

TO: National Employment Law Project (NELP)
FROM: Guy Molyneux, Hart Research Associates
DATE: December 5, 2018
RE: Survey on Proposed Change to Mechanical Lift Rule

On behalf of NELP, Hart Research Associates conducted a national survey among 1,004 adults about changes to child labor rules proposed by the Trump administration regarding teenage nursing home workers' use of mechanical lifts. The survey was conducted online from November 29 to December 2, 2018, and the margin of error is ±3.1 percentage points.

1. Americans overwhelmingly oppose a proposed change in federal child labor rules that would permit nursing home employees under age 18 to operate mechanical patient lifts without assistance and supervision by an adult coworker. Fully 78% oppose the rule change—including a 54% majority strongly opposed—while just 22% support it.¹

- Opposition to the rules change is quite broad, encompassing every region of the country and both those states that supported Donald Trump in 2016 and those that voted for Hillary Clinton.
- Opposition crosses party lines, with Democrats (87% oppose), independents (77%), and Republicans (69%) all opposing the rule change.

Broad Opposition to Proposed Rule Change		
	<u>Favor</u>	<u>Oppose</u>
	<u>%</u>	<u>%</u>
Northeast	19	81
South	20	80
Midwest	24	76
West	26	74
2016 Trump state	22	78
2016 Clinton state	22	78
Democrats	13	87
Independents	23	77
Republicans	31	69

¹ Question wording: "Nursing homes use power-driven mechanical lifts to help move patients who cannot lift themselves. Currently, federal child labor rules say that mechanical lifts may not be operated by employees under the age of 18 unless they are assisted and supervised by a trained adult employee at least 18 years of age. The Trump administration has proposed eliminating this rule. Do you favor keeping the current rule that requires supervision and assistance by a trained adult employee, or do you favor eliminating the rule so that nursing homes can have employees under age 18 operate mechanical lifts without supervision to move nursing home patients?"

- While men (73%) and women (83%) both favor keeping the current rule, women express especially strong opposition to the proposed change (60% strongly opposed, compared with 47% of men).
- Whites (77%), African Americans (81%), and Hispanics (79%) all favor keeping the current rule in place by large margins.

2. When Americans consider a balanced debate over the issue, they remain strongly opposed to the proposed rule change. Just 29% agree with the reasons given by the Trump administration for the proposed change, while 71% agree with concerns raised by opponents of the change.

When Americans consider the reasons given by the Trump administration for making this proposed change—primarily enhanced employment opportunities for teens—they are not persuaded. They reject the administration’s case by an overwhelming 42-point margin, agreeing instead with a statement raising concerns about rule change’s likely adverse safety impact for both employees and residents.

The current rule is unnecessary and too restrictive, depriving teens of valuable training opportunities. Eliminating the current rule will enhance employment, training, and apprenticeship opportunities for 16-year-olds and 17-year-olds—improving their future career skills and their earning potential—while also maintaining worker safety. (29% agree, 11% strongly)

Safety experts say that young teens are more likely to be injured if they operate mechanical lifts by themselves. Patient safety would also be at risk if one of the most hazardous tasks in nursing homes is performed by the least experienced workers. Keeping the current rule protects both young employees and vulnerable patients. (71% agree, 43% strongly)

- Democrats, independents, and Republicans all reject the case for the rule change. Interestingly, people originally inclined to support the rule change are more likely than those initially opposed to switch their position after considering this balanced debate (23% vs. 15%), an indication it will be difficult for the administration to win public support for this rule change.

Debate Over Proposed Rule Change		
	Agree with case <u>for</u> rule change	Agree with case <u>against</u> rule change
	%	%
Democrats	21	79
Independents	29	71
Republicans	38	62