



March 4, 2024

Dear Chair McEwen and Members of the Committee,

Thank you for hearing S.F. 4384 and for taking steps to strengthen Minnesota's response to hazardous child labor. The Advocates for Human Rights has been working to address labor trafficking in Minnesota for nearly a decade, conducting research, developing protocols, and training government agencies and community organizations across the state. This bill addresses a gap in Minnesota's efforts to combat trafficking and exploitation of children, and it is important to ensuring safety for child victims.

Child labor is a problem around the world, and in Minnesota. International law considers hazardous work to be one of the worst forms of child labor. UNICEF reports that nearly half of child laborers worldwide – 79 million children – were working under hazardous conditions in 2020. Children working in hazardous conditions suffer higher levels of illness and injury. They are more at risk than adults from workplace hazards because of their age and level of development. Children involved in hazardous work may work at night or over long hours, operate unsafe machinery, equipment, and tools, or be required to lift heavy loads and be exposed to hazardous substances, agents, or processes, or to temperatures, noise levels, or vibrations that can cause serious damage to their health.

Businesses must be accountable when they allow children to work in hazardous occupations, and the children who are victimized must at all times be protected. Children who work in hazardous occupations do so to survive. They generally rely on this work to meet their basic needs or those of their families, including food and shelter. Children laboring in hazardous occupations is a threat to children's health and safety. It also can signal other serious problems, including human trafficking.

We all have seen appalling news reports about Minnesota children working dangerous jobs in meat packing plants in violation of laws against child labor. However, these children have not sought assistance because they fear what might happen to themselves or their families.

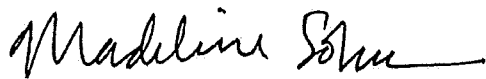
Currently, and critically, children working in hazardous occupations have no redress for the trauma inflicted upon them, and they have no ability to meet their basic needs after a child labor investigation results in their no longer having a job. By providing authority to order an employer to pay liquidated damages to the child who has worked in hazardous occupations, this bill address one area where Minnesota must do better to hold employers accountable and respond to one of the main reasons victims do not come forward—fear of losing their only means of support.

The Advocates provides immigration legal services to trafficking victims and we see the lack of options impact our clients again and again. We recently worked with a child labor trafficking victim who had left their trafficker and was waiting for federal immigration status, but ended up being trafficked again into a dangerous job in the construction industry because he could not access any supports while his status was pending.

Minnesota must do more to ensure victims and witnesses can come forward without fear, and that there will be adequate and timely supports to guard against other harms when there is an investigation. This bill provides crucial monetary support to victims and disincentivizes exploitation by making exploitative employers accountable to their victims. However, we urge Minnesota to view this as a crucial step rather than the end goal in stopping exploitation and trafficking.

Current law leaves the children who have been victimized by hazardous work with little in the way of control or redress, despite being central to investigations. This bill would start to address this by providing damages directly to victims and by requiring written consent prior to any sharing of information with other agencies. As implementation moves forward, continuing to adopt and follow victim-centered, trauma-informed practices will be essential to ending hazardous child labor in our state.

Sincerely,

A handwritten signature in black ink, appearing to read "Madeline Lohman", with a long horizontal flourish extending to the right.

Madeline Lohman
Associate Program Director, Training and Technical Assistance
The Advocates for Human Rights