



Written by [Bruce Walker](#) on December 23, 2011

Senate Raises Bipartisan Objections to New Farm Labor Regulations

The regulations have produced a truly bipartisan uproar in the Senate. Senators Jerry Moran (R-Kan.) and Ben Nelson (D-Neb.) have led the charge — joined by 28 of their colleagues. These include Democrats who usually support President Obama, such as Herb Kohl (Wis.), Mark Pryor (Ark.), Ken Conrad (N.D.), and Claire McCaskill (Mo.). [In a letter to Secretary Solis](#), the Senators requested that “the Department withdraw the proposed rule immediately until such time as it can substantiate that any proposed changes to current [Agriculture Hazardous Orders] will significantly improve youth safety, while at the same time prevent significant adverse economic impacts on rural employers.”



The Senators also expressed surprise that the Department of Labor took little or no interest in the fact that farmers and farm equipment manufacturers were hardly indifferent to farm safety, which made the new rules puzzling, “particularly considering the advancements in farm equipment and adoption of technologies that have improved operator safety in the last 35 years.”

Representative Denny Rehberg (R-Mont.), a fifth-generation rancher, maintained that the new rules show that the Obama administration has no real understanding of rural America:

You’ve got a president of the United States ... from Chicago, you’ve got a ... Secretary of Labor who’s pushing this from Los Angeles, and you have to think to yourself, do you have any idea what it’s like not just to run an agricultural business in a rural state ... but to raise a family in one?

The Department of Labor stated that these regulations would not apply to family-owned farms; however, the Senators who signed the letter believe that the rules would apply to farms that are partially owned or operated by a family. In addition, the Senators observed that these regulations would affect teenagers who might work in “small county elevators, grain handling operations of feed mills, grain processing plants, livestock auctions and feed yards, even if the scope of employment did not involve hazardous activities.” The Senators noted that “rural employers often rely on sixteen- and seventeen-year-olds to meet seasonal needs.”

The letter also pointed out that the data used by the Department of Labor is 13 years old, and is unspecific about the cause of the injuries that the new regulations are intended to prevent. Further, it observed that it made little sense to bar children under 16 from using some of the equipment mentioned, such as “garden hoses with pressurized nozzles.”

It is unclear at this point exactly what Secretary Solis will do. The strength of the opposition and the inclusion of many liberal Democrats would seem to suggest that the new regulations will, at the very



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least, be reviewed.



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