPA
 - Worker Protection Standard
 - Other



Safety Practitioners & Law

- **Child ag:** labor laws, OSHA, EPA, parental protection laws
- **Legal knowledge** – know what, how, when it sanctions or restricts behaviors
- **Legal procedure** – consider confidentiality, repercussions
- **Law advice** – employ licensed counsel
- **Expert witness** – opportunity to share evidence
- **Introduce legislation** – to modify existing or introduce new laws

Objections from Farming Community

- “Agrarian myth”
- Generational perspective
- Misunderstandings of what is/is not regulated
- Non-alignment of risk perceptions with regulatory intent
- Agribusiness power, influence
- Looser rules for owner/operator children vs. employee children
- Culture, economics may override “price” of non-compliance

Advocacy Success Stories

- **Automobile safety – seatbelts, infant car seats (federal)**
- **Bicycle helmets for <16 years (local)**
- **No smoking in public buildings**
- **Endorsement & funding for 1996 National Action Plan for CAIP**
- **Sustained funding for NIOSH AgFF program**
- **EPA Worker Protection Standard**

Advocacy **(Un)** Success Stories

- **Withdrawal of proposed updates in Child Labor/Ag Laws**
- **Passage of immigration reform for farmworkers**

Proactive v. Reactive Advocacy

- Proactive

- Identifying a problem before it occurs, laying a foundation



- Reactive

- Reacting to a situation that has already occurred and trying to “fix” or “resolve” the problem



Building a coalition

1. Identify stakeholder groups

- Primary & secondary groups

2. Listen

- Find common ground
- Where are you similar, where are you different?



3. Generating buy in to create a unified position

- Identify key message points for your audience(s)
- Stay on the same page

Building relationships

- **Communication is key!**

- Who is your audience?
 - Primary & Secondary Groups
 - Local Leaders?
 - Legislators?



- **Changing policy**

- Build solid & honest relationships with policy makers and staff
- Provide clear, concise information (one page) with direction to what you are asking (make the request)
 - Consider opposing view and propose funding sources in the proposal

Identifying the solution

- The problem/challenge:
- Stakeholders:
- Objective(s):
- Audience
 - Primary:
 - Secondary:
- Message points:

Politics, Economics, Culture

Factors to keep in mind ...

- Bipartisan approaches are ideal
- Money to fund new programs, will likely be drawn away from another program. NEVER suggest where something can be cut that is not under your direct program control
- Cost/benefits of paid lobbyists
- Find a champion. Often helps if you are solving a constituent issue

Additional advocacy strategies to consider

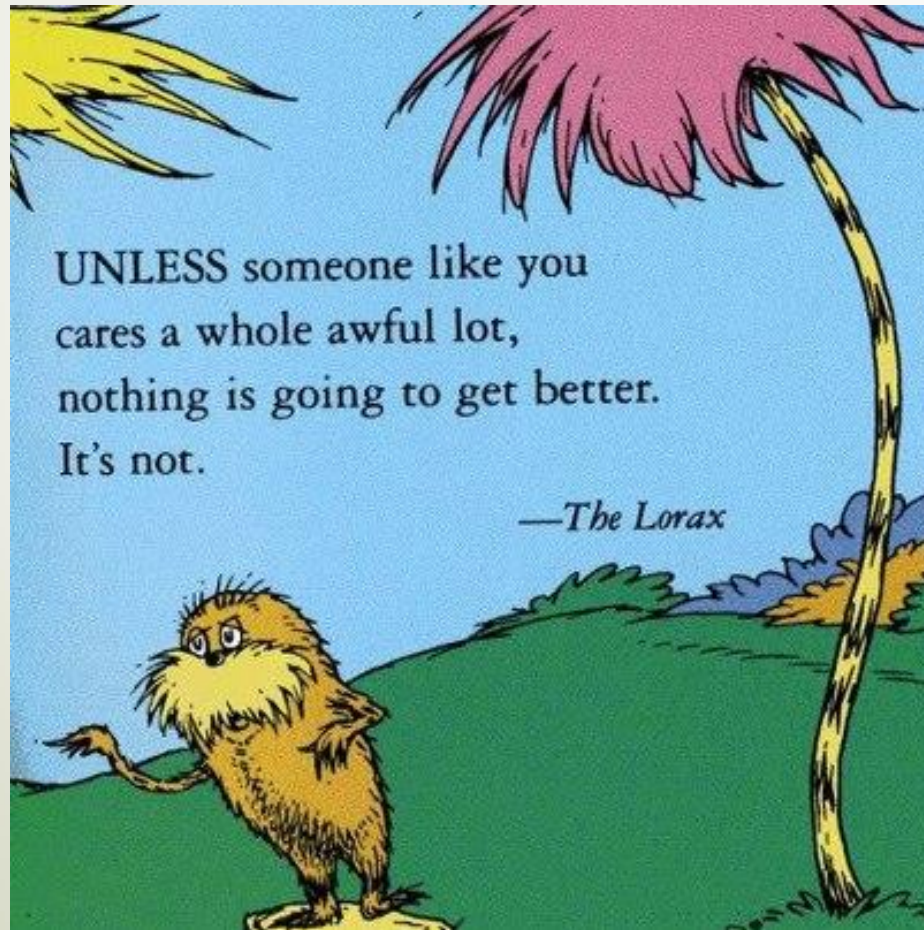
- Position papers, e.g. Am. Academy of Pediatrics
- Op ed articles in major news outlets
- Commentaries in journals
- Media or social media campaign
- Interactions with media, persons of influence
- Comments into Federal Register
- Participation on state/federal advisory committees

Public Policy/Advocacy Examples

(Migrant/Seasonal Child Care Services)

- Federal funding of programs flat – decreases capacity as expenses increase and leaves no room for expansion
- Federal poverty level definition – so low that many migrant parents are not able to qualify
- Immigration laws and/or documentation required for child care centers are too onerous
- Relief needed from liability concerns for employers wanting to pursue on-site child care services
- Tax breaks/benefits for child care too minimal: need increase in child care credit &/or redesign it to be similar to health care deductions

We CAN and SHOULD all be advocates!



Questions?



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