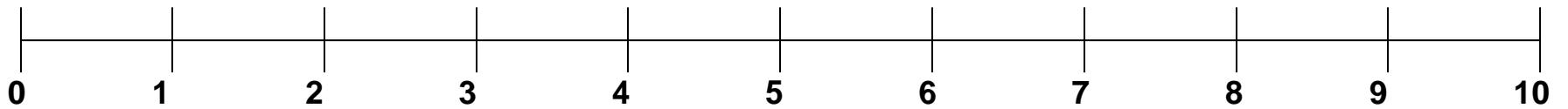


***What kinds of work and working conditions are acceptable?***

- A)** A 13-year-old girl takes out the trash, washes dishes each night, and mows the lawn once a week in the summer. She receives a \$10/week allowance if all chores are completed.
- B)** A 12-year-old boy picks oranges for eight hours a day, six days a week throughout the winter/spring harvest period, and is paid a piece rate which on average adds up to \$20-\$30 per day (the equivalent of about \$3-\$4 per hour).
- C)** A 6-year-old boy hand ties knots for carpets at a loom for 10-12 hours each day, year round. He sleeps at night on the floor in the workshop and is fed two small meals a day, but is not paid because he is a bonded laborer working to pay off debts his family cannot afford to repay.
- D)** A 13-year-old girl detassels corn for 8-9 hours a day, six days a week during July and is paid \$5.75 per hour (with no overtime pay).
- E)** A 16-year-old boy works at a fast food restaurant after school for 5-6 hours a night, four days a week and is paid minimum wage. Usually he gets off work at 10, but sometimes works until midnight and then closes out the cash register and cleans the front of the restaurant for an additional hour.
- F)** A 9-year-old girl from a poor family in the countryside is sent to live with an unfamiliar family about 50 miles from her home, where she is responsible each day for cooking three meals, cleaning floors, carrying water, washing dishes, and washing clothes, and sometimes watching the family's 2-year-old son in the evenings. She is provided room and board, but no additional pay.
- G)** A 14-year-old girl helps serve customers and make sandwiches at her family's restaurant after school and on weekends for no pay.
- H)** A 15-year-old girl who hopes to be a doctor some day volunteers to work full-time at a hospital over the summer, for no pay.
- I)** A 12-year-old boy agrees to leave his home to live and work on a cocoa plantation after a trader promises him a bicycle and \$150 a year to help support his family. Once he arrives, he works with no pay and is beaten if he does not continue to work.
- J)** A 13-year-old boy is hired to drive a tractor up and down dirt roads alongside fields on a large commercial vegetable farm to wet the dirt and keep dust from flying into farmworkers' faces. He is not on the official payroll, but gets \$100 cash each week for about forty hours of driving

**Completely  
Unacceptable**

**Completely  
Acceptable**



## ***State and Federal Labor Law Quiz***

- 1. A young boy is offered a 14-hour per week job hand-picking produce on a small local farm. Under Iowa state law, how old must he be to accept this job?**
  - a. 14 years old
  - b. 10 years old
  - c. any age- no minimum exists
- 2. A 14-year old girl begins work as a cashier at a large, national grocery store chain. What is the minimum starting wage she must receive under federal law?**
  - a. \$5.15 per hour
  - b. \$4.25 per hour
  - c. \$5.25 per hour
- 3. According to federal law, a hired farmworker generally must be how old before he/she can operate hazardous equipment?**
  - a. 16 years old
  - b. 18 years old
  - c. any age – no minimum exists
- 4. Under federal law, children under 16 years old in non-agricultural work are permitted to work only during certain hours of the day. Between Labor Day and June 1, what are considered acceptable work hours?**
  - a. 5am-9pm
  - b. 7am-9pm
  - c. 7am-7pm
- 5. Under federal law, children under 16 years old in non-agricultural work are permitted to work up to 18 hours per week between Labor Day and June 1. What is the maximum number of hours allowed under Iowa's state law for the same scenario?**
  - a. 28 hours per week
  - b. 18 hours per week
  - c. 16 hours per week
- 6. What is the maximum number of hours per week a child under 16 can perform agricultural work during the school calendar year, according to federal law?**
  - a. 28 hours per week
  - b. 18 hours per week
  - c. no limit, outside of school hours
- 7. What is the minimum age a young person generally must reach in order to perform non-agricultural work considered hazardous under federal law?**
  - a. 16 years old
  - b. 18 years old
  - c. 14 years old
- 8. According to Iowa state law, how old must a child be to deliver newspapers or perform other street occupations such as door-to-door sales (with a work permit)?**
  - a. 14 years old
  - b. 10 years old
  - c. 12 years old
- 9. What is the maximum number of hours per week a child under 16 can perform non-agricultural work for an employer, between June 1 and Labor Day, under both federal and Iowa law?**
  - a. 30 hours per week
  - b. no limit
  - c. 40 hours per week
- 10 Under Iowa law, children (with a work permit) can only work as street vendors or delivering newspapers during certain hours of the day. What is the earliest time of the day a child is allowed to perform such work?**
  - a. 4:00am
  - b. 6:00am
  - c. 7:00am

## Federal Laws vs. State Laws: How do I know which applies?

Federal child labor laws are part of the Fair Labor Standards Act. They only apply to workplaces that meet one of the following criteria:<sup>1</sup>

- The employer is covered under the federal minimum wage law
- The company has an annual gross volume of sales/business of \$500,000 or more
- The employer operates a hospital or institution to care for the physically or mentally ill, disabled, or the aged
- The employer is a school, including a preschool, secondary school, or institution of higher learning
- The employer is a public agency
- The minor employees are engaged in interstate commerce or production of goods for interstate commerce

State laws apply to all workplaces within the state, although they vary widely, and may exempt some workplaces.

In workplaces covered under both state and federal law, the stricter of the two standards should be applied.

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<sup>1</sup> From "Hiring Iowa Teens: A Guide for Employers about Iowa Child Labor Law"

*Letter in response to American Federation of Labor President Samuel Gompers' request for reports on "efforts which have been made and are being made in your State for the enactment of Child Labor Laws." Published in The American Federationist 19 (1912), p. 211.*

The first Child Labor Law in Iowa was enacted in 1880, requiring that the age limit for boys working in mines should be 12 years. The Knights of Labor conducted the agitation for this initial statute. The State Mine Inspector, in his reports, declared that this law was being continually violated, and in the year 1884 it was made mandatory on parents to furnish affidavits as to the age of their boys before they were permitted to go to work in the mines.

In 1886, Mr. W. W. Dodge, of Burlington, a member of the State Senate, introduced a comprehensive Child Labor bill at the instance of the organizations of labor in the State. That bill was killed in committee. In 1888, Mr. Dodge secured the passage of a resolution directing the newly appointed Commissioner of Labor to investigate child labor in the State, but provided no funds for the Commissioner to prosecute this work. Nevertheless, the Commissioner gathered information from 85 cities in the State, showing 1,765 children under 14 at work. But this report of the Commissioner produced little or no impression upon the Legislature. The organizations of labor becoming stronger numerically, increased their activity, and urged Mr. Dodge to press the matter again in 1890. Again it was indefinitely postponed by the General Assembly.

Amid the pressure of other issues the question of child labor became somewhat overlooked until the writer, after a careful investigation as Factory Inspector and Deputy Commissioner of Labor, found that the employment of children had increased 323.16 percent in four years, according to the available data. As President of the Iowa State Federation of Labor, I reported this feature to the Cedar Rapids convention of 1902. It was thereupon resolved that an effective child labor law should be passed by the Legislature, and at the session in 1902 it was vigorously urged. Mr. Benjamin F. Shambaugh says in his work "History of Labor Legislation in Iowa," page 122: "The Iowa State Branch of the American Federation of Labor led the way in this propaganda. The Federation of Women's Clubs took up the movement in 1903, and other organizations of women lent their moral support to the cause. The bill passed the Senate, but never reached a vote in the House." The succeeding General Assembly convened in January, 1904, and in the meantime the Iowa State Federation of Labor had conducted its campaign vigorously throughout the State, so that when the bill came before the Senate it passed by a vote of 39 to 8, but was defeated in the House by a vote of 55 "nays" to 35 "yeas." In the meantime, more and better organization was effected by the State Federation of Labor, securing the cooperation of club women and humanitarian organizations, and the members of the Legislature were made to feel that there was a genuine public demand for a law regulating the employment of children, resulting in the successful passage of a comprehensive measure. The act went into operation July 4, 1906, and the Commissioner of the Bureau of Labor Statistics took immediate steps to secure its enforcement. All of the employees of the Iowa Bureau being trade unionists, it is natural for them to vigorously enforce the law in behalf of the children.

Fraternally yours,

Arthur E. Holder, Past President,  
Iowa State Federation of Labor

### Questions:

**1. According to Holder's report, what main strategies did trade unions in Iowa use to campaign for state child labor legislation?**

**2. What obstacles did this campaign encounter, and how did Iowa unions respond to them?**

## ***Child Labor in Ecuador's Banana Industry***

In 2001, Human Rights Watch interviews of children on banana plantations in Ecuador found that:

- Children started working at age 10 or 11.
- Children worked 12-hour days and did not receive overtime pay.
- Children were involved in hazardous forms of work including pesticide and fungicide use, use of sharp tools, and carrying heavy loads.
- Working children were given little or no safety equipment.
- Workplaces had no water or restroom facilities.
- Girls were often subject to sexual harassment.
- Less than 40% of 14-year-olds were attending school.
- Child workers earned an average of \$3.50/day (40% less than the legal minimum wage in Ecuador).

Ecuador is the world's largest banana exporter, supplying 24% of all U.S. bananas, and 28% of bananas sold in the world. In 2000, average monthly wages for banana workers were \$56 in Ecuador, compared to \$500 in Panama, \$200-300 in Colombia, and \$150-200 in Honduras.

In 2002, the *New York Times* reported that child labor is commonplace on Los Alamos banana plantations where Bonita bananas are produced. Most children interviewed reported that their parents also worked on the plantations, but were not paid enough for the family to live on.

A 43-pound box of bananas purchased for \$2-\$3 in Ecuador retails for \$25 in the U.S.; Ecuadorian growers earn about 12 cents of every dollar consumers spend on bananas. Growers say this is 30% less than they earned 10 years ago, and that they cannot afford to eliminate child labor or raise wages.

By law in Ecuador: children must be at least 14 to work or employers must obtain court authorization before hiring children under 14, but the current Labor Ministry and judicial system do not enforce these laws.

After a national letter-writing campaign, this summer Costco, one of the largest U.S. purchasers of Los Alamos/Bonita bananas, contacted Los Alamos plantation owner Alvaro Noboa with concerns about labor abuses and reiterated its policy to buy only from producers who have adhered to international labor laws.

In 2001, Chiquita became the only major banana company so far to sign a "worker rights agreement" with its unionized producers and the International Union of Food and Allied Workers (IUF), pledging to respect international laws on worker rights. (About half of Chiquita's banana producers are unionized, compared to only a small fraction of Del Monte, Dole or Bonita workers).

### ***Child Labor in Central America's Coffee Industry***

Plummeting world market prices in recent years have created a global "coffee crisis":

- World market coffee prices in 2001 hit a 100-year low of around 50 cents per pound (compared to \$3.15 in 1997).
- In the late 1980s, coffee-growing nations earned about \$10 billion from exporting coffee; today, they export twice as much coffee, but earn less than \$6 billion.
- Low prices have dramatically increased unemployment for coffee workers in Central American countries. Permanent employment fell more than 50% from 2000-2002, with over 500,000 coffee workers losing jobs.
- More children of coffee workers have gone to work in or outside the coffee industry because parents are unemployed or unable to earn a living due to the coffee crisis.

#### ***In Guatemala, where over 60,000 coffee plantations generate 30-35% of Guatemala's foreign trade:***

- An estimated 500,000 children 7-15 work, mostly in the informal sector or in agriculture, including commercial coffee farms. Most children who work in rural areas are not paid for their labor.
- By law: children must be 14 to work, and 14-18 year olds may only work 35 hours/week, but these laws are not enforced in the coffee industry. Many children under 14 work without legal permission, and generally receive no benefits and earn below-minimum salaries.
- In 2000, over half of coffee workers surveyed made less than the country's legal minimum wage of \$2.48/day, and almost none received legally mandated overtime pay. Minimum daily wages were often paid for the work of an entire family, including children, instead of for each individual's work.
- 82% of coffee workers surveyed in 2000 reported never having completed elementary school (only 30% of all Guatemalan children are estimated to complete primary school)

In 1995, U.S. coffee retailer Starbucks adopted a "framework for a code of conduct" to improve working conditions in the coffee industry. In 1997, the AFL-CIO and many other groups sent letters to Starbucks protesting its lack of action when a report showed Guatemalan families, including children, still working in hazardous conditions to earn \$1.25 a day harvesting coffee sold to Starbucks. Following additional campaigns, in 2001 Starbucks released new purchasing guidelines under which they agree to pay a premium price to coffee growers who earn 100 or more points for sound environmental and labor practices. The new point system has also been criticized by some groups including the US Labor in the Americas Project because while 50 of the 100 points are awarded based on environmental issues, only 10 of the 100 points are awarded based on worker rights, wages, and benefits.

Fair Trade groups in Europe and North America have established direct trade relationships with farms or cooperatives that agree to abide by basic labor standards. Fair Trade certified importers must in turn pay a minimum price (currently \$1.26/pound) that can provide adults a living wage, which may help contribute to the goal of eliminating child labor.

In Costa Rica coffee-growing regions, a non-profit project called Coffee Kids is attempting to keep kids in school by raising funds for school fees, transportation, and teacher training, and providing small loans to poor families to start small businesses and free them from economic dependency on the coffee market.

The ILO's International Programme on the Elimination of Child Labour has established projects in Costa Rica, El Salvador, Guatemala, Honduras, Nicaragua, and the Dominican Republic aimed at removing children from work, providing them with education and health services, as well as facilitating alternative income generating opportunities for their families.

### ***Child Labor and Child Slavery in the Cocoa Industry***

According to the U.S. State Department's 2002 report on Human Rights Practices in the Ivory Coast:

- "Children regularly are trafficked into the country from neighboring countries and sold into forced labor on agricultural farms and plantations, where they are subject to widespread abuse."
- By law in the Ivory Coast: slavery and forced labor are illegal and the minimum age for most other work is 14, but these laws are not enforced in the agricultural sector
- 52% of Ivory Coast children attended school in 2000-2001
- Education ends for most Ivory Coast children at age 13, when poverty forces them to leave school because they are required to pay expensive fees (unless they can pass difficult entrance exams).

In 2002, a survey conducted by the International Institute of Tropical Agriculture found:

- a majority of children (64%) working on West African cocoa farms were below age 14
- children's jobs included clearing fields, weeding, maintaining trees, applying pesticides, fermenting, transporting, and drying cocoa beans.
- many children performed hazardous jobs, including pesticide spraying (153,000 children involved), work with machetes (284,000 children involved), and carrying heavy loads.
- approximately one third of children from cocoa-producing families had never attended any school (about 57% of all children in the Ivory Coast attend at least primary school)
- poverty was widespread among families of cocoa workers, with average family members earning \$30-110 per year (overall average per capita income in the Ivory Coast was \$660 in 2000)

In 2000-2002, world market cocoa bean prices dropped to historic lows of 40-50 cents/pound (compared to \$4.89/pound in 1977).

West Africa accounts for about 70% of the world's cocoa; 55% came from the Ivory Coast alone in 2001-02. The U.S. is the world's top importer of cocoa beans, and Americans spend \$13 billion a year on chocolate.

Chocolate companies use a blend of cocoa beans in each product, so it's statistically likely that at least some Ivory Coast cocoa ends up in *most* chocolate products. Groups like Anti-Slavery International and UNICEF have warned that boycotting chocolate could drive cocoa prices down even further, making the situation even worse. Instead, they've advocated consumer campaigns and Fair Trade purchasing. Several European and Canadian chocolate makers offer Fair Trade chocolates, but Fair Trade chocolate is not yet widely available in the U.S.

In 2001, the U.S. House voted to explore creating a labeling system to ensure slave labor was not used in producing American chocolate. Chocolate companies hired Republican Bob Dole and Democrat George Mitchell to lobby against the bill, which never passed the Senate. Instead, a "Protocol for the Growing and Processing of Cocoa Beans and their Derivative Products" was signed on September 9, 2001 through the initiatives of U.S. Senators Tom Harkin and Herb Kohl and Representative Eliot Engel. In signing this document the Chocolate Manufacturers Association, Hershey's, M&M Mars, and Nestle acknowledged the problem of forced child labor in West Africa and pledged to work toward "a credible, public certification system" for cocoa beans by 2005. Some groups like Global Exchange have criticized the protocol, however, because it does not guarantee "fair trade" prices or living wages to move cocoa workers out of poverty.

The ILO's International Programme on the Elimination of Child Labour (IPEC) is using funding from the U.S. Department of Labor and from the Cocoa Global Issues Group (a global cocoa industry group) to implement programs in the Ivory Coast aimed at awareness-raising, moving children from work to education programs, improving family incomes, and monitoring child labor.

### ***Child Labor in India's Silk Industry***

According to the U.S. State Department's 2002 report on Human Rights Practices in India:

- Estimates of the number of child laborers in India vary from 11 million (according to the Indian Government) to 55 million (according to Non-Governmental Organizations).
- Bonded labor, in which a person works for little or no pay in order to work off debt owed to the employer, is widespread among children and adults.
- Although no overall minimum working age exists for children in India, laws prohibit children under 14 in hazardous industries [including the silk industry]. Bonded labor is prohibited by the Constitution, but enforcement is inadequate.
- "The Government does not provide compulsory, free, and universal primary education, and only approximately 59% of children between the ages of 5 and 14 attend school."

In 2003, a report by Human Rights Watch found:

- More than 350,000 children are working in the silk industry, producing thread and weaving.
- Children, as young as 5 years old work 12 or more hours per day, 6 ½ to 7 days per week.
- The children are often bonded laborers. Some earn nothing, others earn as much as \$8.33 per month, from which loan payments and living expenses are often deducted by the employer.
- In order to create silk thread, cocoons are first "cooked" in open basins of boiling water. Children stand over the boiling water and must reach in to feel whether the cocoon fibers are loose enough to be unwound. After the cocoons are removed, the water is drained, and children remove dead worms that have fallen to the bottom of the basin.
- The filaments that are unwound from the cocoon are combined together into stronger fibers and wound onto spindles to be twisted into silk thread. Children stand for long hours loading spindles.
- Children also work weaving on silk handlooms, and can be exposed to disease from poorly ventilated and damp workrooms, eyestrain from poor lighting, and cuts from the fine silk thread.
- Children frequently complained of beatings and verbal abuse by their employers.

India is the world's second largest producer of silk. Although the majority of India's silk is sold within the country, India accounts for 8% of the global silk market. The United States is the largest foreign consumer of Indian silk, importing over \$163 million in silk commodities from India in 2001. Germany, Italy, Japan, Spain, and Eastern Europe are also significant importers of Indian silk.

UNICEF has begun an education program for the bonded child laborers working in this industry, as well as a microcredit program to create income-generating opportunities for the parents of these children.

Since the late 1980's, several new laws and programs have been created in India to reduce child labor. The Government of India has established a National Child Labor Policy, which seeks to assist children from hazardous workplaces by creating transitional schooling. The Supreme Court increased penalties against employers found employing children in hazardous industries and created a fund for former child laborers. In 1997 the Court ordered India's National Human Rights Commission (NHRC) to supervise states' implementation of the bonded labor law. The Government also participates in the ILO's International Program on the Elimination of Child Labor.

However, according to Human Rights Watch, while positive actions were taken after widespread publicity of child labor in India's carpet industry in the 1990's, by 2003 "most government promises had not materialized." Instead, government officials allegedly deny the continued existence of bonded child labor and have changed to a strategy of raising public awareness about child labor, rather than prosecuting employers who violate the law.

## ***Child Labor in Malawi's Tobacco Industry***

According to the U.S. State Department's 2002 report on Human Rights Practices in Malawi:

- Significant child labor exists in agricultural work, including tobacco and tea farms, as well as in domestic service.
- On some of the large tobacco estates, tenant farmers have exclusive arrangements to buy items such as fertilizer, seed, and often food from estate owners. These costs, along with rent charges, may be higher than the low prices estate owners offer for the tobacco crop. This can lead to a situation of debt and bonded labor for tenant families.
- The law of Malawi prohibits employment of children under 14 years of age. Youth under 18 years old may not do work that is hazardous, harmful, or interferes with education. No legal restrictions exist limiting the number of hours children may work.
- The child labor laws lack enforcement due to a lack of resources.

According to the *Child Labor in the Tobacco Growing Sector in Africa (Fafo) report in 2000* :

- Although Malawi has some of the most fertile areas in southern Africa, it is one of the poorest countries in the world. As of 1998, average life expectancy was 40 years old, 63% of citizens had no access to safe water, and 42% of the population was below a poverty line of \$1 per day.
- Malawi is generally regarded as having one of the highest rates of child labor in the region. 78% of tobacco workers' children between the ages of 10 and 14, and many children under the age of 10, work alongside their parents on a full-time or part-time basis.
- "It is not by accident or choice that children get involved in the production of tobacco. The system is designed so that a tenant has no choice but to involve his entire family...Indeed, tenants are recruited on the basis that they have a family, which they will bring to the estate to work."
- "When a tenant is employed on the estate, he or she is employed as the head of the household and responsible for fulfilling the quota required by the estate owner. This quota cannot be grown unless the entire family of the tenant is involved in the growing of tobacco."
- Many children in agriculture are paid a piece rate, although they often receive a lower "children's wage." Others work for extra food for their households rather than wages.
- On average in the world tobacco industry, tobacco farmers earn about 0.25% of the price the consumer pays for a cigarette.

Malawi is the sixth largest exporter of tobacco, behind Brazil, Zimbabwe, the United States, India, and China. The country exports 98% of its tobacco crop.

Malawi is currently working in coordination with the International Labor Organization to determine the magnitude of child labor in the country, and to draft an action plan.

The International Confederation of Free Trade Unions and the International Union of Foodworkers have signed an agreement with the International Association of Tobacco Producers to eliminate child labor on tobacco plantations. Unions in Malawi have signed a similar agreement with the Tobacco Association of Malawi at a national level.

**WHAT'S THE PROBLEM?**

Select the information you think is most important for people to know about the problem. Which three facts are most likely to interest and mobilize people to take action?

1.

2.

3.

**WHY SHOULD WE CARE?**

Think of three reasons this problem is relevant to U.S. workers and citizens: Why should people take action?.

1.

2.

3.

**WHAT CAN WE DO?:**

Think of things people in the U.S. can do about this problem. What two actions can people take that would be most effective?

1

2.