

118TH CONGRESS
1ST SESSION

H. R. 1397

To amend the Fair Labor Standards Act of 1938 to exempt certain 16- and 17-year-old individuals employed in timber harvesting entities or mechanized timber harvesting entities from child labor laws, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 7, 2023

Mr. GOLDEN of Maine (for himself, Mr. THOMPSON of Pennsylvania, Ms. PINGREE, and Mr. FULCHER) introduced the following bill; which was referred to the Committee on Education and the Workforce

A BILL

To amend the Fair Labor Standards Act of 1938 to exempt certain 16- and 17-year-old individuals employed in timber harvesting entities or mechanized timber harvesting entities from child labor laws, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Future in Logging Ca-
5 reers Act”.

1 **SEC. 2. CHILD LABOR LAW EXEMPTIONS FOR TIMBER HAR-**
2 **VESTING ENTITIES AND MECHANIZED TIM-**
3 **BER HARVESTING ENTITIES.**

4 The Fair Labor Standards Act of 1938 (29 U.S.C.
5 201 et seq.) is amended—

6 (1) in section 3 (29 U.S.C. 203), by adding at
7 the end the following:

8 “(z)(1) ‘Timber harvesting employer’ means an em-
9 ployer engaged in—

10 “(A) the felling, skidding, yarding, loading and
11 processing of timber by equipment other than manu-
12 ally operated chainsaws and cable skidders;

13 “(B) the felling of timber in mechanized oper-
14 ations;

15 “(C) the bucking or converting of timber into
16 logs, poles, ties, bolts, pulpwood, chemical wood, ex-
17 celsior wood, cordwood, fence posts, or similar prod-
18 ucts;

19 “(D) the collecting, skidding, yarding, loading,
20 transporting and unloading of such products in con-
21 nection with logging;

22 “(E) the constructing, repairing and maintain-
23 ing of roads or camps used in connection with log-
24 ging; the constructing, repairing, and maintenance
25 of machinery or equipment used in logging; and

1 “(F) other work performed in connection with
2 logging.

3 “(2) ‘Mechanized timber harvesting employer’—

4 “(A) means an employer engaged in the felling,
5 skidding, yarding, loading and processing of timber
6 by equipment other than manually operated chain-
7 saws and cable skidders; and

8 “(B) includes an employer engaged in the use
9 of whole tree processors, cut-to-length processors,
10 stroke boom delimiters, wheeled and track feller-
11 bunchers, pull thru delimiters, wheeled and track
12 forwarders, chippers, grinders, mechanical debark-
13 ers, wheeled and track grapple skidders, yarders,
14 bulldozers, excavators, and log loaders.”; and

15 (2) in section 13(c) (29 U.S.C. 213(c)), by add-
16 ing at the end the following:

17 “(8) The provisions of section 12 relating to
18 child labor shall apply to an employee who is 16 or
19 17 years old employed by a timber harvesting em-
20 ployer or mechanized timber harvesting employer in
21 an occupation that the Secretary of Labor finds and
22 declares to be particularly hazardous for the employ-
23 ment of children ages 16 or 17, except where such
24 employee is employed by a timber harvesting em-
25 ployer or mechanized timber harvesting employer

- 1 owned or operated by a parent or a person standing
- 2 in the place of a parent of such employee.”.

○