

EGPAF Trafficking in Persons Compliance Plan

As of December 2018

Background

The U.S Government (USG) has a zero tolerance policy for trafficking in persons.¹ Provisions in our awards from the USG require the Foundation to plan for and take action to support this policy as a condition of accepting USG funding.

Prohibited Conduct

Accordingly, under the terms of our USG awards, employees, consultants, and volunteers of the Foundation and our subrecipients are prohibited from engaging in:

1. Trafficking in persons;
2. Procurement of a commercial sex act;²
3. Use of forced labor;³ and
4. Acts that directly support or advance trafficking in persons, including the following acts:
 - a. Destroying, concealing, confiscating or otherwise denying an employee access to that employee's identity or immigration documents;
 - b. Failing to provide return transportation or pay for return transportation costs to an employee from a country outside of the United States to the country from which the employee was recruited upon the end of employment if requested by the employee, unless:
 - i. exempted from the requirement to provide or pay for such return transportation by the USG awarding agency; or
 - ii. the employee is a victim of human trafficking seeking services or legal redress in the country of employment or a witness in a human trafficking enforcement action;
 - c. Soliciting a person for the purpose of employment, or offering employment, by means of materially false or fraudulent pretenses, representations, or promises regarding that employment;

¹ Defined as "sex trafficking in which a commercial sex act is induced by force, fraud, or coercion, or in which the person induced to perform such act has not attained 18 years of age."

² Defined as "any sex act on account of which anything of value is given to or received by any person."

³ Defined as "labor obtained by any of the following methods: the recruitment, harboring, transportation, provision, or obtaining of a person for labor or services, through the use of force, fraud, or coercion for the purpose of subjection to involuntary servitude, peonage, debt bondage, or slavery."

- d. Charging employees recruitment fees; or
- e. Providing or arranging housing that fails to meet the host country housing and safety standards.

Penalties that may be imposed upon an employee for a violation include removal from performance on a USG award or disciplinary action, up to termination.

Human Resources Considerations

As part of the Foundation's standard approach and practices, the Foundation seeks to compensate its employees in a manner that meets all applicable labor laws. The Foundation is an equal opportunity employer and as a practice does not charge recruitment fees for prospective or newly-hired employees. Employee recruitment is typically conducted by the Foundation. If an external recruitment company is necessary to meet the Foundation's recruitment needs, the Foundation will work with professional recruitment firms that will follow applicable labor laws and as applicable will flow down the necessary Trafficking in Person terms when engaging the services of a recruiting firm.

Subrecipients and Contractors

The Foundation includes the applicable requirements in its subawards and contracts funded by the USG. Through monitoring and support of its subrecipients, the Foundation provides training to ensure applicable donor requirements are known and understood, reducing the risk of violations, and site visits afford the Foundation opportunities to detect violations. If the Foundation suspects that a subrecipient or contractor is in violation of these requirements, the Foundation will take the necessary steps to investigate and/or cooperate with the USG during an investigation. If there is a violation by a subrecipient or a contractor of these requirements, the Foundation reserves the right to terminate a subrecipient or contractor for a material breach of the award.

Communications

Employees have been informed of the above requirements through the Foundation's Code of Conduct and applicable policy. Staff are required to certify that they have read such policy and understood the requirements through an online system.

Foundation employees are always encouraged to report potential unethical or illegal behavior, without fear of retaliation, to senior country management, a senior leader in the DC office, or by using the Integrity In Action Hotline, which allows employees to remain anonymous if they desire. In regards to potential trafficking violations, employees can also use the Global Human Trafficking Hotline at 1-884-888-FREE or via email at help@befree.org.

Additional information and resources can be found at: <https://usaid.gov/trafficking>.