



## The Department of Labor.... Demonstrating A Strong Commitment to Farm Workers and Their Families

The needs and welfare of U.S. farm workers and their families are a priority for the Department of Labor. The Department is fully committed to improving the effectiveness and coordination of services to farm workers and their families. It is stepping up enforcement of statutes and regulations on behalf of all farm workers. It will redouble efforts to better protect children working in the fields, who are especially vulnerable. And it will work to create a global level playing field so American farmers can continue to compete, bringing prosperity to America's farm sector—farmers and farm workers.

Secretary Solis has taken a number of steps to demonstrate this commitment through increased efforts to improve conditions for farm workers and their families. They include:

- The Department published new H-2A regulations which significantly strengthen worker protections for H-2A workers and for domestic workers performing the same work along side H-2A workers. The new regulations return to the certification process for assuring that employers have met the requirements for obtaining H-2A workers, and provide enhanced enforcement tools for the Department, including debarment authority for the Wage and Hour Division and an increased bonding requirement for labor contractors.
- The Wage and Hour Division is focusing on protecting youth working in agriculture through a variety of strategies. It has and will continue to increase investigations and outreach to farmers, farm labor contractors, workers, parents, teachers, and others who provide services to farm workers, and other federal agencies. Ending illegal child labor is a top Departmental priority, and Wage and Hour Division investigators are using every tool available — from imposing civil money penalties to using the 'hot goods' provision — to end these violations.
- The Department is committed to a more robust legal regime that creates even safer and healthier workplaces for youth employed in agriculture. It is exploring additional regulatory changes to further bolster protections for children in the fields. The Secretary is seeking to collaborate with Congress to address the protection gap in U.S. law for agricultural child labor.
- The Department has added more than 250 new Wage and Hour Division field investigators in the last year alone.
- The Wage and Hour Division implemented a higher penalty structure for the illegal employment of children who are too young to work. These increased penalties and reinvigorated enforcement by the Wage and Hour Division will help ensure children are safe and are given a chance to live long and productive lives.

- Congress recently appropriated additional funds to the Department for enforcement activities in industries that are likely to employ foreign workers temporarily working in the United States under a work visa. The Wage and Hour Division and the Office of the Solicitor plan to use some of these funds to ensure that labor conditions for agricultural workers meet all the Department's requirements.
- In April 2010, the Occupational Safety and Health Administration brought together nearly 1,000 participants to the National Action Summit for Latino Worker Health and Safety in Houston, Texas. The participants included farm workers, community- and faith-based groups, medical clinics, government representatives, employers and unions. The goal of the summit was to reduce injuries and illnesses among Latino workers by enhancing knowledge of their workplace rights and improving their ability to exercise those rights. The Occupational Safety and Health Administration is building on the energy and collaborations forged at the Summit to expand the Department's efforts to educate and protect Latino workers in agriculture and general industry.
- The Department's FY 2011 budget request for the Employment and Training Administration includes the first request for a funding increase in over 20 years for the National Farmworker Jobs Program, authorized by the Workforce Investment Act. This request would restore funding to the levels originally envisioned by the Workforce Investment Act while supporting services for 1,027 additional migrant and seasonal farm workers and their families through the National Farmworker Jobs Program grantee community.
- The Employment and Training Administration's National Farmworker Jobs Program facilitates coordination of services through the public workforce system's One-Stop Career Center for migrant and seasonal farmworkers, enabling workers to gain access to all available services. This includes education and career pathways, occupational skills training and other employment assistance leading to jobs that provide stable, year-round employment both within and outside agriculture. Grantees, which include public agencies, private-non profit organizations and community based organizations, are present in nearly every state. Between July 1, 2008 and June 30, 2009, these grantees provided services to 18,501 migrant and seasonal farmworkers.
- The National and Regional Monitor Advocates monitor and review State Workforce Agencies for compliance with Wagner-Peyser regulations affecting migrant and seasonal farmworkers on a continuing basis. Regulations require the provision of employment and training services to migrant and seasonal farmworkers that is qualitatively equivalent and quantitatively proportionate to services provided to non- migrant and seasonal farmworkers. The National Monitor Advocate ensures that State Workforce Agencies operate and maintain the nationwide Job Service Complaint System for filing and processing customer complaints related to alleged violations of State and/or Federal employment laws, with special emphasis and follow-up on complaints filed by migrant and seasonal farmworkers.

- The Wage and Hour Division enforces temporary farm labor camp requirements regarding the field sanitation provisions of potable drinking water, toilet facilities, and hand-washing facilities in those States in which it has enforcement authority under the Occupational Safety and Health Act. Fourteen states administer their own Occupational Safety and Health Administration-approved and -funded plans that further bolster enforcement of these standards.
- The Department also seeks to address global farm labor issues. The Bureau of International Labor Affairs (ILAB) funds projects to combat exploitation of children in commercial agriculture, in sectors such as cocoa production in West Africa, and tobacco and tea production in Malawi. These projects use an integrated approach, providing support to rural families-in-need for their children to access quality education, and addressing the root causes of child labor by promoting employment and other income generating opportunities for families. ILAB is also actively engaged with the Department of Agriculture as part of a consultative group to "develop recommendations relating to guidelines to reduce the likelihood that agricultural products or commodities imported into the United States are produced with the use of forced labor and child labor." On September 10, 2009, DOL released its "List of Goods Produced by Child or Forced Labor," informing the public about 122 goods, including agricultural commodities, from 58 countries that ILAB has reason to believe are produced by forced labor, child labor or both in violation of international standards.

\*\*\* [www.dol.gov](http://www.dol.gov) \*\*\*

*Current: July 6, 2010*