

Maryland General Assembly  
Rules and Executive Nominations Committee

Testimony in Support of HJ3: Ratifying the Federal Child Labor Amendment

Submitted by Anjali Kochar, Co-Convenor Campaign to End US Child Labor and  
Executive Director, Kailash Satyarthi Children's Foundation US

February 27, 2025

My name is Anjali Kochar. I submit this testimony not only on behalf of the Campaign to End US Child Labor but also as a proud Marylander. The Campaign to End US Child Labor is comprised of 60+ organizations – including national unions, academic institutions, media, law firms and faith and child protection groups – united behind the goal of ending child labor in the US.

At the turn of the 21st century, even just 10 years ago, who would have thought that we would need to revisit a possible amendment to the US Constitution from the early 1900s granting the US Congress the authority to protect children in the US by passing legislation on child labor protections. Yet, this is where we find ourselves today.

I provide this testimony in support of HJ3 introduced by Delegate Ruth to ratify the Child Labor Amendment of 1924.

You may ask why is such an amendment needed? And that is an important question to ask. In 1938, the US Congress passed the Fair Labor Standards Act which regulated child labor – how many hours a child could work, where and when – and eliminated many of the dangerous and hazardous forms of child labor. States in turn passed their own laws in accordance with the Fair Labor Standards Act. However, in the last 2 to 3 years, efforts have been underway in more than 30 states to weaken their child labor protections with many being successful.

At the same time as this weakening of state child labor laws is occurring, we have seen a sharp rise in reported violations in the US. According to the Economic Policy Institute, in 2023 there was a 300% increase in reported violations since 2015. Children have been found working in dangerous jobs – nightshifts of cleaning crews, on roofs, in meatpacking plants, in sawmills – but also working in the fields, in fast food restaurants, laundry facilities, to name a few.

The last few years have shown us that as states weaken their protections and if enforcement does not remain high, hazardous child labor will continue to increase.

Federal law is critical in ensuring child labor protections exist, however in 1918 and 1922 the Supreme Court of the US challenged the constitutionality of federal laws regulating and taxing goods produced by employees under the age of 14. In response to two Supreme Court judgments, the Child Labor Amendment was introduced in 1924 with 28 states ratifying it by the end of the 1930s.

Until recently, no one would have thought that the constitutionality of the US Congress' ability to regulate child labor would have been questioned, but recently Justices Thomas and Gorsuch indicated that the Court may view worker protections, such as child labor, differently.

The Child Labor Amendment would cement Congress' ability to legislate child labor laws. Maryland can lead the revival effort by becoming the first of the remaining ten states needed for full ratification. And by doing this, can show its commitment to the protection of children's rights.