

Anti-Trafficking Policy

UA-07



About This Policy

Effective Dates:

10-10-2006

Last Updated:

03-31-2016

Responsible University Administrator:

Vice President and General Counsel

Policy Contact:

University Compliance

comply@iu.edu

Scope

All Indiana University units.

Policy Statement

Indiana University has a zero tolerance policy on trafficking in persons. Forms of trafficking includes 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. It also includes 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.

Indiana University employees are prohibited from engaging in any of the following types of trafficking-related activities:

- (i) using misleading or fraudulent recruitment practices during the recruitment of employees, such as failing to disclose basic information or making material misrepresentations regarding the key terms and conditions of employment, including wages and fringe benefits, the location of work, living conditions and housing (if employer provided or arranged), any significant costs to be charged to the employee, and, if applicable, the hazardous nature of the work;
- (ii) charging employees recruitment fees;
- (iii) destroying, concealing, confiscating, or otherwise denying access by an employee to the employee's identity documents, such as passports or drivers' licenses; and
- (iv) for portions of contracts and subcontracts:

- a. performed outside the United States, failing to pay return transportation costs upon the end of employment, for an employee who is not a national of the country in which the work is taking place and who was brought into that country for the purpose of working on a U.S. Government contract or subcontract;
- b. failing to pay return transportation costs upon the end of employment, for an employee who is not a national of the country in which the work is taking place and who was brought into that country for the purpose of working on a U.S. Government contract or subcontract, if the payment of such costs is required under existing temporary worker programs or pursuant to a written agreement with the employee; provided.

c. other specific activities that the Federal Acquisition Regulation (FAR) Council identifies as directly supporting or promoting trafficking in persons, the procurement of commercial sex acts, or the use of forced labor in the performance of the contract or subcontract.

The requirements set forth in section (iv)(a) and (b) shall not apply to the following:

- a. an employee who is legally permitted to remain in the country of employment and who chooses to do so; or
- b. an employee who is a victim of trafficking and is seeking victim services or legal redress in the country of employment, or an employee who is a witness in a trafficking-related enforcement action;

Reason For Policy

The defining element of human trafficking is exploitation, an element which poses a threat to the core values of Indiana University as defined by the Principles of Ethical Conduct. Federal law, state law, and Indiana University policy prohibit human trafficking. Furthermore, it is required by federal law that an anti-trafficking compliance program be in place for any federal contractors and sub-contractors where the estimated value of the supplies acquired or services required to be performed outside the United States exceeds \$500,000.

Procedure

Indiana University employees shall cooperate fully in providing reasonable access to allow contracting agencies and other responsible enforcement agencies to conduct audits, investigations, or other actions to ascertain compliance with the TVPA, Executive Order 13627, or any other applicable law or regulations establishing restrictions on trafficking in persons, the procurement of commercial sex acts, or the use of forced labor.

For federal contracts and sub-contracts where the estimated value of the supplies acquired or services required to be performed outside the United States exceeds \$500,000, the University Compliance Office shall be contacted to assist in creating a tailored compliance plan specific to the project.

Always contact 911 or law enforcement if you or someone you know is in immediate danger. Indiana University employees shall notify the University Compliance Office or Office of the Vice President and General Counsel if they become aware of any activities that they suspect are related to or meet the definitions of trafficking in persons. Reports can also be made through the University's anonymous reporting hotline at call 888-236-7542 or online at <https://secure.ethicspoint.com/domain/media/en/gui/17361/index.html>.

Indiana state law requires that **any person** who has reason to believe that a child/minor is a victim of child abuse or neglect (including trafficking activities) has an affirmative duty to make an oral report to the Child Protective Services (CPS) **1-800-800-5556**, their local law enforcement, or to the IU Police Department. Failure to report may result in criminal charges. See the IU policy on Programs Involving Children for more information.

If you believe you have information about a potential trafficking situation or would like to request information, you should contact the National Human Trafficking Resource Center (NHTRC) via the toll-free hotline at **1-888-373-7888** or submit a tip online through the NHTRC anonymous online reporting form. Possible violations regarding trafficking in persons can also be reported to the Global Human Trafficking hotline at **1-844-888-FREE** or by email at help@befree.org.

Indiana University prohibits taking any retaliatory action against individuals who make a good faith disclosure of suspected wrongful conduct. Individuals are protected from acts of retaliation for reporting concerns or suspected wrongful conduct in good faith, consistent with applicable federal and state laws as well as university policy.

Sanctions

Any violations of university policies by an individual will be dealt with in accordance with applicable university policies and procedures, which may include disciplinary actions up to and including termination from the university. Suspected violations of law will be referred to law enforcement or the appropriate federal agency and may result in criminal penalties.

History

This policy replaces the current Policy on Sex Trafficking (UA-07).
Policy revised March 2016.

[Previous Version 10/10/2006-03/11/2016](#)

Related Information

[Anti-Trafficking Resources on the University Compliance Website](#)

[Whistleblower Policy](#)

[Programs Involving Children Policy](#)

[Sexual Misconduct Policy](#)

[The Many Faces of Human Trafficking website- IU Center for the Study of Global Change](#)

[Information for Non-US Citizens \(StopSexualViolence website\)](#)

[Department of Labor Toolkit for Responsible Businesses: Reducing Child Labor and Forced Labor \(includes Standards on Child Labor and Forced Labor\)](#)

[Homeland Security Website on Human Trafficking \(includes awareness training\)](#)

[Indiana Attorney General Website on Human Trafficking](#)