



Department of Labor Overreach

By Jordan Cash

Each year, teenagers across the United States take to the fields working to earn extra money for themselves and their family. By taking these jobs, these teenagers are being responsible and developing a strong work ethic. But new rules under consideration by the federal Department of Labor would eliminate these teenage job opportunities through regulatory command. The changes under consideration are being promoted as protective child labor measures restricting the kind of agricultural work done by children younger than 16.[\[1\]](#) But these restrictions would not only take away jobs for teenagers, they would also place an onerous burden on farmers and ranchers and grievously injure Nebraska's agricultural industry.

From a purely economic standpoint, these restrictions would eliminate jobs that many teenagers depend on. S&J Detasseling in Hastings employs nearly 2,000 people every summer, about 72 percent of which are under the age of 16.[\[2\]](#) One Lincoln company that hires teenagers for farm work, Not Afraid to Sweat Inc., estimates that kids around Lincoln who work for their company receive about \$2 million collectively from their payroll.[\[3\]](#) Economically, the passage of these rules would not only prevent teenagers from getting jobs and earning money that can be spent in the wider marketplace, but it is also depriving farmers and ranchers of much needed help during the summer months, hurting their productivity and output, consequences that would be detrimental in a state where agriculture makes up over \$17 billion of the economy.[\[4\]](#)

There also would be structural implications for family farms if the regulations are put in place. While the new rules allow children to work on farms owned by their parents, they do not allow children to work on farms set up as corporations or partnerships, which is the way most family farms are legally structured.[\[5\]](#) Nebraska Senators Ben Nelson, Mike Johanns, and thirty other United States Senators have also noted that not allowing kids to work on farms and ranches—especially those that are family-owned—prevents them from learning how to do the work necessary to run an agricultural operation, and could have a devastating impact when the next generation of farmers and ranchers grow up to take responsibility of the nation's agriculture.[\[6\]](#)

Furthermore, the Department of Labor has not provided sufficient evidence that additional restrictions are needed in the agricultural sector. Current governmental rules and regulations, as well as standards set by employers, provide plenty of safeguards to insure the child is not harmed or injured while working.[\[7\]](#) Accidents do happen, but that does not mean that teenagers should be fully removed from this sort of job. Banning teenagers from doing agricultural work not only hurts them, but also the farms, local communities, and the state of Nebraska that depends upon a

robust agricultural economy. Free enterprise is cornerstone of the American economic engine and should not be unduly restricted by government, particularly when no compelling need exists.

These regulation changes raise the issue of federalism. The people who would best understand the issues of teenage farm labor are those who live and work on those farms and ranches every day, and both the teenagers and the agricultural sector would be better served if the issues were addressed by local elected officials than by unelected bureaucrats in Washington, D.C.

The Department of Labor has overstepped its bounds on this issue. It is intruding into an issue that should be dealt with on the state level, and encumbering Nebraska farms with unnecessary and burdensome rules. These regulations could severely hurt the Nebraskan economy and the structure of the nation's agricultural system and must be stopped.

[1] Cindy Gonzalez, "A debate over kids and farming," in *Omaha World Herald*, November 30, 2011. Accessed November 30, 2011:

<http://www.omaha.com/article/20111130/MONEY/711309929>.

[2] Robert Pore, "Johanns: Child labor proposal 'doesn't make sense,'" in *Grand Island Independent*, November 29, 2011:

<http://www.theindependent.com/articles/2011/11/29/news/local/doc4ed5bd25393d0754917715.txt>.

[3] Art Hovey, "Detassellers worried about new child labor rules," in *Lincoln Journal Star*, November 29, 2011. Accessed November 30, 2011:

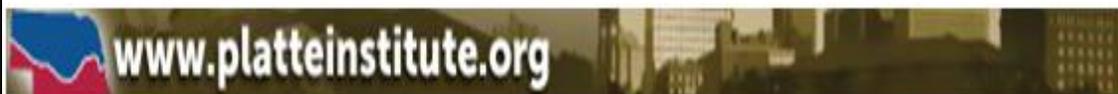
http://journalstar.com/business/agriculture/detassellers-worried-about-new-child-labor-rules/article_998f69bc-9e3d-5982-a2b0-37d7248a728b.html#ixzz1f9Ef0LeE.

[4] "Impact of Agriculture on Nebraska's economy: \$17 billion," in *Kearney Hub*, November 15, 2011. Accessed November 30, 2011: http://www.kearneyhub.com/news/local/article_2a987e22-0fbe-11e1-9861-001cc4c002e0.html.

[5] Gonzalez, *World Herald*, November 30, 2011.

[6] Ibid.

[7] The previously mentioned S&J Detasseling requires frequent rest breaks and provides water. They also provide sun protection and safety equipment, including eye goggles. Conditions are also audited daily to insure it is safe for the kids to work in the fields. Pore, *Grand Island Independent*, November 29, 2011.



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