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LABOR TRAFFICKING

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There exists a meager body of literature on child labor trafficking. Global estimates from the International Labor Organization (ILO) indicate that 160 million children between 5-17 years old were engaged in child labor in 2021, of which about 79 million were in hazardous labor. In the United States, it is generally agreed that labor trafficking in children comprises about 9% of all trafficking investigations, but since most state child welfare agencies do not differentiate between sex and labor trafficking in their statistics, it is difficult to know the actual number. The Trafficking Victims Protection Reauthorization Act of 2000 establishes the legal definition for sex and labor trafficking which includes: **The recruitment, harboring, transportation, provision, or obtaining of a person for labor or services, through the use of force, fraud and coercion.** Through the lens of children in trafficking, it is argued that minors cannot consent for sex, so the conditions of force, fraud or coercion are waived. However, minors involved with labor trafficking are burdened with a more complicated picture, since they can legally work in some situations, and these conditions must be identified.

Labor-trafficked youth are more likely to be male, black or Hispanic, have prior history of child welfare involvement and substantial maltreatment history. The median age is 15 years. The most common settings for labor trafficking are travelling sales crews, peddling rings, begging rings, restaurant and food service. Once at work for the trafficker, the child is coerced to continue through debt bondage based on charges for housing and transportation, verbal abuse, psychological manipulation or threats of abandonment.

Please see below for chart summaries from Polaris:

TOP 5 Forms of Force, Fraud and Coercion

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Withholds Pay/Earnings	2,279
Excessive Working Hours	2,043
Threat to Report to Immigration	1,866
Verbal Abuse	1,640
Withholds/Denies Needs	1,254

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TOP 5 Risk Factors/Vulnerabilities for Trafficking Victimization

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Recent Migration/Relocation	2,364
Unstable Housing	91
Criminal Record/Criminal History	90
Physical Health Concern	53
Substance Use Concern	32

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Existing laws may hinder or help labor traffickers. Labor laws for children are different in the agrarian sector with respect to hours worked and exposure to chemicals. Two states, Florida and Wisconsin have labor laws that define door to door sales and traveling sales crews as hazardous, making it easier to prosecute traffickers. Forced drug sales are common especially in younger children and are usually organized by family members or caregivers. Unfortunately, Safe Harbor laws do not apply to these children. However, unlike child sex trafficking, labor trafficking is easier to prove and has better outcomes when law enforcement becomes involved.

The state of Florida child welfare agencies for the past 5 years have collected statistics for sex and labor trafficking in minors and shows that labor trafficked children include 7-15% of the overall number of trafficked minors in that state. Florida has recently partnered with Polaris under a grant from the country of Mexico to conduct further research into temporary H2A workers (migrant workers) and will be looking at trends and vulnerabilities in this population. The Coalition Against Labor Trafficking (CALT), an organization that represents law enforcement, social services, health care workers, and child welfare agencies, meets regularly to combat labor trafficking, and keeps abreast of bills before the legislature that affect trafficking. Lobbying efforts on behalf of anti-child trafficking are prudent and necessary. For example, sweeping changes to the Model Penal Code made by the American Law Institute in June 2021, indicate a need to stay informed about potential legislation affecting children. The model penal code, a set of criminal law principles utilized by state legislatures to standardize criminal statutes, is used by courts to interpret laws. Most states adopt these principles and incorporate them into laws. Recent changes made to the model penal code weaken identification and punishment of child traffickers.

As health care providers and citizens, we can participate in labor trafficking prevention. As health care providers we may identify labor-trafficked children as they present to emergency rooms with injuries sustained in their work. As citizens we can support fair pay for workers and basing our purchasing choices on the fair treatment of those who make our products, consumers have the power to reduce the demand for labor trafficking.

Resources

1. Gibbs, Deborah A, Aboul-Hosn, S & Kluckman, M (2019): Child Labor Trafficking within the US: A First Look at Allegations Investigated by Florida's Child Welfare Agency, Journal of Human Trafficking, DOI: 10.1080/23322705.2019.1594551
<https://doi.org/10.1080/23322705.2019.1594551>
2. Polaris <https://polarisproject.org/trafficking-hotline-share-graphics/>
3. Child Labor, Forced Labor & Human Trafficking: U.S. Department of Labor
<https://www.dol.gov/agencies/ilab/our-work/child-forced-labor-trafficking>