

TAM

E D U C A T O R

COMBATING CHILD LABOR





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283% INCREASE
IN CHILD LABOR
LAW VIOLATIONS

UNSAFE
INJURY
DEATH



Workplace advocates say that unions must do more to combat the recent child labor epidemic that has led to injuries and deaths in factories across the United States.

Recent media reports have shown that the use of child labor in the United States is skyrocketing, with child labor law violations increasing by 283% between 2015-2023, and by 37% last year alone, according to the Department of Labor Statistics.

“Children are at particular risk. They often don’t know how to work safely,” says Dr. David Michaels, an epidemiologist and professor at the George Washington University School of Public Health who has held high-level, Senate-confirmed public health positions in multiple administrations. “They haven’t been well trained. They’re susceptible to employers telling them to speed up or to do something that’s not safe. They don’t know enough to say I can’t do that, or in some cases, because they’re immigrants that they don’t understand or they’re afraid to say no, I can’t do that.”

Immigrant children have been particularly at risk of being exploited. Unaccompanied immigrants arriving at the border have increased by more than 500% in the last five years. Many children without family members are forced into taking jobs to survive, sometimes cleaning dangerous equipment late at night in factories and meatpacking houses, as numerous Department of Labor investigations have found.

“The children who take these jobs, the unaccompanied minors, working the late shift in poultry plants, in cereal packing companies, in auto stamping plants, they are at a greatly increased risk for injuries that will change the course of their life, leave them disabled, and unable to work to support the family, in many cases,” says Michaels.

Part of the reason so many child immigrant workers are being abused is the **dramatic increase in the use of temporary agencies in places like meatpacking houses and auto factories.** Temporary agencies allow significant companies to claim that they don't technically employ workers in their facilities and will enable them to avoid legal liability.

Reuters found that a network of staffing agencies around the state provided child labor to carmakers Kia and Hyundai in Alabama. In Colorado, the Washington Post found that the multinational meatpacker JBS also used staffing agencies that employed **children as young as thirteen to clean meatpacking equipment.**

"Temporary workers, as we've known since the early part of the 20th century, are at a greatly increased risk of serious injury or death," says Michaels. "The first days you're on a job present the greatest risk, especially if you haven't been well trained. And that's true of most temporary workers because the host employer doesn't bother training them."

As the administrator of the Occupational Safety and Health Administration (OSHA) under President Obama, Michaels says it was common to see temporary workers killed on their first day on the job.

"When I ran OSHA, month after month, we saw what we called 'first-day fatalities,' workers killed the very first day they're on the job," says Michaels. "And of course, those are mostly temporary workers because they're sent by a

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staffing agency to one factory."

Michaels says that a temporary agency would often abandon a worker if hurt.

"They don't do anything to make sure those workers are protected. And when something happens to that worker, they abandon them," says Michaels. "It's easier for these employers just to use staffing agencies to bring in workers."

Some politicians in states like Arkansas and Ohio are calling for child labor laws to be weakened even more. However, workplace safety advocates say it's time for the U.S. government to crack down on child labor.

"I think this is an attempt by the Chamber of Commerce and the National Association of Manufacturers to try to allow changes in federal law," says Michaels.

"And I think they have strategized that if enough states change their laws, it will pressure the feds to lower the working age for teenagers in factories."

However, Michaels said the federal government could take additional measures to crack down on child labor. He says it is up to union members to ensure that children aren't exploited in the workplace.

"The most effective thing we can do is to raise the pay for all workers because adult workers, especially ones who have authorization to work here, often don't

want to take those jobs," says Michaels. "Those are late night, low pay, dangerous jobs that these children are working in. And if JBS and Purdue paid high enough wages, they would get authorized workers to work in those plants. But they're not doing that."

Finally, Michaels says that union members and others should push the federal government to do more to crack down on child labor.

"The Fair Labor Standards Act has a provision called HUD goods. And if something's made using workers in a way that violates the Fair Labor Standards Act, the government can go to court and say these goods should not be sold in interstate commerce," says Michaels. "We have to make sure that the standards do not go lower and lower and lower, but to fight to keep everybody safe on the job."

For now, workplace safety advocates like Michaels say that union members should be vigilant and report abuses of child labor to federal authorities. ■





Recent Data on MEMBERSHIP GAINS

“Of all major racial and ethnic groups, Black workers continue to have the highest unionization rates.”

Bus drivers, mainly workers of color, said they could not afford to live in the suburban communities they were serving.

“We have families. We live here in Loudoun County. We cannot afford to live here any longer,” Sandra Vigil told WRC. “I know we’re out here and stranded our passengers. This is not something we wanted to do. We were forced to do this.”

However, Keolis stalled union talks for nearly ten weeks. The local government in Loudoun County, which Democrats controlled, faced constant criticism from the workers’ union, ATU Local 689.

“They’re not supplying the service, and they should be getting fined for that,” ATU President John Costa said during the strike. “By the county not fining them, they’re only helping them. And they’re hurting us and the community that you’re in by not putting pressure on them to get back to the table.”

After ten weeks, the union was forced to end the strike. Before agreeing to return to work, the union achieved several tentative agreements on critical subjects of bargaining. The union vowed to continue fighting for standards for workers of color driving buses in suburban D.C.

“We care, but Keolis doesn’t. Our riders have been suffering enough, and we want to go back to work,” said Local 689 President/Business Agent Raymond Jackson. “This doesn’t mean that we’re accepting Keolis’ subpar contract offer, which our members rejected by signing a petition refusing to even vote on it.” ■

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While much of the media focuses mainly on the organizing efforts of white workers in coffee shops, universities, and media outlets, the Bureau of Labor Statistics (BLS) has published data that shows that it’s black and brown workers in less-covered areas like state and local government in the South that are driving union membership gains.

The report showed that in 2022 the labor movement gained 200,000 members. However, as more people returned to the workforce, the overall percentage of workers in unions decreased from 11.6% to 11.3%.

“The entire increase in unionization in 2022 was among workers of color — workers of color saw an increase of 231,000, while white workers saw a decrease of 31,000,” wrote the Economic Policy Institute in a press release in February. “Of all major racial and ethnic groups, Black workers continue to have the highest unionization rates, at 12.8%. This compares with 11.2% for white workers, 10.0% for Latinx workers, and 9.2% for Asian American and Pacific Islander (AAPI) workers”.

As Prem Thakker at the New Republic said, “Workers of color made up 100% of union growth in 2022”.

State and local governments were the most significant growth areas this year for the labor movement. Following the pandemic, when many public employees were told they were “essential employees,” there has been a massive upsurge in organizing, particularly among low-wage Black and Brown workers in the public sector.

Despite significant gains in union membership among workers employed by the private sector, many still need help to achieve their first union contracts.

In 2020, Virginia granted local municipalities the right to extend collective bargaining rights to their public employees. Since then, the state has become a battleground as workers seek to bargain collectively.

In Virginia’s Loudoun County, bus drivers employed by a French-owned company, Keolis, a contractor of the DC-area transit authority, were on strike for ten weeks while fighting for a first union contract.



NLRB Sets Precedent with Ruling

When workers are fired for union organizing, their lives can quickly go into a tailspin. Unemployment in most states is barely 40% of what workers were making previously.

Many workers are forced to rack up credit card fees, refinance their mortgages, and raid their 401(K)s to make ends meet. For years, though, the National Labor Relations Board (NLRB) would only reimburse workers for wages lost on the job, not for the credit fees associated with staying afloat while out of work.

In December, the NLRB, in the *Thyrv. Inc* case ruled that employers must reimburse all the fees incurred by workers fired illegally for union organizing. These include credit card fees, restitution for lost credit ratings, missed mortgage payments, and out-of-pocket medical expenses.

Many union and workers' rights advocates praised the decision.

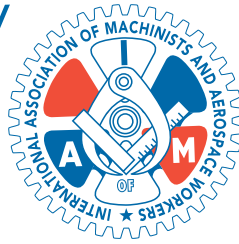
"Employees are not made whole until they are fully compensated for financial harms that they suffered as a result of unlawful conduct," said NLRB Chairman Lauren McFerran. "The Board clearly has the authority to comprehensively address the effects of unfair labor practices. By standardizing the Board's make-whole relief to fully include the direct or foreseeable financial harms suffered by affected employees we will better serve the important goals of the National Labor Relations Act."

However, employers blasted the decision with one anti-union law firm Foiey & Lardner saying about the December ruling that the "NLRB Leaves Lumps of Coal in Employers' Holiday Gift Bags."

"This decision is likely to increase the number of unfair labor practice (ULP) charges filed and to make them more difficult to settle than they already are," wrote the anti-union law firm Olgetree and Deakins in a December legal brief to its members.

Several anti-union law firms vowed to challenge the new precedent by the NLRB, which is already being applied. So far, no appeals have been filed. ■

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OFFICE OF THE INTERNATIONAL PRESIDENT

Dear IAM Family:

Our union has much to celebrate and a bright future ahead of us.

At the 40th IAM Grand Lodge Convention, we committed more resources to organizing than we have in generations. We established the Committee on the Future (COTF) to hear from the membership about our priorities for the future. Visit iamcotf.org today to find a COTF Listening Session near you.

We are strong and growing. Our union is determined to protect our members' livelihoods and grow our numbers and representation in new industries and workplaces.

We're focused on teaching the next generation of IAM leaders and building the next generation of labor movement activists.

We need unions now more than ever as we see once-eradicated practices creep back, like corporations employing child laborers under the radar, as you read in this issue of the Educator.

The labor movement will do what we always do — fight against greed and injustice for working people and the public.

We will continue to elevate members' voices in the halls of power by leading the charge for worker-friendly laws and policies and helping elect candidates who will work for working families.

I'm proud of our union for standing firm and upholding our values. The IAM continues to set and raise standards in the industries we represent.

The union is you — and together, we are building a brighter future for ourselves, our families, and our communities.



In Solidarity,

Robert Martinez Jr.
International President



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