

THIS INFORMATION IS CURRENT AS OF THE DATE OF THE MEMO. PLEASE CHECK WITH YOUR LEGAL ADVISOR TO SEE IF THERE HAVE BEEN ANY CHANGES TO THE LAW SINCE THAT DATE.

## MEMORANDUM

To: U.S. Affiliates  
From: HFHI Legal Department  
Re: **Children's Involvement with Habitat for Humanity**  
Date: May10,1999 REVISED May 2005

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This memo is intended to state HFHI's policies regarding the appropriate involvement of children in the ministry of Habitat for Humanity. While it is important that children be directly involved with the work of Habitat for Humanity, it is also important that they be involved only in age-appropriate activities. This memo should help guide affiliates in determining how they wish to involve children in their mission

### Why

Your affiliate should be aware of the child labor laws that have been enacted by the federal government and each state. Most states would likely apply these laws to volunteers as well as paid employees. If a child were hurt on a worksite and sued your affiliate for negligence, the court would most likely look to the applicable child labor laws to determine if your affiliate acted reasonably by allowing the child to work. A court would most likely determine that a violation of a safety standard set by the child labor laws amounts to regular negligence, gross negligence, or even reckless disregard for the safety of the child. Moreover, because extra protection is extended to children, a court would most likely rule that a waiver of liability for injury to a child is invalid if your affiliate fails to follow safety standards set by the child labor laws. For these reasons, it is HFHI's policy that each affiliate complies with the federal child labor laws as well as any applicable state laws.

### The Law

Federal regulations limit the times at which a child may be employed and the types of work that children are allowed to do. Under the regulations, children ages 14 and 15 are only allowed to work outside school hours and for a limited number of hours during a school week (It should be noted that 14 is the minimum age of employment allowed by Federal regulations).

As for the types of work allowed, no one under the age of 18 is permitted to do any work that the Secretary of Labor has said is too hazardous for children. Also, federal regulations specifically

prohibit children ages 14 and 15 from working in general construction. However, they may engage in limited activities such as clearing lots, landscaping or painting.

Children ages 16 and 17 may perform general construction work, but may not engage in certain activities that are considered ultra hazardous. These include the use of power tools, motor vehicles, demolition, roofing or working from a height of six feet or more and excavation operations.

There are some exceptions to these rules. For example, students who are in a work-study program may work during school hours. Also, children who are in an apprenticeship or vocational program provided by their school may be allowed to do some of the normally prohibited activities (for example, carpentry students might be allowed to use power saws, etc.) if they are supervised by their teacher or a qualified instructor.

## **HFHI Policy**

In recognition of the federal labor laws regarding children and the potential risk to children's safety of a construction site, no one under the age of 16 should be allowed on a construction site while construction is going on. Further, no one under the age of 18 should be allowed to do any of the ultra hazardous activities discussed above.

In addition, during blitz builds many tasks are going on simultaneously and it is difficult to limit teenagers to age appropriate activities. Therefore, at a minimum, your affiliate should adopt a policy that you must be at least 18 to participate in a blitz build.

You should also make sure that there is always adequate supervision and training for any children working with your affiliate. You may want to establish certain ratios, such as one adult for every three or four teenagers on the construction site. If you do have 14 and 15 year olds painting or landscaping a Habitat house, you should schedule these groups for days when there is no active construction going on at the site.

There are many other ways that children under the age of 16 can be directly involved with the work of Habitat for Humanity without actually being on the work site during construction. For example, children can do clean up work or paint baseboards or door frames off-site before they are put into the house. Children can build mailboxes or flower boxes for a house or plant flowers around the new home. They can also help with cleaning a house before the homeowners move in. Children can provide food for volunteers; help with house dedications; baby-sit for volunteers or partner families so they can complete their sweat equity hours. With proper supervision, many of these activities can involve children even younger than age 14.

Teenagers are also enthusiastic fundraisers for Habitat for Humanity, and can sponsor such activities as car washes, recycling projects, walk-a-thons, or rent-a-teen programs.

If you need help in finding age-appropriate work for young volunteers, your regional office or the HFHI Campus Chapters and Youth Programs Department are great resources. Also, you could try to partner with local vocational schools or programs to get students involved. You should keep in

mind that the most important issue is the safety and well being of any children involved with your affiliate. If you are in doubt about any work being done by children with your affiliate, please contact your regional office or the HFHI Legal Department.