



December 1, 2011

Wage and Hour Division
U.S. Department of Labor
Room S-3502
200 Constitution Avenue, NW
Washington, DC 20210

**RE: RIN 1235-AA06 Child Labor Regulations, Orders and Statements of Interpretation;
Child Labor Violations – Civil Money Penalties; Notice of Proposed Rulemaking and
Request for Comments**

The Ohio Farm Bureau Federation (OFBF) is the largest general farm organization in the state of Ohio with more than 200,000 members located across all of Ohio's 88 counties. Our members produce virtually every kind of agricultural commodity and as a result, OFBF is very interested in the nation's agricultural youth labor policies. We appreciate the opportunity to comment on the above-captioned rulemaking.

The Ohio Association of Agricultural Educators (OAAE) is Ohio's largest organization of agricultural educators. OAAE's mission is to positively impact, promote, and develop professional interests of agricultural educators for the benefit of students.

Because our organizations strongly believe that there are many age appropriate work opportunities in Ohio agriculture, we support protective safety regulations and strive to increase awareness of potential occupational hazards on our farms. However, we believe this rule, as written, will result in an effective total ban on youth employment on farms and that contrary to statements in the preamble, we believe that actual language in the rule will significantly narrow the "family" exemption as it has been understood by the industry for decades. The new rule would change a "family" exemption to a "parental" exemption, which falls out of line with the practical state of modern farm operations.

In Ohio, we are particularly concerned about the impact this proposed rule will have on agricultural education programs like the National FFA Organization and FFA programs and Ohio State University Extension & 4-H programs.

Agricultural educators are very concerned about modifications to current exemptions that allow for training and educating young people who want to gain practical experience on farms and in agri-business. The new rule substantially narrows these exemptions. For example, provisions would not allow youth under 16 to operate any power-driven equipment which is defined as anything other than hand or foot power. This could go as far as to effectively ban the use of flashlights or weed whackers by youth of a certain age.

OFBF and the OAAE are very concerned about the impact this rule would have on the Supervised Agricultural Experience (SAE) program. SAEs are an integral part of the agricultural education program which includes classroom instruction, FFA, and SAEs. These are the pillars of the overall Agricultural Education Program.

SAEs tie what is learned in the classroom to what the students do at home – it creates a truly vocational education. This program allows students to use situations they encounter outside the classroom to reinforce and further study specific topics. These supervised programs give students the opportunity to make decisions, develop work ethic, manage and balance finance, establish contracts and agreements, develop technical skills, earn and save money, operate machinery, produce healthy food, connect with industry, gain employment, earn educational credits and strive towards specific awards and achievements. SAEs also are directly related with record keeping, safety, leadership and customer relations education. Every aspect of agricultural education classroom programs reinforces SAEs and experience in these projects contributes to classroom learning. They allow students to further their experience and skills in the area they choose.

If this rule is passed, the OAAE and OFBF believe that SAE opportunities will decrease, as it will make it much harder to find appropriate, profitable options for projects as students will not be able to perform all tasks required of the employer. Some employers will simply look elsewhere when hiring. Jobs and practical work experiences are already limited for high school age students and will become more so due to this rule. Students also receive credit for these SAE projects, so a student's ability to complete program requirements is jeopardized. In addition to the decrease in educational value of the SAE program, such limitations on the students experience will impact community support for agricultural education programs. Community members currently cooperate with these programs to provide students with these experience opportunities. This local support is key to the long term viability of these programs. Students who own or operate their own SAE project also often contribute to the local economy as they patronize local businesses through the course of their study. So there would be some limited but important impact to local business.

Students respond to achievement and reward as well, and limiting their ability with SAE's reduces their chances of earning State or American FFA Degrees, which are a key mark of success and a reward for these young people. Some agricultural education programs operate

school owned farms that require youths to work with breeding animals, operate machinery and work related experience. These programs will be specifically impacted by changes in this rule. Collectively, the changes proposed in this rule package would severely limit a student's opportunity to gain valuable work experience and hinder their career options. Such impact will make the job of Ohio's agricultural educators much more difficult because it is much harder to provide meaningful experimental learning if such opportunities are severely limited.

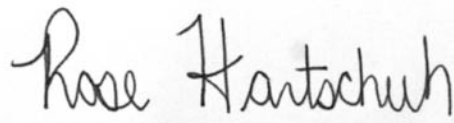
Another segment of the Ohio agricultural community that will suffer from impacts of this rule as proposed is our Amish community. Many members of our Amish community rely on family and youth employment to provide the necessary labor for their farms and agricultural businesses. This proposed rule could have a significant impact on this community's ability to introduce youth to agricultural work experiences and for these youth to develop valuable on-the-job skills.

In summary, this rule seems to miss the mark if its aim is to focus on youth safety in relation to American agriculture. Under the rule, a young person could use his family's lawn mower to make extra cash from the neighbors, but a farmer could not hire that same youth to mow his or her lawn using the farmer's equipment. We continue to support appropriate safety regulations, however this rule, as written, will prove to be more effective as an outright ban on youth employment on farms rather than a safeguard for youth. We encourage the Department of Labor to seriously reconsider this measure or to work closely with the agricultural community to develop more meaningful standards. OFBF and the OAAE appreciate the opportunity to submit comments on the proposed rule.

Sincerely,



John C. Fisher
Executive Vice President
Ohio Farm Bureau Federation



Rose Hartschuh
President
Ohio Association of Agricultural Educators

Cc: Steve Hirsch, President, OFBF
OFBF Board of Trustees
Ohio Congressional Delegation