

Curriculum Masters and Overheads

Lesson 2 Teen Workers and the Law

Health and Safety Awareness for Working Teens in Agriculture

Dept of Environmental and Occupational
Health Sciences
School of Public Health and Community Medicine
University of Washington

Lesson 2

Teen Workers and the Law



Discussion of Labor Laws Questions

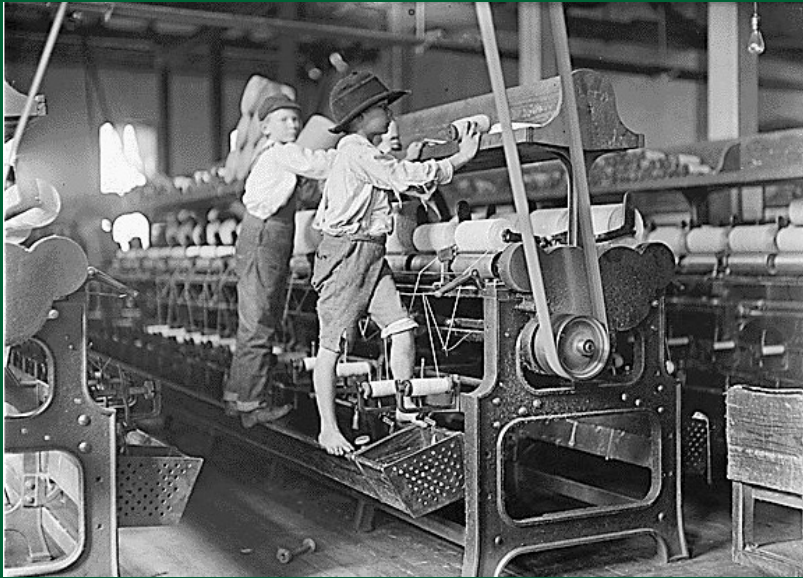
What is meant by the term “labor law”?

Why were labor laws created?

What would happen if labor laws did not exist?

How and why are labor laws for workers under the age of 18 different than labor laws of adults (18 and older)?

Master 2.1 Introduction to Labor Laws & Their Agencies



Some boys and girls were so small they had to climb up on the spinning frame to mend broken threads and to put back the empty bobbins. Macon, GA, 1909¹

Oyster Shuckers working in a canning factory. All but the very smallest babies work. Began work at 3:30 am and expected to work until 5pm. The little girl in the center was working. Her mother said she is “a real help to me.” Dunbar, La.¹



1 - The History Place - Child Labor in America, Photographs and captions by Lewis W. Hine, www.historyplace.com/unitedstates/childlabor/

2 - American Literature Survey 2, Dr. Ron Tranquilla, Photographs of Lewis Hine, http://www.eng.fju.edu.tw/ron/american_lit2/Images/childlabor.htm

Master 2.1 Introduction to Labor Laws & Their Agencies

Founded in 1904 the National Child Labor Committee (NCLC) used information and documentation to lobby for child labor laws. The pictures in these slides were taken by Lewis Hines as part of that documentation.



At the close of the day (in the mines). Waiting for the cage to go up. The cage is entirely open on two sides and not very well protected on the other two, and is usually crowded like this. S. Pittson, PA¹



Berry pickers, age 7 and 9. Children worked from 4:30 am until sunset. Rochester, Mass. - 1908^{1,2}

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Master 2.1 Introduction to Labor Laws & Their Agencies

“Among the related reforms championed by the movement (NCLC) to end child labor were

- *innovations in national regulation of labor conditions,*
- *the minimum wage,*
- *worker’s compensation insurance,*
- *uniform standards for compulsory education,*
- *school food programs,*
- *shorter work days,*
- *regulation of health and safety conditions in the workplace*
- *and many others that Americans take for granted today.”*

- The Campaign to End Child Labor, by Jim Zwick



Girls at weaving machines
Evansville, IN - October 1908

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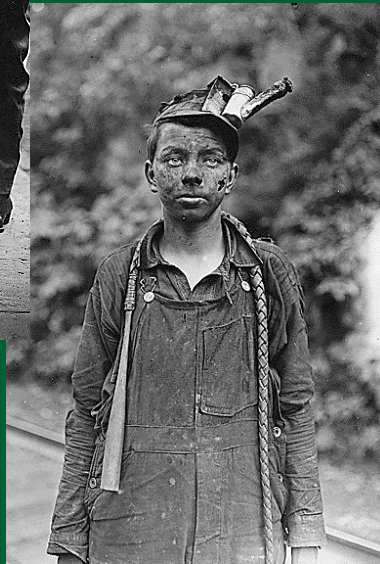
2 - American Literature Survey 2, Dr. Ron Tranquilla, Photographs of Lewis Hine, http://www.eng.fju.edu.tw/ron/american_lit2?Images/childlabor.htm

Master 2.1 Introduction to Labor Laws & Their Agencies

Over the next two decades, several attempts were made to pass a federal law controlling child labor but none succeeded until in 1938 when the Fair Labor Standards Act (FLSA) was passed. This act still serves as the guiding legislation on child labor in the U.S.



A Bowery bootblack in New York.¹



A young driver in the Brown mine. Has been driving one year. Works 7am to 5:30pm daily. Brown, WV.¹

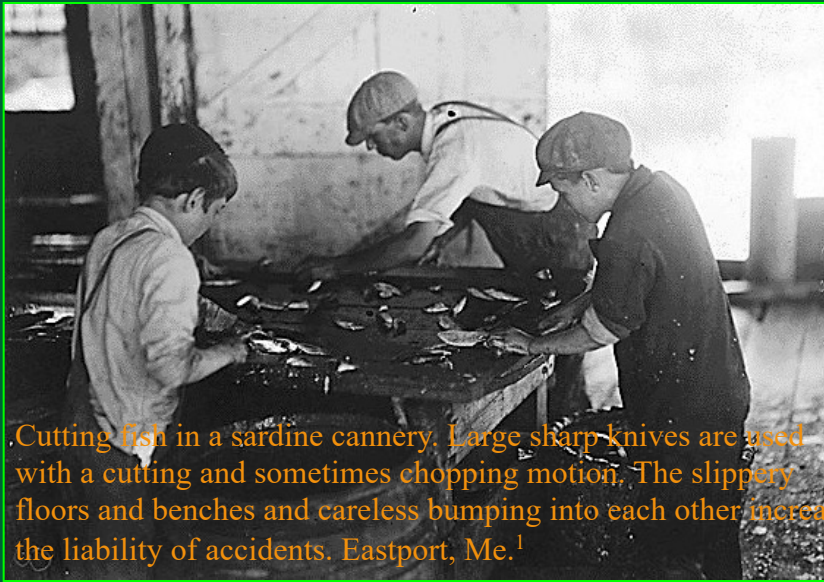


“Breakers” sorting coal. The dust was so dense at times as to obscure the view. This dust penetrated the utmost recesses of the boys’ lungs. A kind of slave-driver sometimes stands over the boys, prodding or kicking them into obedience. S. Pittston, Pa.^{1, 2}

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2 - American Literature Survey 2, Dr. Ron Tranquilla, Photographs of Lewis Hine, [http://www.eng.fju.edu.tw/ron/american_lit2?Images/childlabor.htm](http://www.eng.fju.edu.tw/ron/american_lit2/Images/childlabor.htm)

Additional Child Labor Pictures by Lewis Hine



Cutting fish in a sardine cannery. Large sharp knives are used with a cutting and sometimes chopping motion. The slippery floors and benches and careless bumping into each other increase the liability of accidents. Eastport, Me.¹



Nine-year old newsgirl,
Hartford, CT - March 1909



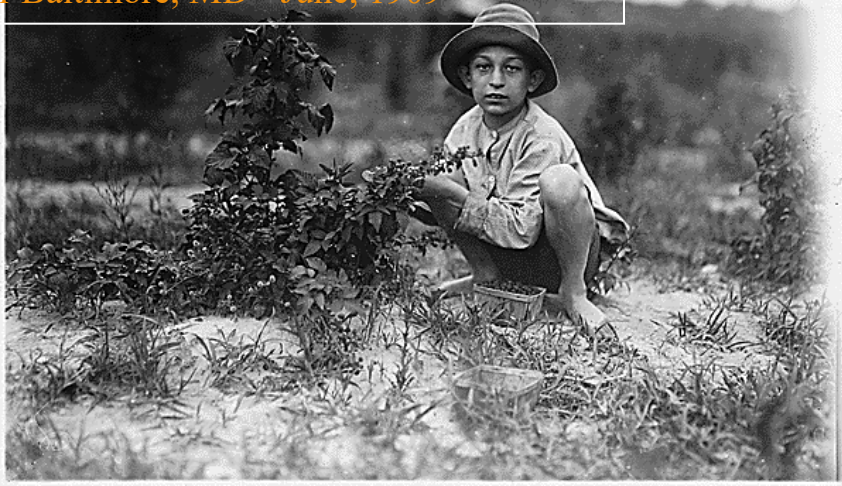
Shrimp pickers, including little 8 year old Max on the right. Biloxi, Miss.¹



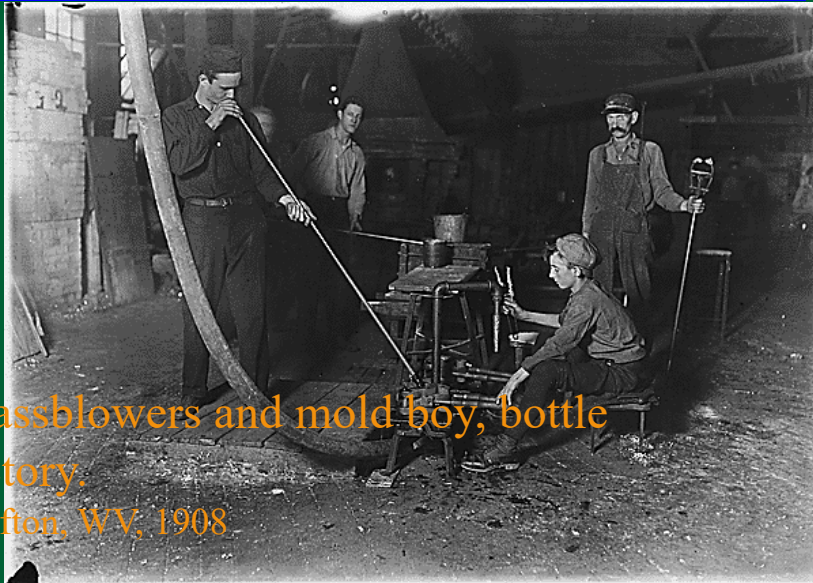
Boys in the packing room at the Brown Mfg. Co. Evansville, Ind.¹

Additional Child Labor Pictures by Lewis Hine

Boy picking berries.
Near Baltimore, MD - June, 1909



Some of the young knitters in London
Hosiery Mills, London, Tenn.¹

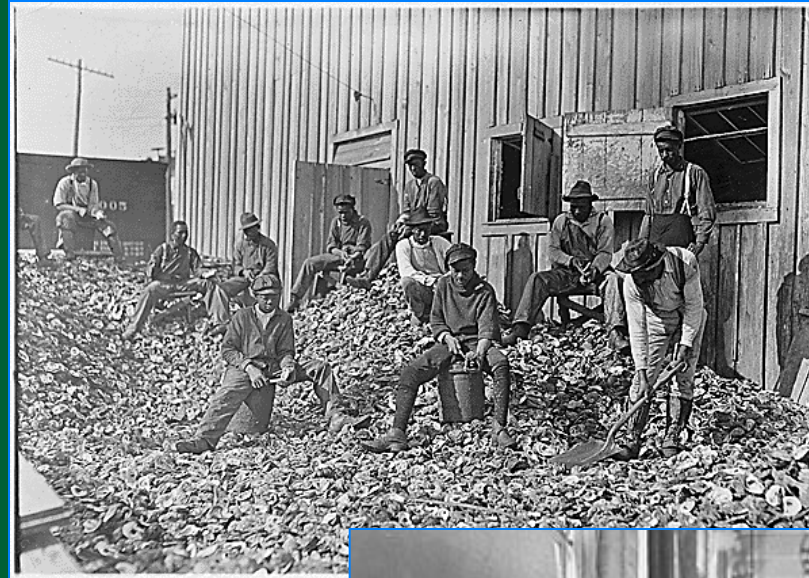


Glassblowers and mold boy, bottle
factory.
Grafton, WV, 1908

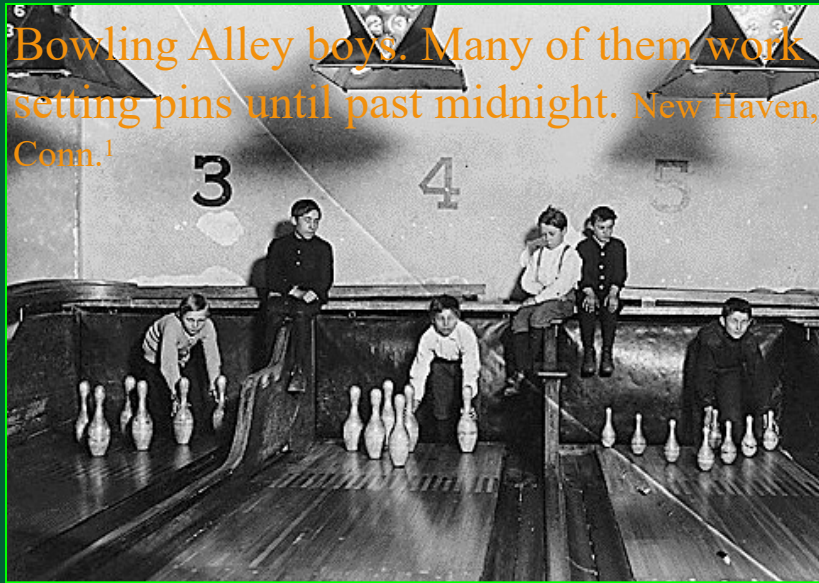


Boys in a cigar factory

Additional Child Labor Pictures by Lewis Hine

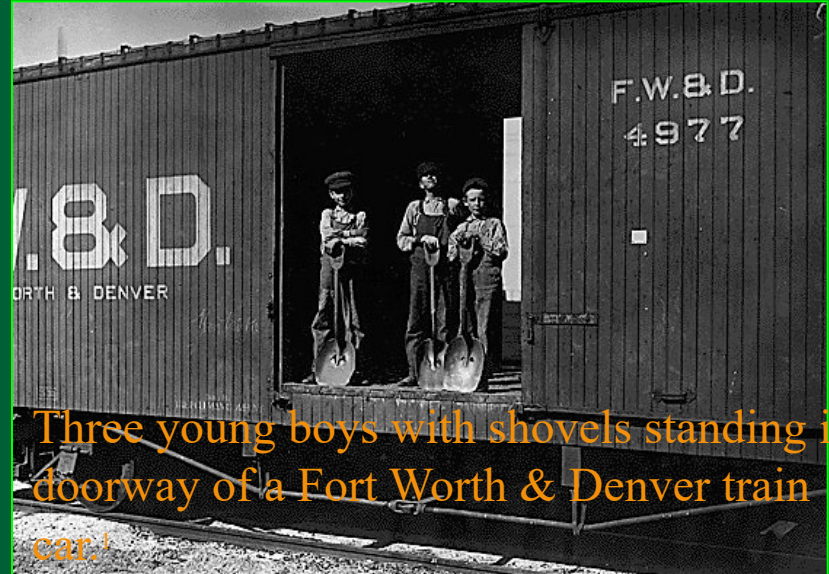


Bowling Alley boys. Many of them work setting pins until past midnight. New Haven, Conn.¹



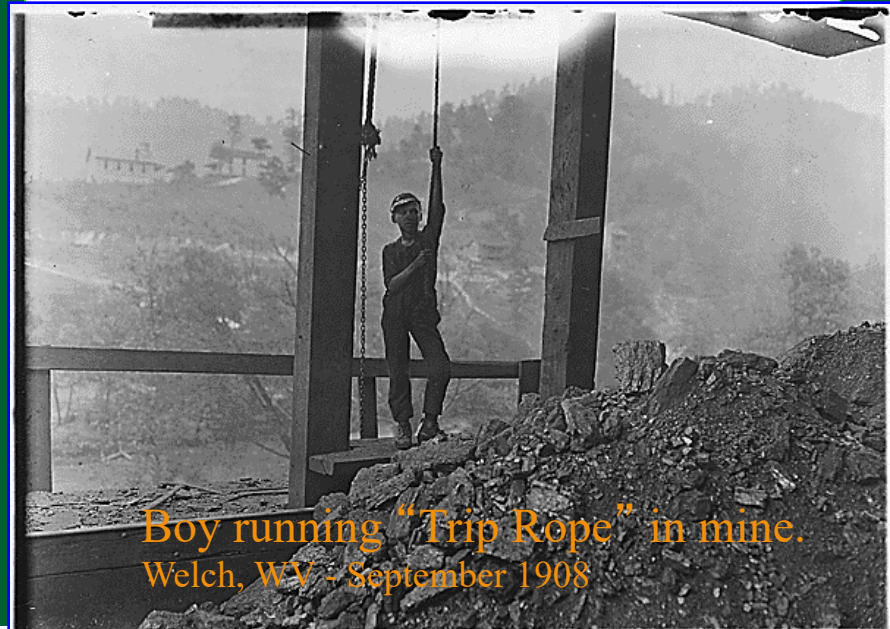
Additional Child Labor Pictures by Lewis Hine

One of the spinners in Whitnel Cotton Mill. She was 51 inches (4ft 3in) high. Has been in the mill one year. Sometimes works at night. Whitnel, NC!



Three young boys with shovels standing in doorway of a Fort Worth & Denver train car!

A general view of spinning room, Cornell Mill, Fall River, Mass.



Boy running "Trip Rope" in mine. Welch, WV - September 1908

National Level Agencies

Occupational Safety and Health Act

Passed in 1970

Created OSHA & NIOSH

OSHA

Occupational Safety & Health
Administration

Department of Labor

Creates and enforces workplace
safety and health regulations

NIOSH

National Institute for Occupational
Safety & Health

Center for Disease Control

Conducts research on workplace
health & safety

State Level Agency

Washington State Department of Labor and Industries (L&I)



Regulates labor law by addressing 3 main areas

Industrial Insurance

Services for injured workers, employers and health care providers

WISHA Services

Workplace safety and health

Specialty Compliance

Teen Workers, apprenticeship and employment standards

Defining Agricultural Labor

Labor laws are different depending on whether you are working in a non-agricultural or an agricultural job.

To determine what the Department of Labor and Industries considers an agricultural job, we must understand how they define agriculture.

Defining Agricultural Labor

How would you define agriculture?

One example...

“The science, art, or practice of cultivating the soil, producing crops and raising livestock and in varying degrees the preparation and marketing of the resulting products.”

-Meriam-Webster Dictionary on-line

What types of jobs do you consider agricultural?

Master 2.2 Defining Agriculture

Department of Labor and Industries' definition's used in the Agricultural Labor laws (found in WAC 296-131-005) :

- Minor** A person under the age of eighteen who is employed in agricultural labor.
- Employee** Any person employed by an employer, except the employer's immediate family* members.
- Employer** Any person, firm, corporation, partnership, business trust, legal representative, or other business entity that engages in any agricultural activity in this state and employs one or more employees

Master 2.2 Defining Agriculture

The Department of Labor and Industries' Definition of Agricultural Labor as found in WAC 296-131-005 Definitions:

Agricultural labor

Services performed:

On a farm, in the employ of any person, in connection with

the cultivation of the soil, or raising or harvesting any agricultural or horticultural commodity,

including raising, shearing, feeding, caring for, training, and management of livestock, bees, poultry, and furbearing animals and wildlife, ...

Master 2.2 Defining Agriculture

The Department of Labor and Industries' Definition of Agricultural Labor as found in WAC 296-131-005 Definitions:

Agricultural labor continued...

or in the employ of the owner or tenant or other operator of a farm in connection with

the operation, management, conservation, improvement, or maintenance of such farm and its tools and equipment;

Master 2.2 Defining Agriculture

The Department of Labor and Industries' Definition of Agricultural Labor as found in WAC 296-131-005 Definitions:

Agricultural labor continued...

In packing, packaging, grading, storing, or delivering to storage, or to market or to a carrier for transportation to market, any agricultural or horticultural commodity;

but only if such service is performed as incident to ordinary farming operations.

Master 2.2 Defining Agriculture

The Department of Labor and Industries' Definition of Agricultural Labor as found in WAC 296-131-005 Definitions:

Agricultural labor continued...

Does not include employment in commercial packing houses, commercial storage establishments, commercial canning, commercial freezing, or any other commercial processing with respect to services performed in connection with the cultivation, raising, harvesting and processing of oysters or raising and harvesting of mushrooms or any agricultural or horticultural commodity after its delivery to a terminal market for distribution or consumption.

Master 2.2 Defining Agriculture - SIC* Code

SIC =
Standardized
Industrial
Classification

Classifies
businesses by
the type of
activity they
perform

Wheat	Fur bearing animals & rabbits
Corn	Horses & other equines
Cash grains*	Animal specialties*
Cotton	General farms, primarily livestock & animal specialties
Irish potatoes	Crop planting, cultivating, & protecting
Field crops, except cash grains*	Crop preparation services for market, except cotton gin
Vegetables & melons	Veterinary services for livestock
Berry crops	Veterinary services for animal specialties
Grapes	Livestock services, except veterinary
Tree nuts	Animal specialty services, except veterinary
Deciduous tree fruits	Farm labor contractors & crew leaders
Ornamental floriculture & nursery products	Farm management
Food crops grown under cover	Landscape planning
General farms, primarily crop	Lawn & garden services
Beef cattle feedlots	Ornamental shrub & tree services
Beef cattle, except feedlots	Timber tracts
Sheep & goats	Forest nurseries & gathering of forest products
General livestock, except dairy & poultry	Forestry services
Dairy farms	Shellfish
Boiler, fryer, & roaster chickens	Hunting, trapping, & game propagation
Chicken eggs	

*Not elsewhere classified

Activity 2B Labor Law Jeopardy

Labor Law Jeopardy Rules

1. The teacher establishes the order in which teams will play.
2. Each team may only try to answer one question per turn.
3. During its turn, each team chooses a question category and a dollar amount.
4. Teams will have about 30 seconds to confer among themselves and answer each question.
5. If a team answers a question correctly, it's "dollar" amount will be added to the team score.
6. If a team doesn't answer the question correctly another team can attempt to answer the question. If that team answers the question correctly, it wins the "dollar" amount.
7. Play continues until one of the teams answers the question correctly, or the teacher ends play and gives the correct answer. The the next team scheduled to play takes its turn.
8. No points are subtracted for wrong answers.

Master 2.3 L&I Young Workers in Agriculture Fact Sheet

Take out your
Department of Labor & Industries
Young Workers in Agriculture
Fact Sheet

Young Workers in Agriculture

Employers who hire young workers for agricultural jobs need to know the state regulations covering minors (workers under age 18).

The following information answers many questions employers and young workers have about agricultural employment. Topics covered include:

- Age requirements
- Work hours
- Prohibited jobs
- Meals and rest breaks
- Minimum wage
- Variances to regulations
- Penalties
- Requirements for employing minors



What jobs are prohibited because they're too hazardous?

All minors are prohibited from performing the following work:

- Handling, mixing, loading or applying dangerous pesticides.
- Transporting, transferring or applying anhydrous ammonia.
- Harvesting crops before the pre-harvest interval expires or within 14 days of applying chemicals, if no pre-harvest interval exists. (The pre-harvest interval is the amount of time that must pass between applying the last pesticide and harvesting the crop.)

For additional information, contact your local Department of Labor and Industries (L&I) office or visit the L&I Web site at www.LNI.wa.gov/scs/workstandards/teenworker.htm.

How old do kids have to be to work?

The minimum age for minor workers is 14. The one exception is: Children age 12 and 13 are allowed to work only during non-school weeks hand-harvesting berries, bulbs and cucumbers and hand-cultivating spinach.

What hours are minors permitted to work?

	14 and 15 year-olds		16 and 17 year-olds	
	School	Non-school	School	Non-school
Working hours	7 a.m. - 8 p.m.	5 a.m. - 9 p.m.	*5 a.m. - 10 p.m.	5 a.m. - 10 p.m.
Maximum hours per day	3 hours	8 hours	4 hours	10 hours
Maximum hours per week	21 hours	40 hours	28 hours	50 hours
Maximum days per week	8 days	6 days	6 days	6 days
Exceptions	Dairy, livestock, hay harvest and irrigation: 7 days per week. 6 a.m. start in animal agriculture and irrigation.	Dairy, livestock, hay harvest and irrigation: 7 days per week.	Dairy, livestock, hay harvest and irrigation: 7 days per week. *No later than 9 p.m. on 2 consecutive nights before a school day.	Dairy, livestock, hay harvest and irrigation: 7 days per week. 60 hours per week in mechanical harvest of peas, wheat and hay.

12 and 13 year-olds. Can work up to 8 hours a day, 40 hours per week, 6 days per week only during non-school weeks hand harvesting berries, bulbs and cucumbers and hand cultivating spinach. Start and finish times: 5 a.m. - 9 p.m.

- Work involving slaughtering and meat processing.
- Operating power saws, power-driven woodworking and metal-forming machines, and punching or shearing machines.
- Handling or using blasting agents, such as dynamite or blasting caps.
- Work involving wrecking, roofing, demolition and excavation.

Minors under age 16 are prohibited from performing certain hazardous work, including:

- Operating or riding on a tractor.
- Driving a bus, truck or automobile that carries passengers.
- Working from a ladder or scaffold at a height over 20 feet.
- Working in a farmyard, pen or stall occupied by a bull, boar or stud horse maintained for breeding purposes.
- Working inside a fruit or grain storage area designed to retain an oxygen-deficient or toxic atmosphere, or working in a manure pit.
- Operating or helping to operate machines such as corn pickers, hay balers and mowers and grain combines.
- Performing manufacturing, meatpacking or food-processing work.
- Working in transportation, warehouse and storage or construction.
- Working in or around engine or boiler rooms.

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F700-096-909 [03/2003]



Master 2.5 Labor Law Jeopardy Game Board

Age, Wage & Requirements	Work Hours & Breaks	Prohibited Jobs	Variances, Penalties, Etc
\$100	\$100	\$100	\$100
\$200	\$200	\$200	\$200
\$300	\$300	\$300	\$300
\$400	\$400	\$400	\$400
\$500	\$500	\$500	\$500

Master 2.5 Labor Law Jeopardy Game Board

For interactive versions of the
Labor Law Jeopardy Game,
click one of the buttons below.

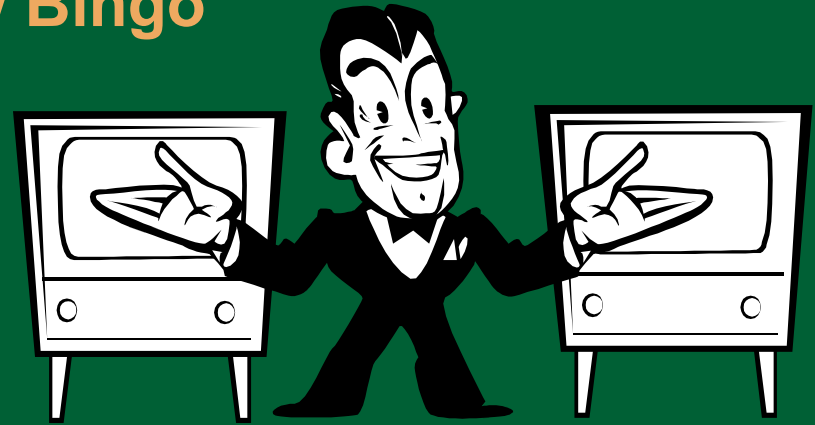
Labor Law
Jeopardy Game
Round 1

Labor Law
Jeopardy Game
Round 2

Labor Law Bingo

1. When a teacher reads a question about labor laws in Washington State, students check if the correct answer is on their bingo card. If so, they mark or cover the square that contains the answer.
2. The square in the middle of the game is “free” and counts as a correct answer.
3. A team or individual wins when they mark five squares in a row, horizontally, vertically, or diagonally.
4. The winner(s) calls bingo.
5. The winning individual/team reads off its answers to the class (to make sure the answers are correct).

Labor Law Bingo



- Alternate way to cover labor laws
- Individual or Team Activity
- 12 Different cards
- 28 Questions and Answers

Master 2.20 Job Summary Worksheet - Part I, page 1

Master 2.20 Job Summary Worksheet (Practice) (Page 1 of 4)

Part I Directions: Karen is 15 and will be starting a job on a fruit tree farm. Using the Department of Labor and Industries handout, "Young Workers in Agriculture", complete Karen's job summary worksheet which her employer will use as a reference to guide her work.

Age Requirement

Does the employee meet the minimum age requirement for this position?

Yes
No

What is the minimum age for this type of work?

Minimum Wage

What is the minimum possible wage she can be paid?

Are there exceptions to this pay?
Yes
No

If yes, please explain:

Work Hours

What age group does Karen fall in for work hours?

Complete the table at right according to the L&I work hours for Karen's age group.

Non-school

School

	Non-school	School
Working Hours		
Max Days/Wk		
Max Hours/Wk		
Max Hours/Day		
Exceptions		

Meals and Rest Breaks

What are the allotted meal and rest breaks for Karen on the job?

Meal:

Rest Breaks: