



PADF Anti-Trafficking in Persons Policy

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Purpose and scope

This policy forms part of our Safeguarding Policy suite. It is designed to set out PADF's anti-trafficking in persons policies and procedures; (2) make PADF employees and others aware of the conduct prohibited under PADF policy and the Federal Anti-Trafficking in Persons Provisions, and the actions that may be taken for violations; (3) employ fair recruitment, wage, and housing practices; (4) inform PADF employees of available processes for them to report, without fear of retaliation, any activity inconsistent with PADF's anti-trafficking in persons policy; (5) prevent prohibited trafficking activity by suppliers, subcontractors, and sub-recipients, and monitor, detect, and terminate those who engage in such activities; and (6) establish PADF reporting requirements and remediation procedures.

This policy applies to all PADF Employees and Others in all locations, both during and outside of normal working hours.

- **Employees:** full-time, part-time, international, and national employees engaged by PADF in any location as well as advisers, consultants, interns, volunteers, Board members, and trustees engaged by PADF
- **Others:** employees in partner agencies, sub-grantees or sub-awardees; and any other individuals, groups, or organizations that have a formal or contractual (but not employment) relationship to PADF.

Definition of trafficking

Forms of trafficking in persons include:

- 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, and
- 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.

Principles for Combatting Trafficking in Persons

These are as stated in the Safeguarding Policy Framework.

Roles and Responsibilities for Combatting Trafficking in Persons

These are as stated in the Safeguarding Policy Framework.

Prevention

The Safeguarding Policy Framework states the key measures that are taken to prevent harm and abuse to individuals. PADF Global Code of Conduct identifies how we demonstrate our commitments to PADF values through our behavior.

Standards of Behavior for Anti-Trafficking in Persons

Some aspects of behavior or conduct are both trafficking and sexual exploitation and abuse. This and PADF's Protection from Sexual Exploitation, Abuse and Harassment (PSEAH) Policy contain standards of behavior which are prohibited.

All PADF employees and others are prohibited from the following, whether or not they are engaged on a U.S. government contract:

- Engaging in trafficking in persons.
- Procuring commercial sex acts, including paying for remote interactive sexual activities
- Using forced labor.
- Engaging in, or facilitating, forced marriage or sexual relations where consent has not been freely given.
- Engaging in or facilitating domestic work which is not in line with internationally recognized labor standards.
- Destroying, concealing, confiscating, or otherwise denying an employee access to their identity or immigration documents.
- 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.
- Withholding financial wages or exchanging goods for labor, which promulgates trafficking for labor.
- Using recruiters who do not comply with the labor laws of the country in which the recruitment takes place.
- Charging employees' recruitment fees.
- Failing to provide return transportation or pay return transportation costs to an employee from a country outside the U.S. to the country from which the employee was recruited upon the end of employment if the employee requests.
- Providing or arranging housing that fails to meet the host country's housing and safety standards.
- Failure to establish a work environment that respects country or standard practices for water breaks, bathroom access, provision of necessary Personal Protective Equipment for relevant jobs, ensuring access to fair markets (not overinflated) and necessities such as healthcare facilities, etc.

Safe programs and research

All managers with responsibility for programs and operations are responsible for implementing any applicable Anti-Trafficking in Persons Compliance Plan that is required for their project and for ensuring that project staff comply with the plan.

Staff and partners with responsibility for designing and delivering programs should consider as part of the risk assessments conducted, the risks arising from convening program participants in places that might be subject to external recruitment to trafficking. Examples to consider include:

- What situational security PADF provides in and around the physical spaces
- Risks to organizations with whom PADF works which are targets for recruiters and traffickers.
- Risks associated with access to services that PADF is supporting where recruiters and traffickers might operate.
- Risks associated with differing power within participant groups where individuals are survivors of trafficking.

Partners and service providers

If PADF's prime contract contains the FAR provisions 52.222-50 FAR Combating Trafficking in Persons and FAR 52.222-56 Certification Regarding Trafficking in Persons Compliance Plan, or PADF's grant or cooperative agreement contains ADS 303 Standard Provision, Trafficking In Persons, they shall be included in any applicable contracts with partners and service providers.

If the contract containing the FAR 52.222-50 provision or the cooperative agreement containing Standard Provision Trafficking In Persons includes supplies other than commercially available off the shelf items or services acquired or performed outside of the United States with an estimated value exceeding US\$500,000, PADF shall maintain a plan for complying with this regulation that is relative to the size and complexity of the contract or cooperative agreement as well as the nature and scope of the activities to be performed. The compliance plan for each applicable contract or cooperative agreement shall be prepared by the responsible person in conjunction with the Project or Program Director. When hiring staff for these projects or programs, the office shall include a certification statement in its employment contract that asserts that by signing and accepting the employment contract offered to them, they are affirming their understanding of the regulations and their receipt of the project's Trafficking in Persons Compliance Plan.

PADF shall maintain a compliance plan during the performance of the contract or cooperative agreement that is appropriate to the size and complexity of the contract and to the nature and scope of the activities to be performed for the Government, including the number of non-United States citizens expected to be employed and the risk that the contract will involve services or supplies susceptible to trafficking in persons.

- If the contract contains FAR 52.222-56 Certification Regarding Trafficking in Persons Compliance Plan, and the contract scope is for supplies and services, other than Commercial Off-The-Shelf, and the value exceeds \$500,000, the Chief of Staff shall submit prior to the award of the contract, a certification stating that:
 - PADF has implemented a compliance plan to prevent any prohibited activities identified in FAR 52.222- 50, and to monitor and detect, and will take any remedial and referral actions, up to and including terminating the contract, with any subcontractor engaging in prohibited activities; and having conducted due diligence, that:
 - To the best of PADF's knowledge and belief, neither it nor any of its proposed partners or service providers is engaged in any such activities; or
 - If abuses relating to any of the prohibited activities identified in 52.222-50 (b) have been found, the partner or service provider has taken the appropriate remedial and referral actions.
 - For each active contract and cooperative agreement for which PADF has a compliance plan, an annual certification shall be submitted to the Chief of Staff stating:
 - To the best of PADF's knowledge and belief, neither it nor any of its partners or service providers is engaged in any such activities; or
 - If abuses relating to any of the prohibited activities identified in 52.222-50 (b) or the Standard Provisions have been found, it or its partner or service provider has taken the appropriate remedial and referral actions, up to and including, having terminated the contract.

All partners need to be informed about the definitions of trafficking that are included in that partnership arrangement and whether these are based on US law or specific to the country where the partnership arrangement is made. PADF is responsible for ensuring partners are

able to stay in compliance with this policy and that partners understand the implications of committing to these policy provisions. As a minimum include the following in partnership vetting:

- Regular risk assessment of partners' physical locations and activities
- Provision of safety policies and any anti-discrimination, anti-harassment, and abuse policies that organizations and companies have in place.
- Identify where there are concerns for potential partners' working practices or capacity to work to the provisions of this policy and use this to inform decisions on whether to engage in the partnership arrangement.

Failure of partners and service providers to comply with the provisions of FAR 52.222-50 or ADS 303 Standard Provision, Trafficking In Persons, may result in suspension or termination of the contract.

Reporting

Any violation of this policy by a PADF employee or other should be immediately reported through the reporting routes detailed in the Safeguarding Policy Framework. It is the duty and responsibility of all staff to report suspicions and incidents of labor and sexual exploitation and trafficking through the reporting routes.

Support and care

PADF shall protect all employees suspected of being victims of or witnesses to prohibited activities, prior to returning to the country from which the employee was recruited and shall not prevent or hinder the ability of these employees to cooperate fully with Government authorities.

Response and accountability

PADF shall cooperate fully in any Inspector General or agency investigation regarding allegations of human trafficking, including timely and complete responses to auditors' and investigators' requests for documents and access to its facilities and staff.

Violations of the policy may result in the following: removal from the contract, reduction in benefits, or termination of employment.