

# Rates of illegally employed children rose in the past five years: Experts call for stricter measures

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Credit: University of Michigan

The federal government reported a [69% increase in illegally employed children](#) since 2018.

Employers across various sectors have been caught or accused of

employing [underage children](#), and the Labor Department is calling for increased enforcement measures and higher fines for child labor violations as states push for the rollback of child labor laws.

University of Michigan experts discuss implications of child labor exploitation in the U.S.

Luis C.deBaca, professor from practice at Michigan Law, led U.S. government activities in the global fight against contemporary forms of slavery during the Obama administration. As Ambassador at Large to Monitor and Combat Trafficking in Persons in the U.S. State Department, he updated statutes created after the Civil War and through the 13th Amendment to develop the victim-centered approach to modern slavery that has become the global standard for combating human trafficking.

"Most of the child labor statutes are more regulatory and companies are looking at systems of fines while the EEOC is more interested in age discrimination cases. Unfortunately, a lot of the time the remedy ends up being fines the company leverages as business costs," he said.

"There are several remedies but the reasons why states are trying to change the age requirements is to take away liabilities and remedies from people working on behalf of children. Instead of coming up with rational immigration reforms or making jobs better so that Americans want to do them, they are saying we are going to come up with a way to have children work.

"A lot of employers take advantage of a fairly well understood cultural response by many Latino communities of suffering in silence rather than standing up for one's rights against an unfamiliar power structure. A number of companies and big corporations have made a lot of money out of the fact that the Latino community is less likely to affirmatively go

and make a formal complaint about things."

Chavi Keeney Nana, professor from practice at Michigan Law, has represented major multinational corporations and financial institutions in civil and [criminal investigations](#) before the U.S. Justice Department and the Securities and Exchange Commission.

"Internal investigations are generally started either when the company's monitoring or compliance systems reveal potential issues with child labor or when there is an internal or external whistleblower," she said. "If the company acts on this information, it may start with an initial internal investigation (generally led by the general counsel) but will likely quickly pivot to engaging outside counsel.

"The (Foreign Corrupt Practices Act) is a law in place since 1977 that prohibits the knowing exchange of 'anything of value'—think money, lavish trips, paid and unpaid internships, kickbacks—to corruptly get or maintain business from a foreign government official. In short, foreign or American companies that trade on the U.S. stock exchange or that have a principal place of business in the U.S., as well as foreign individuals that engage in corruption on U.S. territory, can be criminally or civilly prosecuted for engaging in bribery of a foreign official. The link to migrant child labor would be most direct if a foreign government had been recruiting them to work and facilitated some of their labor conditions."

Suzanne Perkins is a research investigator at the Research Center for Group Dynamics in the Institute for Social Research. She is an authority on how childhood experiences of violence exposure, abuse and neglect, and trauma can influence social and neurological development in children and adults.

"Children and adolescents need more sleep than adults, from 9 to 11

hours a night. Sleep is necessary for the system in the brain, often likened to a dishwasher, to do the job of washing out the unnecessary information we've picked up during the day," she said. "Working and going to school makes that rest impossible and overtired teens are more likely to have school failure, be unsafe—both in decision-making and as drivers and workers—and have worse mental and physical health.

"Children and adolescents are vulnerable because they lack power, and children who are in the care of people that are not biologically related are at greater risk than most children. It concerns me that the (Department of Health and Human Services) has only recently started tracking multiple children at the same address—those children are especially vulnerable. I am particularly concerned about the potentiality for sexual trafficking. HHS needs a better system for tracking children and supporting their growth."

Silvia Pedraza is a professor of sociology and American culture at the College of Literature, Science, and the Arts and an expert on child labor exploitation, particularly regarding child migrants from Latin America and Asia.

"In the early part of the 20th century, when immigration from southern and eastern European countries was at its peak, many children were pressed into working by the poverty of their families, by their lack of education, by the lack of protection from their families, and by the greed of many industries, particularly the garment industry and industrial manufacturing," she said. "It seems that is happening again today, when immigration from Latin America and Asia is at its peak, particularly when in the last couple of years, the number of unaccompanied child migrants has risen enormously and industries such as meatpacking are greedy to benefit from their labor.

"It was not until 1938 that Congress passed a child labor law (Fair Labor

Standards Act) that would later be upheld by the Supreme Court. It is important that Congress act again, particularly since states like Arkansas are pretending that this decision should be in the hands of the parents and that it does not constitute exploitation. Social scientists, historians and public policy academics can all try to pressure Congress to ensure that fair [labor](#) standards are federal standards, not in the hands of the states that seem so willing to ignore them."

Provided by University of Michigan

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