

<b>Policy:</b>	<b>Trafficking in Persons</b>		
<b>Responsible Office:</b>	Office of Sponsored Research	<b>Prepared By:</b>	Erica Kennedy, MBA, CRA Director, Office of Sponsored Research
<b>Approved Date:</b>	06/14/2018	<b>Reviewed By:</b>	James Krukones, PhD Associate Academic Vice President
<b>Last Revised Date:</b>	n/a	<b>Approved By:</b>	James Krukones, PhD Interim Academic Vice President

## **Purpose**

The purpose of this Policy is to ensure compliance with the zero-tolerance policy of Federal Acquisition Regulation (FAR) Subparts 22.17 and 48 CFR 52.222-50 regarding trafficking in persons by government contractors and federal award recipients. This policy aims to ensure that John Carroll University employees, agents, contractors, and subcontractors at any tier and at any value are aware of the conduct prohibited under FAR, as well as any actions that may result from violations thereof.

## **Policy Statement**

John Carroll University (JCU) recognizes that trafficking in persons and related activities, are inherently harmful, dehumanizing, and contrary to the mission and values of JCU. Trafficking in persons includes the recruitment, harboring, transportation, provision, or obtaining of persons through the use of force, fraud, or coercion for the purpose of involuntary servitude, peonage, debt bondage, or slavery. It also includes sex trafficking, procurement of a commercial sex act and prostitution 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.

Federal law, various states laws, and JCU policy prohibit trafficking in persons and related activities. It is the policy of JCU that its employees will not engage in, support, or use funds received from any source for such activities.

JCU, its employees, and its contractors and subcontractors (and their respective employees) are prohibited from:

- Destroying, concealing, confiscating, or otherwise denying access to an individual’s identity or immigration documents;
- Using misleading or fraudulent practices by a recruiter about the recruitment process or when offering employment;
- Using recruiters that do not comply with local labor laws in the countries in which recruiting takes place;
- Charging employees recruitment fees;
- Providing or arranging housing that fails to meet most host country housing and safety standards;
- If required by law or contract, failing to provide an employment contract, recruitment agreement, or similar work paper in writing in the employee’s native language prior to the employee departing from his or her country of origin;

- Under certain circumstances, failing to supply return transportation or payment for return transportation at the conclusion of employment; and
- Other specific activities that the FAR identifies as directly supporting or promoting any aspects of trafficking in persons.

## **Definitions**

**Principal Investigator:** The individual(s) designated by JCU to have the appropriate level of authority and responsibility to direct the project or program to be supported by the award. JCU may designate multiple individuals as principal investigators (PIs) who share the authority and responsibility for leading and directing the project, intellectually and logistically. When multiple PIs are named, each is responsible and accountable to JCU, or as appropriate, to a collaborating organization for the proper conduct of the project or program including the submission of all required reports.

**Human Trafficking or Trafficking in Persons:** Trafficking in persons includes the recruitment, harboring, transportation, provision, or obtaining of person 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, procurement of a commercial sex act and prostitution 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.

## **Responsibilities**

**Principal Investigator:** It is primarily the responsibility of the PI who receives the award to ensure compliance with this Policy and to take the actions outlined below.

1. Prior to engaging any non-U.S. citizens to work on the project, coordinate with Human Resources and the Office of Sponsored Research (OSR) to ensure that recruitment, wages, and housing procedures are in accordance with this Policy.
2. Notify employees working on the project of:
  - a. The zero tolerance policies of the U.S. Government and JCU regarding human trafficking;
  - b. The actions that will be taken against employees for violations of this Policy, which may include, without limitation, removal from the contract or grant or other disciplinary action, up to and including termination of employment; and
  - c. The requirement to notify OSR immediately of any information received from any source that alleges an employee, contractor, or subcontractor has engaged in conduct that violates this Policy.

**Office of Sponsored Research:** For any federal contract and subcontract where the estimated value of the supplies acquired or services required to be performed outside the U.S. exceeds \$500,000, the Office of Sponsored Research shall assist the PI in creating a tailored compliance plan specific to the project and local circumstances.

## **Compliance Plans**

Federal law requires that an anti-trafficking compliance program be in place for any federal contract and subcontract where the estimated value of the supplies acquired or services required to be performed outside the U.S. exceeds \$500,000. For such contracts and subcontracts, the Office of Sponsored Research shall assist the PI in creating a tailored compliance plan specific to the project and local circumstances. The compliance plan will be appropriate to the size and complexity of the contract and to the nature and scope of the activities to be performed thereunder, including the number of non-U.S. citizens expected to be employed and the risk that the contract or subcontract will involve services or supplies susceptible to trafficking in persons. In addition, the PI is required to make annual certifications to OSR for the duration of the project.

## **Policy Enforcement**

**Reporting Trafficking in Persons:** Always contact 911 or local law enforcement if you or someone else is in immediate danger. JCU employees must also immediately notify the Office of Sponsored Research if they become aware of any activities that they suspect meet the definition of or are related to trafficking in persons. Reports can also be made through:

1. Call the National Human Trafficking Hotline toll-free hotline at 1-888-373-7888: Anti-Trafficking Hotline Advocates are available 24/7 to take reports of potential human trafficking.
2. Text the National Human Trafficking Hotline at 233733.
3. Chat the National Human Trafficking Hotline via [www.humantraffickinghotline.org/chat](http://www.humantraffickinghotline.org/chat)
4. Submit a tip online through the anonymous online reporting form available [here](#).

Upon receipt of credible information that a JCU employee or contractor or subcontractor (or their respective employee) has violated this Policy, OSR, in coordination with Human Resources, the Office of Legal Affairs, and the Office of the Provost and Academic Vice President, shall immediately notify the applicable federal contracting office and agency inspector general.

### **Related Information**

[FAR Subpart 22.17 – Combating Trafficking in Persons](#)

[48 CFR 52.222-50](#)

[Department of Health and Human Services Trafficking in Persons](#)

[National Human Trafficking Hotline](#)