

## **Child Labor and Public Policy: A Road to Resolution**

**Sarah Stanwick**

Auburn University  
School of Accountancy  
Harbert College of Business  
USA

**Peter Stanwick**

Auburn University  
Department of Management  
Harbert College of Business  
USA

### **Abstract**

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*The purpose of this paper is to present a case study related to the negative impacts of child labor globally. This paper discusses the current state of child labor and presents some examples of exploitation of child labor occurring in Bangladesh, India, Indonesia and the United States. The paper concludes with recommendations on what companies can do in the future to protect the rights of children related to child labor.*

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**Keywords:** Child Labor; Human Rights

### **Introduction**

In 2015, the United Nations adopted the 2030 Agenda for Sustainable Development which include 17 Sustainable Development Goals<sup>1</sup>. Goal 8 of the Sustainable Development Goals is to promote inclusive and sustainable economic growth, employment and decent work for all. One of the targets of Goal 8 is to:

“Take immediate and effective measures to eradicate forced labour, end modern slavery and human trafficking and secure the prohibition and elimination of the worst forms of child labour, including recruitment and use of child soldiers, and by 2025 end child labour in all its forms”<sup>2</sup>

The focus of this paper is to present the challenges of trying to accomplish this ambitious goal established by the United Nations. One of the challenges of trying to protect children from becoming child laborers is the common conditions which facilitate the need for children to go to work.

### **Common Conditions for Child Labor**

There are a number of common conditions which increase the probability that child labor will be used. In countries and regions where there are high rates of poverty and unemployment, and inadequate support from the government, children will be required to work in order to support the child’s family. In countries where domestic labor laws are poorly enforced, child labor will be used by the employers. In addition, if the government inspectors are not adequately compensated, bribes and other types of improper payments would more likely take place in exchange for not enforcing the government regulations. Furthermore, in some countries, child labor is culturally considered part of the normal development of the child. This belief is based on the child learning a life-long skill or trade which could benefit the child as he or she becomes an adult. There could also be a lack of educational opportunities available for the children.

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<sup>1</sup> <http://www.un.org/sustainabledevelopment/>

<sup>2</sup> <http://www.un.org/sustainabledevelopment/economic-growth/>

The cost of educational materials and tuition could be too expensive for the family to spend on education for the child. In addition, the quality of the education may be too poor to consider it a benefit for the child to attend school. In areas where there is a high prevalence of HIV/AIDS such as parts of Africa, there are large numbers of orphans due to the death of the child's parents. As a result, the children must work in order to survive.<sup>3</sup>

In 2016, an estimated 152 million children globally, aged 5 to 17 years old, were working of which 73 million were working in hazardous conditions. This means that almost 10% of all the children in the world work as child laborers.

Of the 152 million working children, 48% were 5 to 11 years old, 28% were 12 to 14 years old and 24% were 15 to 17 years old. Fifty eight percent were boys and 42 percent were girls. The type of work the children did was 70.9% Agriculture, 11.9% Industrial and 17.2% Services.

Africa had the highest percentage of child workers with 19.6% of the total followed by Asia and the Pacific with 7.4%; Americas with 5.3%; Europe and Central Asia with 4.1% and Arab States with 2.9%. In addition, countries that are affected by armed conflict have a 77% higher rate of child labor than the global average and children working in hazardous conditions is 50% higher in armed conflict areas than the global average.

Of the child laborers, 69.1% work on family farms or in other types of family enterprises, 27.2% work for a third party as a paid worker and 3.7% of the child laborers are self-employed. In addition, 36 million child laborers do not attend school, which equals 32 percent of all the global child labor between the ages 5 to 14 years. Furthermore, those children who are laborers and also attend school perform relatively poorly in learning development because of the time and energy needed to perform their labor tasks.

In addition, an estimated 4.3 million children are involved in forced labor and/or forced marriage. Of the 4.3 million children, an estimated one million are in forced labor for sexual exploitation, 3 million children are in forced labor related to other forms of labor exploitation and 300,000 children are in forced labor that has been imposed by state authorities.<sup>4</sup> The exploitation of child labor is global. Some examples include:

### ***Doing Some Light Work***

In July 2016, a nine year old boy died in a textile mill in Bangladesh. The assistant administrative officer at Zobeda Textile mill was arrested after the boy's father accused the supervisors and other managers in the mill of killing the boy because the boy had complained about the abusive conditions at the mill. The boy had protested when the supervisors verbally abused the boy and beat him if he made small mistakes in his work.

The father, who also worked at the mill, stated that supervisors at the mill had killed his son by using a compressor machine and pumping the air from the machine into the rectum of the boy. The air compressor was used to clean dust from the machines and other equipment in the mill. Of the approximately 3,000 workers in the mill, an estimated 10 percent of the workers are children. The mill does not recruit the children but employs them based on a request from adult employees who want the children to perform "some light work" so they can earn money for the family. As a result, the management of the mill hire the children as a "humanitarian" gesture. The boy earned 3,100 taka a month which is approximately \$40. The government of Bangladesh does not keep records of workplace deaths or injuries that involve children.<sup>5</sup>

### ***Surviving the Horrors of War***

Ahmad Suleiman is one of a million Syrian children who fled Syria to live in Turkey and help provide for his family. When Ahmad was 9, he witnessed his father's death from a battlefield wound in Syria. At 13 years of age, he now works in a textile factory in Istanbul and is the primary wage earner for his family. While his mother wants to send Ahmad to school because he is illiterate and cannot even read the bus signs, the mother does not have a choice since the wages Ahmad earns are necessary for his family to survive. Before the war started in Syria, 99 percent of the children went to primary school and 82 percent went to secondary schools. By 2016, an approximately 3 million Syrian children are not in school.

<sup>3</sup> [https://hrbdf.org/dilemmas/child-labour/?h=child labor#.WjWnPU1dmzk](https://hrbdf.org/dilemmas/child-labour/?h=child%20labor#.WjWnPU1dmzk)

<sup>4</sup> Global Estimates of Child Labour: Results and Trends, 2012-2016. International Labour Office.

<sup>5</sup> Julfikar Ali Manik and Geeta Anand. 2016. 9-Year-Old Child Worker Dies in Bangladeshi Textile Mill. *The New York Times*. July 25.

Ahmad's mother has developed a plan for the long term survival of her children. Her 15 year old daughter, Ayla will marry a 22 year old Kurdish man in exchange of sending Ayla to school and helping the family financially.<sup>6</sup>

### ***In the Tobacco Fields Around the World***

A 13 year girl, Saray Alvarez, worked 12 hour shifts in the tobacco fields in the hot summers of North Carolina. She puts a black plastic garbage bag over herself in order to protect her skin from the dew from the tobacco leaves which contain nicotine. This type of protection is needed in order to protect the tobacco picker from "green tobacco sickness" or nicotine poisoning which can cause symptoms such as vomiting, dizziness and irregular heart rate. The temperature, which rises to over 90 degrees, can result in dehydration and heat stroke. In addition, the child laborers may be forced to work in hazardous conditions such as climbing 20 foot ladders in tobacco barns.

United States federal law allows children 12 years of age and older to work on farms for an unlimited number of hours as long as the work does not conflict with school. For non-farm related work, federal law allows children as young as 14 to work and restricts the number of hours children under the age of 26 to work to eight hours a day. Tobacco manufacturer Philip Morris bans its growers from using workers who are under the age of 18. However, in reality, some of the labor contractors who supply the workers ignore this requirement without the knowledge of the grower.<sup>7</sup>

In Indonesia, the fifth largest tobacco producer in the world, there are thousands of children who work in the tobacco industry and are also exposed to the health hazards related to picking tobacco. However, there are additional hazards for these children since they usually work without protective clothing. Working primarily in the main island of Java, these children are also exposed to pesticides and use sharp tools in picking the tobacco. The intensity of the sicknesses increases since the children are handling the tobacco with their bare hands which results in the nicotine quickly soaking into the skin of the child. An additional challenge in the attempt to control the use of child labor is that most of the Indonesian tobacco is sold in an open market which makes it almost impossible to trace the origins of the tobacco. It is estimated that over 1.5 million children in Indonesia work in the agricultural sector. As is the case in the United States, there are some restrictions on the use of child labor in tobacco plantations. Children who are between the ages of 13 and 15 are allowed to do what is considered to be light work when school is not in session. However, an investigation by Humans Rights Watch found that 8 year old children were doing heavy labor in the tobacco fields. Another challenge in controlling the use of child labor in the tobacco fields is that almost all of the more than 500,000 tobacco farms are family owned and operate in fields of 2 1/2 acres or less.<sup>8</sup>

### ***The Mining of Mica***

Mica is a mineral which used to produce a sparking effect on paint applied to vehicles. In addition, it is used in the production of cosmetics. In India, child labor is used extensively in the mining process. The children are used to collect and mine the mica, as well as cobbling which is hammering the rock deposit to separate the mica from the other minerals. It is estimated that in one region of India, up to 20,000 children are used in the mining process. In an investigation done by the nonprofit organization, terre des hommes through the Centre for Research on Multinational Corporations (SOMO), it was found that children under the age of 10 were working in the mine areas. In one of the local villages near the mines, an estimated ten percent of the children work in the mines and do not go to school. An investigation by a French television network found that a third of the workers were under the age of 12. One mother was quoted as saying that the children start mining at the age of five or six when they are able to recognize mica in the mine. Because of its hazardous nature, Indian law prohibits children under the age of fourteen to work in underground mines in order to cut/split the mica or to be involved in processes in which there is a potential exposure to free silica. In the mica mining areas of Jharkhand and Bihar, the percent of people who are illiterate is 34 percent in Jharkhand and 38 percent in Bihar while the national average in India is 27 percent.

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<sup>6</sup> Ceylan Yeginsu. 2016. In Turkey, a Syrian Child 'Has to Work to Survive.'" *The New York Times*. June 4.

<sup>7</sup> Steven Greenhouse. 2014. Just 13, and Working Risky 12-Hour Shifts in the Tobacco Fields. *The New York Times*. September 6.

<sup>8</sup> Joe Cochrane. 2016. Indonesian Children Face Hazards on Tobacco Farms, Report Says. *The New York Times*. May 25.

In addition, while 28.6 percent of the children in India are enrolled in primary school but are not present, the percentage is 38.3 percent in Jharkhand and 41.8 percent in Bihar.<sup>9</sup> In May 2017, India announced that it would legalize mica mining after an investigation by the Tomson Reuters Foundation discovered the deaths of at least seven children working in illegal mines during a two month time frame. Since the mines were an illegal operation, the deaths were not reported by either the mine operators or the family of the victims. By legalizing the mining operations, it is assumed that since the industry can be regulated, there is an opportunity to improve the wages and working conditions and reduce the level of child labor in the mines. Mica mines were once legalized in India with over 700 mines in operation but the Indian government passed legislation in 1980 to limit deforestation which impacted the mines as well as the introduction of synthetic mica which forced most of the mines to close. As demand for mica increased, operators re-opened the mines illegally.<sup>10</sup>

### ***The Poisoning of Children***

Children as young as eight years old work in tanneries in Bangladesh producing leather products that are sold in Europe and the United States. There are approximately 250 tanneries in the Hazaribagh region of Bangladesh and release an estimated 6,000 cubic metres of toxic effluent and approximately 10 tons of solid waste every day. Chemicals used in the tanning process include formaldehyde, hydrogen sulphide and sulphuric acid. In addition, heavy metals such as chromium, cadmium, lead and mercury are discharged by the tanneries into the air. Children who are 8 years and older have these chemicals and metals soaked into their skin as well as breathing the air which contains these substances. The children do not have any protective clothing and some of the children wear little more than a loin cloth and wellington boots. The consequences of the exposure to these toxic materials include chronic skin and lung diseases and their life expectancy potentially decreases to 50 years.<sup>11</sup>

### ***Suggestions for the Future Child Labor Protection***

Companies need to look beyond the child labor standards of the countries in which they do business and embrace potentially more stringent international standards. In addition, the company should set in place a human rights due diligence with any third party contractor to ensure that the third party is following the standards established by the company. As part of the due diligence process, the company could conduct impact assessments and social audits with all their third party suppliers and contractors.

In order to effectively evaluate the compliance of third parties to the company's policy related to child labor, the company needs to establish six components of their action plan. The first component is the establishment and continuous re-evaluation of the firm's policy and procedures related to their child labor policy. The policy and procedure process should be based on the evaluation of both national and global standards related to child labor and the communication of the child labor policy to all external entities which the companies have formed business relationships. Furthermore, there should be a mechanism in which suspected child labor violations can be communicated back to the company. The second component is to train the company's suppliers and company personnel about child rights. Training areas would include: understanding the child labor laws within the country; understanding and executing the company's child labor policy; determining the age of the workers, as well as understanding how to detect false identification and understand the health and safety procedures for the workers who are not adults. The third component is social auditing and monitoring. This action would include monitoring the factories of suppliers which would include interviewing the supervisors and the employees as well as a physical inspection of the facility to determine if there is any evidence of the use of child labor. The fourth component is to interview former child laborers who have been removed from a supplier's factory. This could provide information related to why the child was working in the factory and how the child was able to work in violation with the local child labor regulations. The fifth component is to support the children that have been removed from the workplace. This would include providing schooling for the child; having a health assessment done for the child, and training the child to have skills once the child has become an adult. The sixth component is sector-wide, multi-stakeholder partnerships.

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<sup>9</sup> Albert ten Kate, Irene Schipper, Vincent Kiezebrink and Meike Remmers. 2016. *Beauty and a Beast: Child Labour in India for Sparkling Cars and Cosmetics*. Centre for Research on Multinational Corporations (SOMO). March.

<sup>10</sup> Jatindra Dash. 2017. *India Begins Legalizing Mica Mining After Child Worker Deaths Expose*. Reuters. May 4.

<sup>11</sup> Sarah Boseley. 2017. *Child Labourers Exposed to Toxic Chemicals Dying Before 50, WHO Says*. *The Guardian*. March 21.

These type of partnerships would give the industry an opportunity to better understand how different stakeholders are impacted by child labor. This type of discussion could enhance the possibility of developing greater protection from the use of child labor in the future.<sup>12</sup>

In summary, child labor is a complex issue which impacts millions of children globally, both customers and companies must realize that their actions can have a profound impact on the life of a child.

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<sup>12</sup> [https://hrbdf.org/dilemmas/child-labour/?h=child labor#.WjWnPU1dmzk](https://hrbdf.org/dilemmas/child-labour/?h=child%20labor#.WjWnPU1dmzk)