

3/9/2023

I am writing on behalf of the Child Labor Coalition (CLC), which has 39 organizational members, including the country's two largest teacher unions (the National Education Association and the American Federation of Teachers), Human Rights Watch, Justice for Migrant Women and 35 other organizations that come together to advocate for children and their protection.

I am writing to support House Bill 1196.

This bill offers a narrow, targeted mechanism for children to pursue redress when employers violate Colorado's child labor laws.

If you are following recent news, including the 2/28/2023 exposé by Hannah Dreier in the *New York Times*, "Alone and Exploited, Migrant Children Work Brutal Jobs Across the U.S.," you are aware that child workers in the U.S. face grave risks, working illegally in factories and in hazardous situations throughout the country. This was also confirmed by recent U.S. Department of Labor enforcement action which found over 100 children working in meat processing plants in 8 states and 13 facilities. Children, as young as 13, worked the graveyard shift, cleaning dangerous equipment in the plants, often standing in inches of water, blood, and animal parts. Some children received chemical burns from cleaning agents.

We believe that House Bill 1196 will act as a deterrent to placing child workers in hazardous situations and help restore them if they are injured.

We know from our work that children are at graver risk than other workers. They lack the experience and brain development to adequately assess risk. They are also docile workers who will often do whatever they are told, even if it is dangerous. Fatigue contributes to decisions that lead to disaster.

The fatality rate in agriculture for children is particularly high, estimated to be four times greater than other sectors. Children die or are injured in the most unexpected ways. In Colorado, in 2012, Kelsey Helen Graves, age 13, died in Fort Collins while cleaning a filter on an irrigation system. In 2009, Cody Rigsby, a 17-year-old vanished into the grain bin he was working in. It took rescuers 6 hours to retrieve his body.

Young workers have significant higher rates of non-fatal injuries on the job and the highest rates of injuries that require emergency department attention. Children who tend to work in the most dangerous jobs are often from impoverished families, including many that lack health insurance and desperately need access to Workers Compensation and redress in tort.

Colorado is among states that have inadequate penalties for violating state child labor law. Fines start at just \$20. Criminal penalties that could result in jail time for egregious cases were removed from state law two years ago. Clearly, an additional deterrent is badly needed in Colorado.

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