



**children's
defense fund
ohio**

**House Commerce and Labor Committee
Sub. S.B. 30 - Opponent Testimony**

April 25, 2023

**Alison Paxson
Senior Policy Associate
Children's Defense Fund-Ohio**

Good afternoon, Chair Johnson, Vice Chair Manchester, Ranking Member McNally and members of the Ohio House Commerce and Labor Committee, thank you for the opportunity to testify today in opposition to Sub. S.B. 30.

My name is Alison Paxson, and I am a Senior Policy Associate for the Children's Defense Fund-Ohio. With more than four decades of advocacy on behalf of Ohio's children, it is the mission of the Children's Defense Fund to champion policies and programs that lift children out of poverty, protect them from abuse and neglect, and ensure their access to health care, quality education, and nutritional wellness. It is deeply rooted within this mission that we defend the joy of growing up, the joy of being a child.

Sub. S.B. 30 would fundamentally undermine that joy by infringing on the precious time children have to be just that... children. This bill's proposed extension of working hours for minors comes at the expense of their time to engage in other social and academic opportunities that adolescence offers, such as sports, extracurriculars, and socialization with friends, which equip young people with valuable life skills. Further, the value young people can derive from workplace experience should not be the basis for unraveling their workplace protections. If passed, this legislation, allowing 14- and 15 year-olds to work extended hours during the school year, would set a dangerous precedent for the state of Ohio to move even further out of compliance with the Fair Labor Standards Act (FLSA). In effect, Sub S.B. 30 creates a slippery slope for child labor protections in Ohio, and in doing so, would ultimately use young people as a band-aid solution to workforce shortages that responsibility lies elsewhere to solve.

Passed in 1938, the [Fair Labor Standards Act \(FLSA\)](#) authorized federal child labor provisions enacted to ensure that when young people under the age of 18 work, "the work is safe and does not jeopardize their health, well-being or educational



opportunities.” While it is important to note that these standards vary significantly in nonagricultural versus agricultural employment, they essentially set a minimum age for “non hazardous” employment (14 years-old) and “hazardous” employment (18 years-old), limit the maximum number of hours a child under the age of 16 can work during the school year outside of school hours (max 3 hours/day on a school day; max 8 hours/day on a nonschool day; max 18 hours/week), and require a minimum hourly wage and overtime pay for minors. These landmark child labor protections were spearheaded by then-Labor Secretary Frances Perkins [who witnessed the tragic 1911 Triangle Shirtwaist Fire](#) in New York City, a tragedy in which nearly 150 young girls and boys working in the factory perished. It took tremendous time and effort to enact these child labor provisions even in the face of such horrific incidents nearly a century ago, and these standards for child labor are no less vital to protecting the well-being of minors in the workplace today than they were then.

In fact, deliberation on this bill and many others that would put states out of compliance with the FLSA comes at a time when the number of child labor violations are on the rise. According to the Department of Labor, [“the number of minors employed in violation of child labor laws in fiscal year 2022 increased 37% over FY2021 and 283% over FY2015.”](#) These increases are likely even an undercount of violations. Many incidents often go unreported by young people who are less likely to understand their workplace rights and less likely to report complaints. We should be having a conversation about how these protections can be strengthened, not weakened - especially in agricultural employment where these regulations fall woefully short of what youth need to be safe.

A 2023 report from the [Economic Policy Institute](#) states: “Newly weakened state laws fly in the face of decades of research documenting that excessive work hours can jeopardize teens’ health and development” as well as “jeopardize the futures of young people, as young adults who dropout of school to work have the lowest earnings and highest unemployment rates of all workers.” It also cautions state leaders not to draw hasty conclusions from decreasing rates of workforce involvement among minors - something proponents of weakening state child labor laws are quick to point to. According to one of its key findings, “Youth labor force participation declines over the past 20 years reflect that a steadily growing share of young people are choosing to complete high school and obtain additional education in order to increase their long-term employability and earnings. Putting off work in order to obtain more skills and education is a positive



children's
defense fund
ohio

trend—for both individuals and the economy—not one that should be slowed or reversed.”

In conclusion to my testimony today, I urge this committee to consider one key question: in whatever crisis we face as a state, when is the most viable solution ever to roll back child labor laws and protections?

Weakening child labor laws is never the answer. If this is where we are today, considering eroding century-old children’s rights provisions borne out of the fiery and painful struggles of child laborers, then we are certainly asking ourselves the wrong questions. We should instead be asking why so many Ohioans who work do not earn a living wage and do not have access to life-saving health care and essential benefits? Why, instead of improving the quality of employment opportunities to address these shortages, are we attempting to expand the pool of low-wage labor through our children instead?

Sub S.B. 30 is misguided in its vision and would shamefully use young people as a band-aid for a workforce shortage that their exploitation will not solve. I urge you to not move this bill forward.