Policy Matters Ohio

TESTIMONY

February 25, 2025
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Testimony to the Senate Workforce Development Committee on S.B. 50

Good morning Chair Koehler, Vice Chair Reynolds, Ranking Member Ingram, and members of the committee. My name is Heather Smith and I am a researcher with Policy Matters Ohio, a non-partisan nonprofit think tank. Thank you for the opportunity to testify.

I write today to urge you to vote no on Senate Bill 50 (SB 50), which would allow employers to schedule children ages 14 and 15 for work as late as 9:00 p.m., beyond the 7:00 p.m. limit maintained by federal law.

The governor's proposed budget highlighted a commitment to Ohio children by asking lawmakers to allocate more funds to K-12 education and childcare, and to invest in literacy.[1] But children's success in school also depends on them being rested and ready to learn, having had time to complete their homework. Provisions of the federal Fair Labor Standards Act that limit working hours for teens under 16 to three hours per day, before 7:00 p.m., are designed to make sure students can spend their time learning.[2]

SB 50 would dismantle the 7:00 p.m. protection, if it were allowed to supersede federal law. And though SB 50 does not provide for an extension of the three-hour limit, it opens the door to skirting this requirement.

Such legal safeguards help protect children from abusive labor conditions. Loosening restrictions on hours worked reduces agencies' chances of intervening before abuse gets even worse, as it recently has: Violations of child labor laws verified by the USDOL have increased 31% since pre-COVID 19.[3] In 2023, an Ohio lathe mill paid $22k in fines for employing a 15-year-old to operate a wood processing machine, when he "became entangled in the gears," and employed four minors under the age of 16 outside of the allowed hours.[4] A Cincinnati pizza restaurant was fined $30k for allowing children under the age of 16 to operate gas ovens and open flames, and assigning 16 minors shifts in

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[1] Mike DeWine, "Governor DeWine Introduces Biennial Executive Budget Proposal," February 3, 2025, https://governor.ohio.gov/media/news-and-media/governor-dewine-introduces-biennial-executive-budget-proposal
[2] U.S. Department of Labor, Wage and Hour Division, "The Fair Labor Standards Act of 1938, as amended," Revised May 2012, https://www.dol.gov/sites/dolgov/files/WHD/legacy/files/FairLaborStandAct.pdf
[3] U.S. Department of Labor. "Child Labor." https://www.dol.gov/agencies/whd/data/charts/child-labor
[4] U.S. Department of Labor. "Ohio Lathe Mill Pays $22K in Child Labor Penalties After 15-Year-Old Suffers Injury While Working in a Sawmill." https://www.dol.gov/newsroom/releases/whd/whd20230405-0

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violation of FLSA.[5] Restaurants employ the largest share of youth and are the most prevalent violators of child labor laws of any industry. The restaurant industry is known for low wages, weak labor standards, and abusive working conditions – including high rates of sexual harassment. Of all the child labor violations verified by the USDOL in 2024, 84% were by food and drink service companies.[6]

Dismantling long-settled laws designed to protect children from abuse clears the way for corporations to access and exploit children in desperate situations, instead of paying livable wages that would attract adult workers. It may be appropriate for young teenagers to work a few hours a week to earn spending money or gain job experience. Current law allows this already. Limiting young teenagers to three hours per night and not past 7:00 p.m. on school nights ensures that they are able to go to school ready to learn. Teenagers need evening hours to do their homework, participate in extracurricular activities, and rest.

The fact that some families depend on the earnings of children is a problem — one that reflects the failure of our labor market to deliver livable wages to adults in the workforce, and of policymakers to implement a minimum wage that meets the cost of living.

Like the three-hour school-day work limitation, the ban on children working in certain food processing and manufacturing facilities would remain if SB 50 becomes law. However, the state and federal governments allocate far too few resources to wage and hour enforcement. Lifting the 7:00 p.m. work limitation would remove an enforcement tool now available to oversight agencies in the USDOL and Ohio's Commerce Department, making it less likely that violations of this type are discovered and stopped.

Lucy Manning wrote for the USDOL that "laws preventing child labor, like other laws for the protection of workers, help to improve working and living conditions for all the people." She wrote those words in 1946.[7] That's how far back I had to look to find discussion on the need for child labor protections, because these points have long been settled law — codified in the Fair Labor Standards Act since 1938 — and common sense.

It's never worth compromising kids' education or safety to boost employer profits. Ohio lawmakers must not condone the commodification of children. I urge you to not vote this bill out of committee.

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[5] U.S. Department of Labor "Labor Department Fines Pizza Restaurants $30K for Child Labor Violations, Recovers $12k for Two Managers Illegally Denied Overtime Wages." February 22, 2023. https://www.dol.gov/newsroom/releases/whd/whd20230222

[6] Data Enforcement "Wage and Hour Compliance Action Data" https://enforcedata.dol.gov/views/data_summary.php

[7] Lucy Manning, "Why Child Labor Laws?" Publication No. 313, US. Department of Labor, Children's Bureau. 1946. https://www.marquette.edu/cgi-bin/cuap/db.cgi?uid=default&ID=6440&view=Search&mh=1