



Document Title : Anti-Trafficking Compliance Plan

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# **FHI 360 Model Anti-Trafficking Compliance Plan**

## **Background and Purpose**

FHI 360 has developed this Model Anti-Trafficking Compliance Plan (“Model Compliance Plan”) in accordance with the U.S. Government’s zero-tolerance policy regarding trafficking in persons by government contractors and award recipients, as set out in FAR Subpart 22.17 and 52.222-50(h), and in USAID Standard Provision M20 for U.S. Nongovernmental Organizations (“Anti-Trafficking Requirements”).

The purpose of this Model Compliance Plan is to set out FHI 360’s standard procedures for: (1) making FHI 360 employees aware of the conduct prohibited under FHI 360 policy and the Anti-Trafficking Requirements, and the actions that may be taken against employees for violations; (2) employing fair recruitment, wage and housing practices; and (3) preventing prohibited trafficking activity by employees, suppliers, subcontractors and subrecipients, and monitoring, detecting and terminating those who engage in such activities.

## **Applicability**

This Model Compliance Plan sets out FHI 360’s baseline standards for anti-trafficking compliance and applies presumptively to all U.S. Government contracts, subcontracts, cooperative agreements, awards and subawards. However, it may need to be adapted or modified for projects that are larger, more complex, or involve greater risk of trafficking activity. For all contracts and awards with an estimated value of \$500,000 or more, or that involve activities outside the United States, project staff should examine each one individually to assess the risk of trafficking activity, based on factors such as the number of non-U.S. citizens to be employed and whether the contract or award will involve services or supplies susceptible to trafficking in persons. Project staff should adapt or modify the Model Compliance Plan as necessary to ensure that it is appropriate to the size and complexity of the contract or award and the nature and scope of the activities to be performed.

## **Employee Awareness Program**

FHI 360 has adopted a policy on Combating Trafficking in Persons (“Policy”) that reflects the Anti-Trafficking Requirements’ provisions prohibiting trafficking-related activities, describes the actions FHI 360 may take against employees and agents who violate the Policy, and sets out the procedure for reporting and investigating Policy violations. The Policy is posted on FHI 360’s Electronic Document Management System (“EDMS”), where it can be accessed by all FHI 360 personnel at any time. The Policy’s adoption and any subsequent revisions will be announced in company-wide emails containing a link to the Policy on EDMS with instructions to access and review it. FHI 360 will also send out periodic emails, typically annually, reminding FHI 360 personnel to regularly review the Policy and stay up to date on its contents.

The Policy is also summarized in FHI 360's Code of Ethics and Conduct (the "Code"), which is posted on EDMS and can be accessed by all FHI 360 personnel at any time. FHI 360 will update its mandatory on-line training program on the Code to include content on the Policy and require all current FHI 360 personnel to complete the updated training program. All newly hired personnel will be required to read and acknowledge the Code, including its summary of the Policy, and to complete the updated on-line Code training program at the time of hire.

FHI 360 may also conduct specialized training on the Anti-Trafficking Requirements, the Policy and the Model Compliance Plan on an as-needed basis.

### **Recruitment and Wage Plan**

FHI 360 prohibits the use of any misleading or fraudulent recruitment practices during the recruitment of employees or offering of employment to employees. FHI 360 personnel must fully and accurately disclose, in a format and language accessible to the employee, all key terms and conditions of employment, including wages and benefits, work location, living conditions, housing and associated costs (where provided or arranged by FHI 360), significant costs to be charged to the employee, and, if applicable, the hazardous nature of the work.

FHI 360 prohibits the use of recruiters that do not have trained employees, or that do not comply with all labor laws of the country where the recruitment takes place.

FHI 360 prohibits charging recruitment fees to any employee.

FHI 360 will pay to all employees wages that meet applicable host-country legal requirements, or will explain any variance.

Where required by law or contract, FHI 360 will provide to every employee an employment contract, recruitment agreement or other required work document, written in a language the employee understands, containing all required information about the terms of conditions of employment, which may include, by way of example, the work description, wages, work location, living accommodations and associated costs, time off, transportation arrangements, grievance process, the content of applicable laws and regulations prohibiting trafficking in persons, and the prohibition on recruitment fees. If the employee must relocate to perform the work, FHI 360 will provide the required work document at least five (5) days prior to relocation.

FHI 360 prohibits destroying, concealing, confiscating or otherwise denying any employee access to his or her identity or immigration documents.

FHI 360 will provide or pay the cost of return transportation at the end of employment for any employee who is not a national of the country where the work took place and was brought into that country by FHI 360 for purposes of working on a covered U.S. Government contract or award.

FHI 360 will provide or pay the cost of return transportation at the end of employment for any employee who is not a U.S. national and was brought into the U.S. for purposes of working on a covered U.S. Government contract or award, if payment of such costs is required under existing temporary work programs or pursuant to a written agreement with the Worker for portions of contracts and awards performed outside the U.S.

## **Housing Plan**

In situations where FHI 360 provides housing to employees, the housing will at minimum meet host country housing and safety standards.

## **Supplier Compliance**

FHI 360 requires all of its contractors, consultants, vendors, suppliers, subcontractors and subrecipients ("Suppliers") to comply with the Policy and this Model Compliance Plan (or applicable modified compliance plan), and will include language to that effect in all Supplier contracts, subcontracts and subagreements ("Supplier Agreements"). Where applicable, FHI 360 will also flow down FAR 52.222-50, FAR 52.222-56, or USAID Standard Provisions to Supplier Contracts. The Policy and this Model Compliance Plan will be posted on FHI 360's external website, where they can be accessed at any time by Suppliers.

FHI 360 requires all Suppliers to have a written compliance plan to prevent prohibited trafficking-related activities and to monitor, detect and terminate any of Suppliers' employees, contractors, consultants, suppliers, subcontractors or subrecipients engaging in prohibited trafficking-relating activities, and provide a copy of its plan to FHI 360. The Supplier's compliance plan must meet the minimum requirements outlined in the Anti-Trafficking Requirements and be appropriate to the size and complexity of its Supplier Agreement with FHI 360 and the nature of the activities to be performed under it.

FHI 360 requires all Suppliers to submit written certification to FHI 360, prior to the award of any Supplier Contract, and on an annual basis thereafter, certifying that:

- The Supplier has implemented a compliance plan and has complied with its plan; and
- After conducting due diligence, to the best of the Supplier's knowledge and belief, neither it nor any of its employees, or its contractors, consultants, suppliers, subcontractors, subrecipients or their employees, have engaged in any prohibited trafficking-related activities, or, if any abuses relating to prohibited trafficking-related activities have been found, Supplier has taken appropriate remedial and referral actions.

FHI 360 will review the compliance plans and certifications of its Suppliers in order to ensure they include adequate procedures and reporting mechanisms. For Suppliers and Supplier Contracts that may be more susceptible to trafficking-related activities, FHI 360 may, in situations where it has direct access, inspect the Supplier's workplace or any housing provided by the Supplier for signs of trafficking-related activities.

If any Supplier fails to comply with the Policy or applicable Anti-Trafficking Requirements, FHI 360 will take appropriate action to remediate the violation and prevent future violations, including, but not limited to:

- Requiring the Supplier to remove an employee or agent from a project
- Requiring the Supplier to terminate its relationship with any Supplier contractor, consultant, supplier, subcontractor or subrecipient
- Suspending payments to Supplier until violation is remedied
- Immediately terminating the Supplier Contract

## **Reporting Requirements and Procedure**

All FHI 360 personnel, Suppliers and Supplier employees, consultants, volunteers, and agents (“Supplier Personnel”) are required to report any suspected trafficking-related activity or violations of the Policy to FHI 360. Reports may be made via FHI 360’s anonymous compliance hotline (1-800-318-7153 in the U.S., or 1-561-207-2600 internationally) or anonymous reporting website at <http://www.fhi360.org/anonreportregistry>. In addition, reports may be made to any FHI 360 supervisor, senior Country Office management, or HQ HR representative. Any FHI 360 supervisor, member of senior Country Office management, or HQ HR representative who receives such a report is required to immediately forward the report to FHI 360’s Office of Compliance and Internal Audit (“OCIA”) or Office of General Counsel (“OGC”).

FHI 360 personnel and Supplier Personnel who believe they or others have been subjected to prohibited trafficking-related activities may report the activity as outlined above, or may contact the Global Human Trafficking Hotline at 1-844-888-FREE or [help@befree.org](mailto:help@befree.org).

Human Resources will investigate all reports of prohibited trafficking-related activity or violations of the Policy and take appropriate action. OCIA will make all required notifications to government agencies.

FHI 360 strictly prohibits retaliation against any FHI 360 employee who reports prohibited trafficking-related activity or other violations of this Policy, or who cooperates with any internal or government investigations of such reports. Employees may do so without fear of reprisal. FHI 360 personnel who engage in any form of retaliation against those who report prohibited trafficking-related activities or other violations of this policy are subject to disciplinary action, up to and including termination of employment with FHI 360.

## **Investigations**

If FHI 360 receives credible information alleging prohibited trafficking-related activity, OCIA will conduct an investigation and report its findings and determine what, if any, remedial action is appropriate. OCIA will also monitor FHI 360 management’s implementation of such remedial action.

OCIA will be responsible for immediately notifying the contracting officer and the appropriate agency Inspector General of the information received and any resulting remedial action taken.

FHI 360 will cooperate fully with any U.S. Government agencies responsible for any investigations, audits or corrective actions relating to trafficking in persons, including, but not limited to, providing timely and complete responses to document requests, and providing reasonable access to FHI 360 facilities and staff.

FHI 360 will 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 will not prevent or hinder these employees from cooperating fully with U.S. government authorities.

## **Posting**

FHI 360 will post this Model Compliance Plan on EDMS and on its external website, [www.fhi360.org](http://www.fhi360.org). FHI 360 will also post this Model Compliance Plan at all workplaces, except where the work is being performed in the field or not otherwise at a fixed location.