BRIEFLY...

WHD's Inter-Agency Collaboration, Targeting, and State Monitoring Procedures Could Be Enhanced and Strengthened to Better Protect Minor Workers

Why We Did the Audit

The Wage and Hour Division (WHD) enforces child labor provisions of the Fair Labor Standards Act (FLSA). These provisions are designed to protect children's educational opportunities and prohibit their employment under conditions detrimental to their health and well-being. Young workers are considered a vulnerable population and are at greater risk of exploitation in the workplace.

On September 30, 2025, the OIG issued an Advisory Report that found WHD faced challenges enforcing child labor laws. These challenges included limited resources, communication barriers, and employer confusion between state and federal laws. The report also raised concerns about WHD's handling of possible labor trafficking of minors when encountered in the field. This audit is a follow-on to that advisory review.

Given the challenges and concerns identified through our prior work, we conducted a performance audit to answer the following question:

> To what extent did WHD's enforcement actions protect minor workers—a vulnerable population at risk of exploitation by employers?

What We Found

We found WHD's inter-agency collaboration, targeting, and state monitoring procedures could be strengthened to better protect minor workers—a vulnerable population at risk of exploitation. Specifically, WHD faced challenges related to collaborating with anti-trafficking partners, targeting child labor investigations, and maintaining complete state child labor law information on its website.

In coordinating with other federal agencies, WHD lacked reasonable assurance that potential child labor trafficking cases were promptly referred to required federal partners and it could not verify participation in active anti-trafficking coordination efforts. Instead, referrals were routed through another federal agency in violation of statutory requirements, and WHD did not have a process to verify whether action was taken on those referrals. The agency also did not have a process to verify the status of active anti-trafficking task forces to identify and refer potential trafficking cases.

In addition, the agency could not fully demonstrate that it consistently identified and utilized available key information to target its child labor enforcement efforts. Further, WHD's public website did not consistently: provide complete state child labor laws and clearly delineate which state laws were less restrictive than the FLSA. Variations between state laws and the FLSA can create confusion for employers over which law to follow and may have prevented WHD from using these variances to help target areas for non-compliance.

This occurred because the agency lacked comprehensive written policies and procedures to: (1) govern referral requirements, (2) monitor the operational status of active anti-trafficking task forces, (3) use and collect information for targeting investigations, and (4) monitor state child labor law changes and regularly update its website.

These weaknesses reduced WHD's ability to use its limited resources to better protect minor workers from unlawful employment practices and exploitation.

What We Recommended

We made six recommendations for WHD to strengthen its policies, procedures, collaboration with anti-trafficking partners, targeting of child labor investigations, and monitoring of state child labor law changes. WHD agreed with our recommendations and indicated it will take steps to address them.

Read the Full Report

For more information, go to: https://www.oig.dol.gov/public/reports/oa/2027/09-27-001-15-001.pdf.