

EMPLOYMENT AND CHILD LABOR OF MIGRANT CHILDREN

Migrant Children at Work

The work of children in agriculture is the greatest unsolved child labor problem in the country today. A substantial segment of the labor force that cultivates and harvests the nation's crops are children, and migrant children constitute a large proportion of these. In July 1957, an estimated 457,000 children 10-15 years old did paid agricultural work. Of these, more than half were children 10-13 years old. 1/

No complete figures on the number of migrant children who work are available. The Department of Agriculture estimates that in 1954 there were about 320,000 children under 18 dependent upon the earnings of migrant farm workers. Nearly half of these migrated with their families including about 100,000 children under 14. 2/ Although no information was obtained on the number of these young children who worked, experience in local areas shows that many are hired along with their parents to work on the crops. For example, a study of migrant workers in Oregon in the summer of 1958 shows that out of roughly 800 children under 12 who accompanied their parents, at least one-fourth were working. 3/ In recent years, findings of the Wage and Hour and Public Contracts Divisions show that about 40 percent of all children under 16 found working in agriculture during school hours are migrant. 4/ In 1958, Wage and Hour and Public Contracts Divisions' investigators found 4,491 children under 16 years of age employed during school hours on 1,944 farms. Of these, 1,297, or 29 percent, were 14 and 15 years of age; 2,361, or 52 percent, were between 10-13 years of age; and 833, or 19 percent, were 9 years of age or under.

Legal Protections

Children who work in agriculture have little legal protection compared with those who work in industry or other commercial occupations. While the Fair Labor Standards Act sets a minimum age of 16 for employment during

- 1/ From unpublished census tabulations provided the Bureau of Labor Standards, U. S. Department of Labor.
- 2/ Based on estimates from THE HIRED FARM WORKING FORCE OF 1954, U. S. Department of Agriculture, March 1956, p. 8.
This is the most recent survey in the recurrent series that includes information on the dependents of migrant farm workers.
- 3/ Oregon Bureau of Labor, WE TALKED TO THE MIGRANTS. preliminary report, July 1958.

school hours, it sets no minimum for outside school hours or vacation employment. The Sugar Act sets a minimum age of 14 and sets an 8 hour day for minors 14 and 15 if growers wish to obtain ~~maximum~~ benefits under the Act. Only 10 States set a minimum for outside school hours employment in agriculture and these minimum ages range from 10-14. Fewer than one third of the States set a minimum age for employment in agriculture even during school hours. In a number of States where the minimum age in the law might be presumed to apply to employment in agriculture, in practice, employment certificates are not required and the law is not enforced on farms.

Agricultural workers generally suffer from lack of coverage under other labor legislation, as well as from lack of child labor regulation. Minimum wage, unemployment compensation, and workmen's compensation laws seldom cover workers in agriculture. Lack of these protections is one factor that makes child labor profitable.

In many States children are excused from school attendance for work on farms. In some States the school attendance laws do not apply to migrant children at all, since they are not residents. In other States the practical problems presented by a large temporary influx of migrant children in local schools not equipped to handle them, discourage school officials from enforcing school attendance laws. Even where efforts are made to get migrant children into school, their constant travel makes adequate education difficult to obtain.

Without this adequate basic education few migrant children can hope to raise themselves from the disadvantaged situation in which they are caught.

Vocational Future

Opportunities to prepare for other occupations than those in agriculture are few for most migrant children. In most schools vocational guidance programs are scheduled over a school year. Migrant children who attend school for only a brief period in each school may not ever get a basic education, much less any of the training, testing, group guidance and individual counseling, which is normally spread out over the total period. Because they are always behind other children who have had all services available and because they do not know how they could carry out any plans they made, they tend to feel that vocational planning is impossible or useless. Migrant children would seldom reach the senior year in high school where the "year around" program of the public employment service for employment counseling, aptitude testing, registration and placement is available in the school for those seniors entering the labor market after graduation.

Family Setting

The major disadvantages of migrant children stem from the low economic status of the family and the fact that they are constantly on the move. The

for 131 days of farm and non-farm work combined. 1/

The low annual earnings of farm workers often causes parents to regard the work of their children as essential to family survival. Furthermore the parents lack of education and of other cultural advantages make it difficult for them to appreciate the value of education for their children. In addition to low economic, educational, and cultural status, the problems of unsafe and crowded transportation, irresponsible crew leaders, bad housing, and lack of schooling and other community services bear heavily on the children.

The basic problem of migrant children working in the fields is compounded both by lack of alternatives to work, by lack of ^{employment} regulation, and by the economic status of the families. There is little prospect of keeping the children out of the fields until provision is made for their care and schooling while their parents are at work, and indeed, until the economic level of the family is improved.

1/ U. S. Department of Agriculture. THE HIRED FARM WORKING FORCE OF 1957, Bulletin 208, June 1959, p. 33.

Reference Material

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