

SURGING CHILD LABOR VIOLATIONS PROMPT LEGISLATIVE ACTION



By Christina Lengyel, The Center Square

Amid a worsening workforce shortage, more employers – both across the state and the country – may set aside child labor laws as a solution, officials say. The alarming trend prompted lawmakers on the PA House Labor and Industry Committee to advance legislation that would double penalties for these violations: \$1,000 for first-time offenders and up to \$3,000 for repeated incidents.

“When the fines are too low, they are seen as just another cost of doing business,” said the bill’s sponsor, Rep. Regina Young, D-Philadelphia.

Mirroring federal trends which have shown a staggering 283 percent increase in violations since 2015, the state Department of Labor and Industry has noted an uptick in child labor complaints this year. The numbers suggest that – in the face of staffing shortages – employers have indeed begun to look at these violations as a calculated risk.

Several recent exposes have brought to light the prevalence of minors working in harsh conditions, conjuring images from America’s industrial past. Young de-

scribed instances of violations within the state, including a 17-year-old who fell 24 feet from a roof, and 154 children – all 14- or 15-years-old – working illegally for a single McDonald’s franchise owner in Erie and Warren Counties.

Despite unanimous support, the legislation didn’t come without its concerns.

Majority Committee Chairman Jason Dawkins, D-Philadelphia, said the department’s investigators are not currently mandatory reporters, nor do they have the training to make these determinations.

“Suspicion, as we all know, can be an awfully low bar to trigger a requirement to report,” he said.

Minority Chairman Rep. Ryan MacKen-



zie, R-Macungie, also noted that different types of child labor require different responses. The exploitation of unaccompanied migrant children, he said, differs from a high schooler working a few extra hours at a miniature golf course throughout the week.

“These unaccompanied minors, sometimes 12 or 13 years old, have been found cleaning slaughterhouses at night, working in factories, or doing other dangerous prohibited occupations,” Mackenzie said.

He offered an amendment that would add a misdemeanor offense “if the violation was willful and the person knew or reasonably should have known that the minor was without proper parental care, supervision, and control.”

A second provision required reporting to ICE when an employer is suspected of violating federal law regarding undocumented immigrants. Child welfare authorities would also be notified if the victim is a child or there is suspicion of abuse.

Young criticized Mackenzie’s amendment for wading into the polarizing politics of immigration policy and enforcement.

“Children are children,” she said.

The amendment failed along a party-line vote, as did a second proposal establishing an annual reporting requirement to the legislature. The bill then advanced to the House floor for further consideration.

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