



July 11, 2014

Superintendent Dennis Peterson
Minnetonka Public Schools
dennis.peterson@minnetonka.k12.mn.us

Dear Superintendent Peterson,

I am writing as a representative of the Laborers' Union to draw your attention to a matter of grave concern regarding what appears to be the use of child labor on an elementary school construction job site in the Minnetonka School District. This issue is of deep concern my organizations, and we hope that the district will promptly investigate and take appropriate action.

Today, a business agent employed by Laborers' Local 563 observed an individual who clearly appears to be a minor child on a construction site at Scenic Heights Elementary School that we believe to be managed by J.S. Cates Construction. Our business agent approached the child in question to verify his age. While the child claimed to be 18, another worker on site – who the child referred to as his father – admitted that he is a minor.

The father claimed that the child was 17 and was not working on the project. But those claims are suspect since the child looked younger than 17, was carrying a tape measure, and his clothing was spattered with concrete and what appeared to be construction dust. The father immediately had the child get into his truck (a red Ford F150 4x4, license 218 NNZ) where he remained for the duration of the agent's visit.

We believe that the boy may have been employed by Scott Hines of Scott's Concrete and Masonry (5795 Bluestem Road, Motley, MN 56466; (218) 746-3233) which we believe based on our research to be a subcontractor on the project. In addition to the risks inherent in bringing children on to the construction site, our agent observed that neither the boy nor his father wore a hard hat, eye protection, or a safety vest on the job.

The matter has been reported to the Minnesota Department of Labor and Industry and the U.S. Department of Labor, but we hope that the Minnetonka School District will also immediately begin an investigation to identify the affected young person, determine his age and role, identify the employer, and determine the employer's relationship to the project. As the owner of the construction project, the district has a legal and a moral responsibility for what happens on the construction site, and the district

is also better able than the state to obtain information about and from the contractors that have been retained by the district to perform the work.

If and when the district verifies that a minor child was present on the project, we would further request that all of the contractors in the chain of responsibility, up to and including the general contractor or construction manager, be immediately removed from the project and replaced with responsible contractors. Whether they knowingly used or permitted the use of child labor or failed to properly vet and supervise subcontractors, they are ultimately accountable and their failure to keep children off the construction site should be sufficient proof that they cannot be trusted with the job.

State law requires public entities such as the district to employ responsible contractors, and no responsible contractor would allow a child on a public construction project, much less to perform work without safety equipment, nor would a responsible contractor employ a subcontractor that uses child labor. As a unions that represents construction workers, we have an obligation to ensure that no contractor is ever allowed to put a child in harm's way, and we intend to meet that obligation.

Please let us know at your earliest convenience what action you plan to take to address the problems and how we can assist you and your staff with your investigation. I have included pictures of the child, the truck, and the construction site where the crew is visibly working without any personal protective equipment (below).

Regards,

Kevin Pranis, Organizing Director
Laborers' District Council of MN and ND
612.224.6464
kpranis@liunagroc.com





