

# Grisly accident during school's work-based program a sign of things to come for child labor under Trump

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President-elect Donald Trump's choice to head the Department of Education Linda McMahon's proposal for "apprenticeship programs" in secondary education is a pathway to child labor.

McMahon currently serves as Chair of the Board of the ultra-right-wing think tank the America First Policy Institute (AFPI), and chair of the Center for the American Worker, a division within the AFPI. The are both writing the second Trump administration's playbook for public education on charter schools, voucher programs, school choice and workforce development and career readiness.

The former World Wrestling Entertainment executive and long-time Trump crony devoted her single year in public education, as a member of the Connecticut State Board of Education in 2009, speaking about the importance of aligning educational outcomes with the needs of employers, by advocating for programs that would equip students with practical skills that would make them more competitive in the job market.

During her tenure as Administrator of the Small Business Administration (SBA) from 2017 to 2019, her policies focused on small business partnerships and adult workforce readiness, influencing vocational training and work-based learning (WBL) trends through federal initiatives like the Workforce Innovation and Opportunity Act (WIOA).

In a 2021 AFPI policy paper, McMahon argued for "demand-driven" education that prioritizes partnerships between public and private sectors. She praised the Trump administration's Industry Recognized Apprenticeship Program (IRAP), which allowed employers to create apprenticeship programs outside the traditional U.S. Department of Labor framework.

IRAP was later rescinded by the Biden administration in 2022. But the basic aim of restoring child labor has broad support within the ruling class. According to the Economic Policy Institute, 10 states have considered loosening child labor restrictions as of early 2023, while child labor

restrictions nearly quadrupled between 2015 and 2022.

As Trump's nominee for Secretary of Education, Linda McMahon will certainly revive IRAP's aims to deregulate and expedite apprenticeship and work-based programs in secondary schools. She will also aid in dismantling the Department of Education and whatever oversight it has to protect public school students from the predations of employers seeking cheap labor under the guise of career readiness.

## The case of Washington state high school student Derrick

A preview of the consequences of these policies was given in an incident last year. During the summer of June of 2023, rising Battle Ground School District high school junior Derrick was earning school credit working for Rotschy LLC, a large construction excavation company in southwestern Washington state. The 16-year-old had been tasked with guiding a walk-behind trenching machine cutting a 6-inch-deep ditch for a new fence line.

Rotschy had a minor work permit, which allows the company to hire minor workers aged 16 years and older, and a student learner variance, which eases restrictions on the use of some power tools.

With the trencher still running, Derrick stepped alongside the machine to check his progress when the ditch sidewall collapsed. He fell, and the machine pulled the young man's legs into its grinding blades. After being airlifted to a Portland hospital, Derrick had both legs amputated above the knee.

Rotschy LLC was found in violation of numerous labor laws. In December 2023, the Washington State Department of Labor & Industries (L&I) levied the maximum fine on

Rotschy—only \$156,000—for allowing a minor to operate equipment without appropriate training, experience or supervision. Rotschy denies wrongdoing and is currently appealing the fine.

L&I's Youth Employment Safety Unit fined the company an additional \$51,800 when it found that Rotschy also allowed seven minors to operate heavy equipment on at least 35 occasions, denied 11 minor workers meal breaks 45 times, and had eight teenagers work hours in excess of those allowed by state law on more than 150 occasions. In one case, the company started a teen's workday before 5 a.m.

At the time of Derrick's accident, Rotschy had a decade's worth of safety fines in Oregon and Washington for more than 20 health and safety violations, amounting to \$305,863. In 2019, L&I temporarily added Rotschy to the severe violator list, which is designated for companies that show "resistance or indifference" to safety regulations, after the company was fined for failing to adhere to safety standards in trench work, which is considered to be one of the most dangerous jobs in construction.

However, Rotschy's use of high school labor is not uncommon, and is allowed under government programs in Washington, a Democratic Party-controlled state. Work-based program coordinators for the Battle Ground School District conduct roughly 1,200 visits a year to monitor 300 students at 230 job sites in the district, according to an investigation by the local PBS television station.

The Washington State Minor Work Variance states that minors may operate dangerous machines, such as power-driven tools for woodworking and metal-forming, as well as circular saws, band saws and paper-product machines, "if the hazardous work performed by a minor is incidental to the training program, intermittent, and closely supervised by a journey-level worker, qualified instructor, or mentor."

When requesting variances under Washington state law, companies need only demonstrate how a student would benefit from working longer hours or operating restricted machinery. A company's past labor or safety violations are not considered during the application process for minor work permits or variances, or when schools assess potential worksite hazards before placing a student.

federal level, there are alarming discrepancies between the states in the levels of oversight of so-called "work-based learning" programs, which has enabled private companies to hire minors for little or no pay with little or no oversight.

Bellwether Education Partners, a think tank in the education sector, assessed work-based learning policies in secondary schools in their 2021 report, "Working to Learn and Learning to Work: A state-by-state analysis of high school WBL policies."

Twenty-nine states took advantage of federal money provided through Perkins V, the reauthorization and update of the Perkins Act to provide funding and support for career and technical education (CTE) programs. Only five states have a dedicated line item in the state's budget to fund WBL programs, while 19 states provide grant opportunities, and 27 states make no provision for WBL at all.

The structure and quality of WBL across states varies wildly, with the majority of states offering little or no guidance on WBL programs.

A majority of states provide no guidance or policies for employer expectations or quality of working conditions. While 26 states provide suggestions for assessing the quality of WBL programs, these states do not hold the programs accountable. Nineteen states do not define or assess the quality of their WBL programs.

The utter lack of both federal and state commitment to WBL efficacy and student safety in the US led to the horrific maiming of a 16-year-old boy and is a sign of the dangers youth will face under the new administration.

These policies will inevitably provoke massive opposition from youth, their teachers and working-class parents. The fight against the return of child labor, and the defense of the right to a childhood, must be taken up by the working class in a broader fight against the subordination of American society to profit.



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## The state of work-based programs in the United States

In announcing McMahon's nomination, Trump declared, "We will send education BACK TO THE STATES, and Linda will spearhead that effort." [emphasis in the original].

Aside from what little oversight already exists at the