

## FHI 360 Universal Anti-Trafficking Compliance Plan

### **Background and Purpose**

It is the policy of FHI 360 to comply fully 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 Provisions").

The Anti-Trafficking Provisions require FHI 360 to maintain written anti-trafficking compliance plans for all **U.S. Government contracts and subcontracts** and all **USAID awards** that:

- (a) are for acquisition of supplies (other than commercially available off-the-shelf items) or performance of services outside the U.S., and
- (b) have an estimated value that exceeds \$500,000.

The compliance plan must be appropriate to the size and complexity of the contract or award, and the nature and scope of the activities to be performed, including the number of non-U.S. citizens expected to be employed and the risk that the contract or award will involve services that are susceptible to trafficking in persons.

FHI 360 has developed this Universal Anti-Trafficking Compliance Plan ("Universal Plan") as a resource for projects required to maintain written compliance plans.

### **Scope**

This Universal Plan sets out FHI 360's minimum anti-trafficking compliance requirements under the Anti-Trafficking Provisions. The minimum requirements in this Universal Plan apply to all FHI 360 projects that are required to maintain written compliance plans.

Certain projects that are larger, more complex, or involve a greater risk of trafficking activity may need to implement measures in addition to those set out in this Universal Plan to ensure that their anti-trafficking compliance plans are appropriate to the size and complexity of the project, and the nature and scope of the activities to be performed. Those additional measures should be documented in a Supplemental Compliance Plan for Higher Risk Projects ("Supplemental Plan").

### **Activities Prohibited by FHI 360's Policy on Combating Trafficking In Persons**

FHI 360 has adopted a policy on Combating Trafficking in Persons ("Policy") that strictly prohibits its employees, consultants, vendors, contractors, subcontractors, and subrecipients from:

- Engaging in trafficking in persons
- Procuring commercial sex acts
- Using forced labor in the performance of a U.S. government contract or award
- Destroying, concealing, confiscating or otherwise denying an employee access to identity or immigration documents like passports or drivers' licenses
- Using misleading or fraudulent recruitment practice, such as failing to disclose in a format or language accessible to the employee or materially misrepresenting key terms and conditions of employment, such as wages and benefits, work location, living conditions, housing or associated costs (if provided or arranged by FHI 360 or by a vendor, contractor, subcontractor, or

subrecipient), any significant costs to be charged to the employee, and, if applicable, the hazardous nature of the work

- Working with recruiters that do not comply with local labor laws of the country in which recruiting takes place
- Charging employees recruitment fees
- Failing to provide or pay return transportation costs at the end of employment for certain employees who are not nationals of the country in which the work takes place (subject to certain exclusions and conditions)
- Providing or arranging housing that does not meet the host country housing and safety standards
- If required by law or contract, failing to provide an employment contract, recruitment agreement, or other legally required work document in writing in a language the employee understands containing a detailed description of the terms and conditions of employment, at least five days before an employee relocates to perform work.

## Employee Awareness Program

FHI 360's anti-trafficking Policy is posted on FHI 360's Enterprise Document Management System ("EDMS"), where it can be accessed by all FHI 360 personnel at any time. The Policy is also reflected 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. Both the Policy and the Code are available in English, Arabic, French, Portuguese, and Spanish. A verbal explanation of the contents is given upon request to individuals unable to read the printed information.

Employees were informed of the Policy upon its adoption via a company-wide email that linked to the Policy and instructed them to access and read it. They were also required to successfully complete an online training module on the Code, including the anti-trafficking requirements. New employees are required to read and acknowledge the Code, including the anti-trafficking section, upon hire and complete the online training module. All employees are required to repeat the Code training e-module bi-annually, and to re-read and acknowledge the Code in the alternate years. Finally, FHI 360 conducts country- and project-specific anti-trafficking training as needed.

## 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 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.

FHI 360 will only use recruiting firms that have trained employees, comply with all labor laws of the country where the recruitment takes place, and comply with the prohibitions on misleading or fraudulent recruitment practices outlined above.

## Housing Plan

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

## Supplier Compliance

FHI 360 requires **ALL** contractors, consultants, vendors, subcontractors, and subrecipients ("Suppliers"), and their employees, consultants, interns, volunteers, and agents ("Supplier Personnel") to:

- Refrain from engaging in prohibited trafficking or trafficking-related activity, or other conduct that violates FHI 360's Policy;
- Take steps to prevent trafficking or trafficking-related activity by Supplier Personnel;
- Cooperate fully with all investigations of trafficking violations and provide truthful information to investigators.

**Additional requirements** apply to **Suppliers with FAR-governed contracts and subcontracts** that: (a) are for acquisition of supplies (other than commercially available off-the-shelf items) or performance of services outside the U.S., and (b) have an estimated value that exceeds \$500,000. These Suppliers must maintain a written anti-trafficking compliance plan, and must submit pre-award, annual, and any other required certifications to FHI 360 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 include appropriate language reflecting the applicable requirements in Supplier contracts, subcontracts, and subawards.

If any Supplier fails to comply with applicable 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, subcontract, or award

## Reporting Requirements and Procedure

All FHI 360 Personnel, Suppliers and Supplier Personnel who observe, suspect, or receive allegations of trafficking-related activity, or any other conduct prohibited by this policy, are required to report the conduct immediately, either orally or in writing, by contacting one of the following:

- Their immediate supervisor, or, if the conduct involves the immediate supervisor, any other supervisor within their department;
- Their local Human Resources (HR) representative or regional or departmental HR Partner;
- The Director of HR Partnering Useetha Rhodes URhodes@fhi360.org or Chief Human Resources Officer Pam Myers PMyers@fhi360.org; or
- The Office of Compliance and Internal Audit (OCIA) via email at Compliance@fhi360.org.
- OCIA's Ethics and Compliance Hotline (1-800-461-9330 in the US, and +1-720-514-4400 outside the US)
- OCIA's reporting website either with your name or anonymously (<http://www.fhi360.org/anonreportregistry>).

Anonymous reports are generally more difficult to investigate due to limited information. FHI 360 Personnel are urged to provide as much detailed information as possible about the conduct, including, if possible, identifying people who were involved or who witnessed the conduct, so long as this will not put the persons identified at risk of immediate harm.

FHI 360 Personnel who are supervisors or hold a position at director level or above are required to promptly, within 24 hours, notify Office of Compliance and Internal Audit (OCIA) or the Office of General Counsel, of any actual or suspected Trafficking in Persons or other violation of this policy that is reported to them, or that they observe or otherwise become aware of. Failure to do so is a violation of this policy and could lead to disciplinary action, up to and including immediate separation of employment.

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, or
- The National Human Trafficking Hotline
  - In the U.S. - 1-888-373-7888 or by texting HELP to 233733 (BEFREE)
  - Outside the U.S. - +001-202-745-0190 or by text 202-657-4006

O CIA will investigate all reports of prohibited trafficking-related activity or violations of this policy, take appropriate action, and make any 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.

## **Posting**

FHI 360 will post this Universal Plan and all Supplemental Plans on EDMS and on its external website, [www.fhi360.org](http://www.fhi360.org). Hard copies of this Universal Plan will be posted at all FHI 360 workplaces worldwide. Each project with a Supplemental Plan will post a hard copy of the Supplemental Plan at all project workplaces, except where the project's work is being performed in the field or not otherwise at a fixed location.