

Combating Trafficking in Persons Policy

As a Christian, faith-based organization, SIL LEAD affirms the belief that all people are created in the image of God, are of equal value, and should be treated with genuine love, respect, and dignity. Human trafficking in any form is a violation of SIL LEAD's Standards of Conduct Policy which prohibits the inappropriate use of power, acts of violence against others, and inappropriate sexual activity.

As a violation of SIL LEAD policy, and in keeping with Federal Acquisition Regulation 22.17 and ADS Chapter 303, M20 Trafficking in Persons,¹ sexual exploitation, sexual abuse, corruption, trafficking of adults or children, and other abuse by SIL LEAD staff constitute acts of gross misconduct and will result in disciplinary action, up to and including immediate termination of employment.

Definitions:²

"Coercion" means:

1. Threats of serious harm to, or physical restraint against, any person;
2. Any scheme, plan, or pattern intended to cause a person to believe that failure to perform an act would result in serious harm to or physical restraint against any person; or
3. The abuse or threatened abuse of the legal process.

"Commercial sex act" means any sex act on account of which anything of value is given to or received by any person.

"Debt bondage" means the status or condition of a debtor arising from a pledge by the debtor of his or her personal services or of those of a person under his or her control as a security for debt, if the value of those services as reasonably assessed is not applied toward the liquidation of the debt or the length and nature of those services are not respectively limited and defined.

"Employee" means an employee of the Contractor directly engaged in the performance of work under the contract who has other than a minimal impact or involvement in contract performance. [For the purposes of this policy, "Employee" and "Staff"³ are synonymous.]

"Forced labor" means knowingly providing or obtaining the labor or services of a person:

1. By threats of serious harm to, or physical restraint against, that person or another person;

¹ ADS Chapter 303, M20 Trafficking in Persons is available at www.usaid.gov/ads/policy/300/303maa.

² Federal Acquisition Regulation 22.1702 is available at <https://acquisition.gov/far/>.

³ SIL LEAD staff includes the Executive Director, all officers, employees, contractors, volunteers, and interns.

2. By means of any scheme, plan, or pattern intended to cause the person to believe that, if the person did not perform such labor or services, that person or another person would suffer serious harm or physical restraint; or
3. By means of the abuse or threatened abuse of law or the legal process.

“Involuntary servitude” includes a condition of servitude induced by means of:

1. Any scheme, plan, or pattern intended to cause a person to believe that, if the person did not enter into or continue in such conditions, that person or another person would suffer serious harm or physical restraint; or
2. The abuse or threatened abuse of the legal process.

“Severe forms of trafficking in persons” means:

1. 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; or
2. 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.

“Sex trafficking” means the recruitment, harboring, transportation, provision, or obtaining of a person for the purpose of a commercial sex act.

Policy

In accordance with international law, sexual activity with a child (a person under age 18) is prohibited regardless of the age of majority or age of consent locally. Mistaken belief in the age of a person is not a defense. The sole exception in applying this principle may be in the instance where a staff member is legally married to a person under the age of 18.

SIL LEAD staff are prohibited from having sexual relationships with SIL LEAD beneficiaries. These relationships are often based on unequal power dynamics and may undermine the credibility and integrity of humanitarian work.

Exchange of money, employment, goods, or services for sex, including sexual favors or other forms of humiliating, degrading or exploitative behavior, is prohibited. This includes the exchange of money, employment, goods, or services for sex, including sexual favors or other forms of humiliating, degrading or exploitative behavior, for selection as a beneficiary or assistance as a beneficiary.

Accordingly, this policy prohibits the:

1. Trafficking in persons;
2. Procurement of a commercial sex act;
3. Use of forced labor; 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 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 USAID under a particular award; or
 - ii. the employee is a victim of human trafficking seeking victim 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;
- d. Charging employees recruitment fees; or
- e. Providing or arranging housing that fails to meet the host country housing and safety standards.

SIL LEAD will maintain a Combating Trafficking in Persons (CTIP) compliance plan which is appropriate to the size and complexity of any USAID or other US government awards it is given and to the nature and scope of the activities, including the number of non-United States citizens expected to be employed. The plan will include, at a minimum, the following:

1. An awareness program to inform employees about the trafficking related prohibitions included in this provision, the activities prohibited and the action that will be taken against the employee for violations.
2. A reporting process for employees to report, without fear of retaliation, activity inconsistent with the policy prohibiting trafficking, including a means to make available to all employees the Global Human Trafficking Hotline at 1-844-888-FREE and its e-mail address at help@befree.org.
3. A recruitment and wage plan that only permits the use of recruitment companies with trained employees, prohibits charging of recruitment fees to the employee, and ensures that wages meet applicable host-country legal requirements or explains any variance.
4. A housing plan if SIL LEAD intends to provide or arrange housing. The housing plan is required to meet any host-country housing and safety standards.
5. Procedures to prevent any employees, independent contractors, interns, or volunteers from engaging in trafficking in persons activities described above. SIL LEAD will also have procedures to monitor, detect, and terminate any employees, independent contractors, interns, or volunteers that have engaged in such activities.

If SIL LEAD receives any credible information regarding a violation listed above, SIL LEAD will immediately notify the cognizant Agreement Officer and the USAID Office of the Inspector General if the violations relates to a USAID award for which SIL LEAD is serving as a prime

contractor. SIL LEAD will notify the Contracting Officer of the prime contracting agency of any violations relating to a USAID award for which SIL LEAD is serving as a subcontractor. SIL LEAD will fully cooperate with any Federal agencies responsible for audits, investigations, or corrective actions relating to trafficking in persons.

SIL LEAD will post this plan on its external website, www.sil-lead.org and at all fixed workplaces in the US or other countries.

Revision History

Approved by the Board of Directors of SIL LEAD on June 03, 2016