

SKID STEER OPERATION BY YOUTH OPERATORS ON WISCONSIN FARMS

Cheryl A. Skjolaas

Interim Director and Agricultural Safety Specialist

UW Madison/Extension Center for Agricultural Safety and Health

Phone: 608-265-0568

skjolaas@wisc.edu

<http://fyi.uwex.edu/tractorcert>

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US Department of Labor



www.dol.gov/whd



<http://www.osha.gov>

COMPLETE EXEMPTION

Complete Child Labor Exemptions

Youth of any age may be employed at any time, in any occupation in agriculture on a farm owned or operated by their parent or person [standing in place](#) of their parent.

Vocational Agriculture Program

Exemptions from [Hazardous Order Prohibitions](#)

With the exception of the parental exemption explained above, there are only a few [exemptions](#) from the hazardous occupations in agriculture and they apply only to 14- and 15-year-olds. The circumstances where 14- and 15-year-olds may be employed in certain hazardous occupations are:

Student-learners in a bona fide vocational agriculture program may work in [Ag H.O. # 1 through #6](#), under a **written agreement** which provides that:

- Work is incidental to the training;
- Work shall be intermittent, for short periods of time, and under the direct and close supervision of a qualified, experienced person;
- School shall give safety instruction coordinated by the employer with on-the-job training; and
- A schedule of organized and progressive work processes to be performed on the job has been prepared.

Federal Extension Training Program

14- or 15-year-olds who hold certificates of completion of the 4-H Federal Extension Training Programs for tractor operation and/or machine operation may work in occupations listed in HO/A# 1 and #2 for which they have been trained, provided that the youth:

- Has been instructed by his or her employer on safe and proper operation of the specific equipment to be used; and
- Is continuously and closely supervised by the employer where feasible; or, where not feasible, is checked for safety by the employer at least at mid-morning, noon, and mid-afternoon.

Employers must keep copies of written agreements and certificates under these programs.

HO/A #3

Operating, or assisting to operate any of the following machines (operating includes starting, stopping, adjusting, or feeding the machine, or any other activity involving physical contact with the machine):

- (a) Trencher or earthmoving equipment;
- (b) Fork lift;
- (c) Potato combine; or,
- (d) Power-driven circular, band, or chain saw.



DWD Chapter 270 Child Labor

(6) FARMING. No minor under 16 years of age may be employed in any of the following occupations in farming:

(a) Operating or assisting in the operation of machinery, including, but not limited to, farm type tractors and other self-propelled vehicles, except those minors trained under either the 4-H federal extension service or the U.S. office of education vocational agriculture training programs may work on equipment permitted by their certificate of training.

(b) Any occupation in farming that the U.S. secretary of labor finds and declares to be particularly hazardous for the employment of minors below the age of 16.

Note: See [29 CFR 570.71](#).

Email to DWD staff

Skid steers are generally prohibited to minors (even student learners & high school graduates). In agriculture, however, they are allowed for 16- and 17-year-old minors. Our rule on "farm" labor is § DWD 270.13(6). It prohibits certain farm work to those under 16, citing the U.S. secretary of labor. I would have read this separately from our § DWD 270.12(12) prohibition against the use of "hoists and hoisting apparatuses." The FLSA has the same prohibitions, but – although it isn't clearly spelled out – they allow the use of skid steers on farms for farm work. **This is an enforcement position they take.**

We will take the same enforcement position and will be – when we move on our rule change – clarifying this.

Jim Chiolino

Assistant Division Administrator &

Director, Labor Standards Bureau

Equal Rights Division

Wisconsin Department of Workforce Development

Survey Skid Steer Use by Students

Agricultural Tasks

- **scraping and cleaning barn alleys – freestall alleys**
- moving, loading, hauling manure
- **feeding cattle – pushing feed up to animals**
- moving and loading bales
- hauling or loading silage from bunkers or bags
- moving calves
- moving sand, shavings, gravel snow, rocks
- landscaping around buildings
- maintaining road, sweeping
- moving firewood
- attachments such as posthole diggers and brush mowers
- moving equipment with front hitch on bucket

Logging – on farm for farmer

log piling on the log landing and log sorting

Construction – non ag

Hauling and loading shingles and roofing supplies

Industrial-non ag

Hauling plastic bundles at a plastics company

Skid-Steer Loader Operation



- Based on Power Industrial Vehicle Standard
- Training
 - Needs to be specific to hazards of the worksite
 - Needs to skid steer used
- Maintenance Records

General Duty Clause

Section 5(a)(1) of the Act

- "...that each employer shall furnish...employment and a place of employment which are free from recognized hazards that are causing or are likely to cause death or serious physical harm to his employees."
- Applies when there is no specific standard



General Duty Clause Elements

Employee Exposure

Serious Hazard

Knowledge

Abatement Method

Recognition



Injury Risk Assessment for Supervised Agricultural Experiences

<http://articles.extension.org/pages/72614/injury-risk-assessment-for-supervised-agricultural-experiences>

UWEX Skid Steer Training Resource

<http://learningstore.uwex.edu/Dairy-Workers-Training-Module-VI-Handling-SkillsSkid-Steer-Safety-P1573.aspx>

Can be base of the resources for training youth.

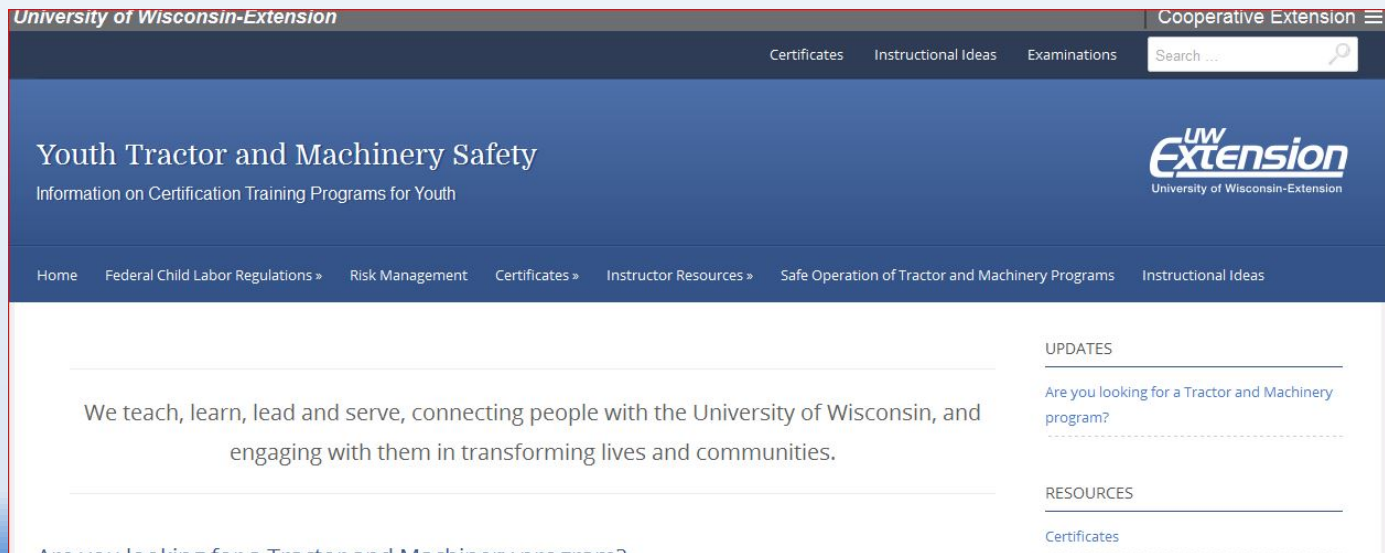
Open to modifying for this purpose.

Tractor and Machinery Certification

<http://fyi.uwex.edu/tractorcert>

Subscribe to site

Password for 2015: **16Wtmc**



The screenshot shows the website for Youth Tractor and Machinery Safety. The header includes the University of Wisconsin-Extension logo and navigation links for Certificates, Instructional Ideas, and Examinations. A search bar is also present. The main content area features the title "Youth Tractor and Machinery Safety" and a sub-header "Information on Certification Training Programs for Youth". A navigation menu below the header lists: Home, Federal Child Labor Regulations, Risk Management, Certificates, Instructor Resources, Safe Operation of Tractor and Machinery Programs, and Instructional Ideas. The main content area contains a quote: "We teach, learn, lead and serve, connecting people with the University of Wisconsin, and engaging with them in transforming lives and communities." To the right, there are sections for "UPDATES" and "RESOURCES", both with a link to "Are you looking for a Tractor and Machinery program?". The "RESOURCES" section also includes a link to "Certificates".