

Testimony prepared for the Michigan Senate in support of SB 963, 964, and 965

Testimony • By Nina Mast and Jennifer Sherer • October 8, 2024

EPI's Jennifer Sherer delivered the following testimony before the Michigan Senate on October 8, 2024, in support of Senate Bills 963, 964, and 965 (2023–2024).

Good afternoon, Chair Cherry and members of the Senate Labor Committee. My name is Jennifer Sherer, and I'm the [Director of State Worker Power Initiatives] at the Economic Policy Institute or EPI. EPI is a nonprofit, nonpartisan think tank created in 1986 to research the economic status of working America and propose public policies that protect and improve economic conditions of low- and middle-wage workers.

Thank you for the opportunity to testify today in support of Senate Bills 963, 964, and 965.

SB 965 increases protections for minors in the workplace while also expanding their right to be compensated when employers violate the law. SB 965 closes important loopholes in current laws, prohibiting employers from assigning minors to work on overnight shifts between midnight and 5 am or in jobs deemed hazardous. It also makes important changes to deter violations by increasing the cost to employers of violating the law. However, laws to strengthen child labor protections are only effective if they are adequately monitored and enforced. Fortunately, SB 964 addresses this need by updating Michigan's work permit system to require that minors and employers register with the Department of Labor and Economic Opportunity. This streamlined registration system will enable LEO to more proactively monitor and prevent employment situations that may be hazardous or appropriate for minors.

I want to acknowledge how important it is that Michigan is taking steps to update and modernize its child labor laws in the midst of a growing child labor crisis in the U.S. Violations of federal child labor law are on the rise across the country, increasing 88 percent since just 2019. Over the past two years, the US DOL has issued judgments on dozens of cases involving hundreds of children illegally employed in meatpacking plants, in warehouses, on construction sites, at fast food franchises, and other workplaces in states across the country. Last summer alone, three teens were killed on the job while employed in violation of the law, and another teen was killed less than two months ago while doing hazardous work for a contractor at a municipal airport.

At the same time, we have seen some industry groups wage a coordinated attack on child labor protections in states across the country. Thirty states have introduced bills to weaken child labor protections since 2021, and eight states enacted legislation rolling back child labor laws in 2024 alone. Industry-backed proposals have included lifting restrictions on hazardous work, extending the number of hours per day or per week that employers can schedule youth to work (including longer/late hours or even overnight shifts during the school year), eliminating work permit requirements that facilitate compliance with the law, introducing subminimum wages for youth, and other changes.

In the face of these troubling developments, it's become more important than ever for state policymakers to review current child labor laws and take action to strengthen them. In 2024, 20 states, including Michigan, introduced bills to strengthen child labor protections, and eight enacted them.

Proactive changes being proposed across the country include increasing penalties to deter violations, allowing victims of child labor violations to sue for damages or receive enhanced workers' compensation benefits, restricting work hours or employment in hazardous occupations, educating youth on their workplace rights, and strengthening youth work permits. Each of these changes are helpful on their own, but they are more effective when implemented together.

Applying this lesson, we urge you to pass the three proposed bills before you and would also encourage you to consider amending SB 964 to add a requirement that as part of the registration process, all minors be informed of their workplace rights and employers hiring minors complete basic training to ensure full understanding of and compliance with the state's child labor standards.

At a time when child labor violations are on the rise and child labor protections have come under attack in some states, we applaud Michigan's commitment to strengthening and modernizing its child labor law. Changes proposed in the three bills before you will help solidify Michigan's role as a leader in standing on the side of young workers and their families by setting standards that protect the rights of children to start their work lives under safe, age-appropriate conditions that safeguard their education and development.

Thank you.