

Anti-Trafficking Policy

Background and Purpose

Education For Employment (EFE) is committed to high standards of ethics and integrity in all aspects of its programming, including the prohibition of actions that would support trafficking in persons and procedures to prevent such acts and report any violations.

EFE has developed this Anti-Trafficking Policy and 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 CFR 22.1703 and FAR 52.222-50, USAID Standard Provision M20 for U.S. Nongovernmental Organizations ("Anti-Trafficking Provisions"), and Executive Order "Strengthening Protections Against Trafficking In Persons In Federal Contracts" (dated September 25, 2012).

EFE and our partners, subcontractors, subawardees, vendors, employees and other agents are prohibited from engaging in:

1. Trafficking in persons (as defined in the Protocol to Prevent, Suppress, and Punish Trafficking in Persons, especially Women and Children, supplementing the UN Convention against Transnational Organized Crime);
2. Procurement of a commercial sex act;
3. Use of forced labor; and
4. Acts that directly support or advance trafficking in persons, including but not limited to:
 - o Destroying, concealing, confiscating, or otherwise denying an employee access to their identity or immigration documents, such as passports or driving licenses, regardless of issuing authority;
 - o Failing to provide return transportation to an employee relocated by EFE to a posting outside the country in which they were recruited, unless:
 - i. exempted from the requirement to provide or pay for such return transportation by the USAID award; or
 - ii. the employee is a victim of human trafficking seeking victim services or legal redress in the country of employment or a witness in a human trafficking enforcement action;
 - iii. the employee is legally permitted to remain in the country of employment and chooses to do so.
5. Use of misleading or fraudulent practices during the recruitment of employees or offering of employment, such as failing to disclose, in a format and language accessible to the worker, basic information or making material misrepresentations during the recruitment of employees regarding the key terms and conditions of employment, including wages and fringe benefits, the location of work, the living conditions, housing and associated costs (if employer or agent provided or arranged), any significant cost to be charged to the employee, and, if applicable, the hazardous nature of the work;
 - o Use of recruiters that do not comply with local labor laws of the country in which the recruiting takes place;
6. Charging employees recruitment fees; and
7. Providing or arranging housing that fails to meet housing and safety standards.
8. If required by law or contract, fail to provide an employment contract, recruitment agreement, or other required work document in writing. Such written work document shall be in a language the employee understands. If the employee must relocate to perform the work, the work document shall be provided to the employee at least five days prior to the employee relocating. The

employee's work document shall include, but is not limited to, details about work description, wages, prohibition on charging recruitment fees, work location(s), living accommodations and associated costs, time off, roundtrip transportation arrangements, grievance process, and the content of applicable laws and regulations that prohibit trafficking in persons.

The full text of USAID Standard Provision M20 is available on the USAID website at: <https://www.usaid.gov/sites/default/files/documents/1868/303maa.pdf>.

The full text of FAR 52.222-50, "Combating Trafficking in Persons," can be found at the Electronic Code of Federal Regulations (eCFR) at: https://www.ecfr.gov/cgi-bin/text-idx?SID=625f2bf6bb98dbf5e9915c216fe35fbf&mc=true&node=se48.2.52_1222_650&rgn=div8

This plan describes Education For Employment's policies and procedures for: (1) making employees aware of the conduct prohibited by EFE policy and the Anti-Trafficking Provisions 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 suppliers, subcontractors and subrecipients, and monitoring, detecting and terminating those who engage in such activities.

Awareness Program

Education For Employment ensures the dissemination of this policy through the following processes:

- *Employees*: Each new employee receives orientation to HR policies and procedures including Education For Employment's Code of Conduct (which forms part of the EFE Handbook and includes reference to this Anti-Trafficking policy), from their supervisor as soon as possible upon the commencement of their work. Other refresher trainings on ethics policies are provided as needed. This policy, and the Code of Conduct in its entirety, is also accessible to all staff on EFE's OneDrive portal.
- *Subrecipients, Subcontractors and Subgrantees*: EFE award, subcontract and grant templates include reference to this policy and, as applicable, USAID Standard Provision M20 for U.S. Nongovernmental Organizations ("Anti-Trafficking Provisions") or FAR 52.222-50 ("Combating Trafficking in Persons"). At the time of award, subrecipients, subcontractors and subgrantees must confirm that they have read and understand the referenced policy and provision. For awards, subcontracts and grants already issued prior to the enactment of this policy, USG will issue award modifications to the prime agreement/contract adding this clause and confirming understanding of them. EFE will then modify subrecipient, subcontractor and subgrantee awards. For both new awards and modifications, this includes the requirement for them to have their own Anti-Trafficking Policy and comply with reporting requirements. Subrecipients, subcontractors and subgrantees may contact EFE at any time for questions, clarifications, or further discussion.
- *Vendors, consultants, suppliers, and other agents*: EFE contractual instruments, including but not limited to consulting agreements, professional service agreements, and purchase orders include reference to this policy and, as applicable, USAID Standard Provision M20 for U.S. Nongovernmental Organizations ("Anti-Trafficking Provisions") or FAR 52.222-50 ("Combating Trafficking in Persons"). Vendors, consultants, suppliers, and other agents must confirm that they have read and understand the referenced policy and provision upon signing the contractual instrument, and may contact EFE at any time for questions, clarifications, or further discussion.

Reporting

All partners, subawardees, subgrantees, subcontractors, vendors, employees, labor recruiters, brokers or other agents are required to report suspected violations of this policy immediately. Reports may be submitted through the following routes:

- *Confidential Email Account*: Individuals may report suspected violations at any time to EFE's confidential email account, confidential@efe.org. This account will be maintained by an EFE-

Global staff member, designated by the CEO. Reporters may remain anonymous unless they wish to disclose their identity.

- *Supervisor or manager:* Individuals may report suspected violations at any time through their direct supervisors or the managers in charge of their procurements or activities. Subsequently, supervisors and managers must in turn forward any reports to EFE's confidential email account, confidential@efe.org.
- *Global Human Trafficking Hotline:* Any individual may submit a report of suspected violations directly to 1-844-888-FREE or help@befree.org.

This Anti-Trafficking Policy is implemented in conjunction with the protections afforded by the Education For Employment Whistleblower Policy, described in the Finance Manual, which strictly prohibits retaliation against any EFE 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.

For USAID awards containing Standard Provision M20 that exceed an estimated value of \$550,000, Education For Employment must submit to the Agreement Officer the annual "Certification Regarding Trafficking in Persons, Implementing Title XVII of the National Defense Authorization Act for Fiscal Year 2013" as required, and must implement a compliance plan to prevent the activities described in this provision.

For USAID contracts containing FAR 52.222-50 that exceed an estimated value of \$550,000 and are to be performed outside the United States, Education For Employment must submit to the Contracting Officer annually the certification contained in FAR 52.222-56, "Certification Regarding Trafficking in Persons Compliance Plan," and must implement a compliance plan to prevent the activities described in this policy. Education For Employment must provide a copy of the compliance plan to the Contract/Agreement Officer upon request and must post the useful and relevant contents of the plan or related materials on its website and at the workplace.

Investigations

Education For Employment will internally investigate suspected violations as appropriate using its confidential email address. If Education For Employment receives credible evidence from any source that alleges that EFE, its employee, contractor, subrecipient, subawardee, partner, vendor, or other agent has engaged in any of the prohibited activities identified in this provision, EFE will notify the cognizant Contract/Agreement Officer and the USAID Office of the Inspector General immediately.

EFE will cooperate fully with any US 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 EFE facilities and staff.

EFE 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 US government authorities.

Recruitment and Wage Plan

Education For Employment prohibits the use of any misleading or fraudulent recruitment practices during the recruitment of employees or offering of employment to employees. EFE hiring managers 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 EFE, significant costs to be charged to the employee, and, if applicable, the hazardous nature of the work.)

Field-based local hire positions must comply with all labor laws of the host country. For positions recruited through a temporary staffing agency or other outside agent, EFE requires that the agency complies with all labor laws of the host country.

EFE prohibits charging recruitment fees to any employee.

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

Housing Plan

Generally, Education For Employment does not provide housing to its employees. In the event that EFE were to provide housing to employees, that housing must meet host country housing and safety standards.

Compliance Plan

Education for Employment will ensure internal compliance with these provisions through the procedures described and referenced throughout this policy. All operations are subject to this policy and it is strictly enforced across all EFE locations and activities. Any suspected violation reported to EFE or detected by management will be investigated, acted upon, and reported per the provisions of this policy and in accordance with EFE's policy and process for investigating and reporting on all ethics and fraud violations.

EFE will take appropriate action, up to and including termination, against EFE employees found to have violated this policy.

Compliance by subrecipients, vendors, suppliers, and other agents will be additionally ensured through a mandatory training program for all EFE staff. Program and technical staff members who manage subrecipient and vendor relationships and deliverables will:

- Become aware of this policy and related terms and conditions in the contractual templates
- Learn how to assess the risk of trafficking in a given scenario and geographic location
- Analyze and apply the relevant terms and conditions in the contractual templates
- Draft and submit compliance monitoring plans for sub-recipients.

Per the terms of the contractual agreements, all counter-parties must confirm their compliance before commencing work with EFE.

During the performance of their work, EFE will implement additional reporting, inspection, and/or site visits with the other parties as appropriate for the size and complexity of the contract, subcontract or subagreement with EFE and the nature of the activities to be performed under it. Any suspected violation reported to EFE or detected by management will be investigated, acted upon, and reported per the provisions of this policy, including but not limited to:

- Requiring the party to remove an employee or agent from a project
- Requiring the party to terminate its relationship with any other contractor, vendor, consultant, supplier, subcontractor or subrecipient found to be in violation
- Suspending payments to the party until the violation is remedied, and
- Immediately terminating the party's agreement, grant, or contract.