



HR0680

LRB097 15528 GRL 60655 r

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HOUSE RESOLUTION

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WHEREAS, The Fair Labor Standards Act (FLSA) establishes federal child labor standards for agricultural and non-agricultural employment; and

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WHEREAS, The agricultural child labor rules have not been revised since they were first promulgated in the 1970s; and

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WHEREAS, The FLSA charges the United States Secretary of Labor with prohibiting employment of youth in occupations which the Secretary finds and declares to be particularly hazardous for the employment of young workers; and

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WHEREAS, The Act establishes a minimum age of 18 for hazardous work in non-agricultural employment and 16 in agricultural employment; the Act also provides a complete exemption from these rules for a youth who is employed on a farm owned by his or her parent; and

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WHEREAS, On September 2, 2011, the United States Department of Labor published a Notice of Proposed Rulemaking to update the agricultural child labor regulations based upon recommendations made by the National Institute for Occupational Safety and Health, its own enforcement experience, and a commitment to bring these rules in line with

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1 the more stringent rules that apply to employing children in
2 non-agricultural workplaces; and

3 WHEREAS, A few of the revisions proposed by the NPRM would
4 require all tractors operated by 14 and 15-year-old student
5 learners to be equipped with proper rollover protection
6 structures and seatbelts and require that student-learners use
7 the seatbelts, remove the 2 certification programs that allow
8 14 and 15 year-olds to operate most tractors and farm
9 implements without supervision, revise the type of farm
10 implements that 14 and 15 year-old student-learners may operate
11 after successfully completing the academic units addressing
12 each type of implement, and revise and expand the current
13 prohibitions against working with animals; and

14 WHEREAS, The U.S. Department of Labor recently concluded
15 the public comment period for the proposed regulations that
16 would define restricted farm activities for workers under the
17 age of 16; while these proposed regulations may not affect
18 children working on their parents' farm, they would apply to
19 children under the age of 16 who are hired by farming
20 operations or are working on farms owned by other family
21 members, such as grandparents, uncles, and cousins; and

22 WHEREAS, Many in the agricultural community are concerned
23 that the Department of Labor's proposed regulations could

1 increase farm families' legal liabilities, as well as force
2 them to change the way they operate their farms; the proposed
3 regulations would also limit training for future farmers by
4 reducing the exposure they have to the agricultural industry;
5 and

6 WHEREAS, Many young people use livestock as part of 4-H,
7 FFA, and other programs, but under the proposed rules,
8 individuals under the age of 16 would be prohibited from being
9 near certain animals without adult supervision; and

10 WHEREAS, The proposed rules would also prohibit youth from
11 operating most power equipment, including power-driven
12 equipment such as riding lawnmowers; and

13 WHEREAS, The proposed regulations would hinder the ability
14 of some youths to earn money during the summer by limiting the
15 number of jobs that are available to them; and

16 WHEREAS, Any implemented rule changes should maintain the
17 integrity of the family farm exemption approved by Congress;
18 and

19 WHEREAS, Considerable changes should be made to the
20 proposed regulations before they are finalized; therefore, be
21 it

1 RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE
2 NINETY-SEVENTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that
3 we urge the United States Department of Labor to carefully
4 consider all of the comments submitted on their proposed
5 regulations for youth in agricultural employment before
6 finalizing any rule changes; and be it further

7 RESOLVED, That we further urge the U.S. Department of Labor
8 to revise the proposed regulations before they are finalized so
9 as to not create a barrier to young people learning about the
10 agriculture industry and entering agricultural careers; and be
11 it further

12 RESOLVED, That suitable copies of this resolution be
13 delivered to U.S. Secretary of Labor Hilda Solis and to each
14 member of the Illinois congressional delegation.