

Joint Submission to the Universal Periodic Review of the United States of America
50th session
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The **Campaign to End US Child Labor** works to stop rollbacks of child labor laws and increase protections for all children working in the United States. It brings together non-profit organizations, academia, and trade unions, all working in the fields of child labor and exploitation, labor rights, unaccompanied children, and children's rights.

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The **Child Labor Coalition** is an international network with 38 members working to end child labor worldwide.

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The **Global March Against Child Labour** (Global March) is a worldwide network of trade unions, teachers' associations and civil society organisations that work together towards the shared development goals of eliminating and preventing all forms of child labour, slavery and trafficking and ensuring access by all children to free, meaningful and good quality public education.

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Investor Advocates for Social Justice (IASJ) is a 501(c)(3) non-profit organization representing investors with faith-based values who seek to leverage their investments to advance human rights, climate justice, racial equity, and the common good.

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The **National Advocacy Center of the Sisters of the Good Shepherd (NAC)** works at the federal level to encourage just policies, to challenge unjust policies, and to develop positive alternatives when needed so as to be in solidarity with those on the margins - particularly women and children. Through its activities, NAC serves as a voice for the Congregation of Our Lady of Charity of the Good Shepherd and Partners in Mission in the United States, bringing their concerns to national legislators, and promoting their social justice priorities in the public sphere.

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Shine Global is a non-profit media company. We produce inspiring films and compelling content about children and their families. Through tailored distribution and outreach, we connect with our audiences in communities, classrooms, museums, and on Capitol Hill as part of a powerful engagement campaign to encourage social change.

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1. The Campaign to End US Child Labor, the Child Labor Coalition, Florida Policy Institute, Global March Against Child Labour, Human Rights Watch, Investor Advocates for Social Justice, the National Advocacy Center of the Sisters of the Good Shepherd, and Shine Global submit the following regarding the United States of America's (US) implementation of recommendations from its 2020 Universal Periodic Review (UPR). This submission is neither a complete review of implementation of all recommendations, nor a comprehensive review of US respect, protection, and fulfillment of human rights.
2. This submission discusses hazardous child labor in the US and its devastating impacts on children's health, safety, and education. The US did not comment on the issue of child labor in its 2020 national report for its third UPR cycle.¹ The US did, however, support recommendations regarding labor rights, migrant workers' rights, and combatting systemic racial discrimination.² In order to implement these recommendations fully and to fulfill its human rights obligations, the US should take urgent action to end child labor.

Introduction: A Surge in Child Labor Violations in the US

3. In recent years, investigative reports from around the US showed children – often unaccompanied migrants – working harrowing overnight shifts in slaughterhouses,³ using heavy machinery in auto body plants,⁴ falling from dangerous heights while working in roofing,⁵ and doing hazardous work in a range of other sectors.⁶ According to the US Department of Labor (DOL), child labor violations increased nearly 300 percent between 2015 and 2024.⁷
4. These reports spurred an important national conversation on the harsh realities of child labor in the US. The Biden administration made new commitments regarding child labor enforcement and formed an Inter-Agency Task Force on child labor.⁸ Members of Congress held hearings and introduced new legislation aimed at eliminating child labor.⁹
5. Despite these steps, the US legal and regulatory framework remains inadequate to protect children from hazardous work, as described below. The Trump administration's cuts to budgets and personnel across the federal government threaten to weaken DOL's enforcement of child labor laws and regulations. The administration's cruel immigration agenda will make immigrant workers, especially children, far less likely to report abusive conditions and cooperate with workplace health and safety investigations, and its threats to weaken social

protection programs that help protect families from poverty, such as possibly cutting food assistance,¹⁰ could drive more children into hazardous and exploitative work. The United Nations has extensively demonstrated the role that poverty plays in driving children to work, including hazardous work.¹¹

Children Face Danger Working in US Agriculture

6. Our organizations have reported extensively on the dangerous conditions children face while working in US agriculture. Human Rights Watch has interviewed hundreds of child workers and published their accounts in four detailed reports.¹² The research documented how children, some as young as 7, worked long hours in extreme heat with insufficient breaks or hydration, used sharp tools and heavy machinery, and climbed to dangerous heights with nothing to protect them from falling. Many were exposed to toxic pesticides, and on tobacco farms, children faced the added risk of being exposed to nicotine, a neurotoxin. Children, and in particular, pregnant girls,¹³ are at heightened risk of heat illness¹⁴ and adverse effects from toxic exposures as their brains and bodies are still developing, and they consume more water and food, and breathe more air, unit for unit, than adults.¹⁵ The children interviewed worked in various US states on a broad range of different crops, including apples, asparagus, beets, blueberries, cherries, Christmas trees, corn, cotton, cucumbers, oranges, peaches, pumpkins, sorghum, sweet potatoes, tobacco, tomatoes, and watermelon.¹⁶
7. Numerous reports and studies by public health researchers and other nongovernmental organizations have also documented the grave dangers children face while working in US agriculture.¹⁷ Past research and reports by the US Government Accountability Office and the National Institute for Occupational Safety and Health showed that agriculture is the deadliest sector for child workers in the US, and thousands of children are injured while working on farms every year.¹⁸

Gaps in US Law and Regulations Leave Child Farmworkers Unprotected

8. Despite the dangers of agricultural work, child farmworkers have less protection under US law and regulations than all other working children.
9. Under the Fair Labor Standards Act (FLSA), children as young as 12 can work unlimited hours on farms of any size with parental permission, as long as they do not miss school.¹⁹ There is no minimum age for children to work on small farms

or family farms. In all other sectors outside of agriculture, 16 is the basic minimum age for employment, employment of children younger than 14 is prohibited, and 14- and 15-year-old children can work only limited hours in certain occupations.²⁰

10. Children working in agriculture can do jobs at age 16 that the US Department of Labor has determined are hazardous, while in all other sectors, workers must be 18 to do hazardous work.²¹
11. The weak US legal and regulatory framework governing child labor in agriculture fails to meet international human rights standards.²²
12. The federal regulation identifying the hazardous occupations off limits to children under 16 working in agriculture has not been updated since 1970 and is far too narrow.²³ For example, in agriculture, children under 16 can work at heights of up to 20 feet (nearly 7 meters) without any fall protection, and 16- and 17-year-olds can work at any height without protection. By contrast, in the construction sector, employers must ensure fall protections for any work taking place over six feet (two meters). The list of hazardous occupations also does not prohibit children from working in direct contact with tobacco, even though such work exposes them to toxic nicotine.²⁴
13. In 2014, some tobacco companies announced new policies prohibiting children under 16 from hired employment on farms in their supply chains.²⁵ While significant, the industry's policies have no enforcement mechanisms other than monitoring by the companies themselves or third-party auditors, which may not be sufficient to detect child labor. Research by Wake Forest School of Medicine *after* these commitments were announced showed some children under 16 continued to work on tobacco farms in North Carolina.²⁶

Child Labor Exemptions Have Racist Origins and Cause Racially Disproportionate Harm

14. The United States claimed support for recommendations to combat structural discrimination and "to ensure the enjoyment of human rights by all without discrimination" in its 2021 report to the Human Rights Council.²⁷ Child labor exemptions in US labor law have racist origins and cause racially disproportionate harm. Ending these exemptions and strengthening protections for child

farmworkers is an important part of efforts to end structural discrimination in the US.

15. Throughout history, US agriculture has exploited the labor of Black, Indigenous, Latinx and other people of color, and their children. In May 2021, Rebecca Dixon, the executive director of the National Employment Law Project, testified before a US congressional committee on “how systemic racism stained the original passage of the Fair Labor Standards Act” and “how it lives on in exclusions still in place today.”²⁸ She argued that Congress, at the time the law was enacted, “excluded whole categories of workers from vital protections in order to deny Black people the opportunity for economic and social freedom.”²⁹ The Fair Labor Standards Act excluded farmworkers from any protection until 1966 and maintains harmful exemptions that deny farmworkers overtime pay and labor rights.
16. In the 2020 national report for its third UPR cycle, the US noted that agricultural workers are still excluded from certain protections provided by law to workers in other sectors, stating: “Since 1966, the minimum wage and record-keeping provisions, but not the overtime pay provisions, of the Fair Labor Standards Act (FLSA) have also applied to most agricultural workers and employers.”³⁰ The child labor exemptions for agriculture that remain in US law and regulations are part of this racist legacy and continue to cause racially disproportionate harm.
17. The weak US legal and regulatory framework disproportionately harms children of Latinx origin in the US, who make up the vast majority of hired child farmworkers.³¹

Immigration Policies Further Marginalize Child Workers

18. During its previous UPR cycle, the US supported a recommendation to strengthen the rights of migrant workers and their family members.³² The Trump administration’s immigration agenda will violate the rights of migrant workers and families and will further marginalize children involved in hazardous child labor. Most child farmworkers interviewed by Human Rights Watch were the children of immigrants.³³ Other child labor investigations published in recent years found unaccompanied migrant youth at risk.³⁴ Immigration raids fuel a climate of fear that enables workplace exploitation and makes reporting abuse risky, frightening, and highly unlikely, especially for child workers.³⁵

State Responses to Child Labor are Fragmented

19. At a time when child labor violations are on the rise, lawmakers in 31 states have proposed legislation to weaken existing state child labor standards, and eight states have enacted such changes since 2024. Changes include extending the number of hours employers can schedule children to work, creating new exemptions from protections from hazardous work, eliminating work permits that facilitate compliance with the law, and expanding youth subminimum wages, among others.³⁶
20. Some states have recognized the need to strengthen standards to protect children from excessive or oppressive work, including by increasing penalties for violations, providing additional avenues for redress of children employed in violation of the law, strengthening youth work permit systems, and mandating workers' rights education.³⁷ Proactive changes at the state level have taken on increasing urgency during the Trump administration, which has signaled an interest in weakening the federal protections that serve as the basis for state child labor standards.³⁸

Continued Child Labor Enforcement is Critical

21. In its previous UPR cycle, the US supported a recommendation to "strengthen sanctions against employers who engage in unfair labour practices and ensure that workers' rights are not violated."³⁹ In line with this recommendation, the US Department of Labor under the Biden administration increased child labor enforcement efforts.⁴⁰
22. The new US Labor Secretary for the Trump administration, Lori Chavez-DeRemer, pledged to "double down on" child labor enforcement during her February 2025 confirmation hearing before the US Senate Committee on Health, Education, Labor, and Pensions.⁴¹ DOL's enforcement efforts could be hampered by the Trump administration's ongoing cuts to personnel and budgets across the federal government.⁴²

Recommendations

23. The federal government should:

- Strengthen child labor regulations to protect children from hazardous and exploitative work;
- Use its regulatory authority to initiate a rulemaking process to update the list of hazardous occupations off limits to children under 16 working in agriculture;
- Collect more comprehensive data on child farmworkers and the conditions in which they work, including on their exposure to toxic pesticides and other health risks for children working on farms;
- Rigorously enforce child labor laws; and
- Collaborate with other government agencies, Congress, and other stakeholders on policies and initiatives to prevent child labor through education, rights-aligned and adequate social protection systems, economic policies, and other efforts.

24. The US Congress should:

- Enact legislation to close gaps in the Fair Labor Standards Act to give child farmworkers the same protections as children working in all other sectors, limiting their hours and raising the minimum ages to begin work and to perform hazardous work;
- Expand the Child Tax Credit for the millions of children currently left out of the full credit, which especially shortchanges low-income families.

25. State legislatures should:

- Strengthen state-level child labor laws and policies beyond federal standards to protect children from hazardous and exploitative work.

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²⁰ 29 U.S.C. sec. 203(l) and 29 C.F.R. sec. 570.31–570.39. Employment that is not specifically permitted is prohibited.

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