

# Combating Trafficking In Persons (CTIP)

## 1.0

**Effective Date 12/11/12**

## 2.0

### **Applicability**

This policy applies to all Employees of FRA, Fermilab Users/Visitors, Fermilab Sub-contractors contractors and their Sub-subcontractors.

## 3.0

### **Authority**

**This Policy is mandated by Federal Law including the following:**

22 U.S.C. § 7104 : PREVENTION OF TRAFFICKING;

Trafficking Victims Protection Act of 2000, as amended (TVPA);

and Executive Order - Strengthening Protections Against Trafficking In Persons In Federal Contracts (September 25, 2012)

This policy is implemented in FRA's Prime Contract with DOE (Contract Number DE-AC02 – 07CH11359) through FAR 52.222-50: COMBATING TRAFFICKING IN PERSONS

## 4.0

### **Policy**

Fermi Research Alliance (FRA) maintains a zero tolerance policy regarding trafficking in persons.

FRA Employees, users, visitors, contractors, subcontractors, contractor Employees, and subcontractor Employees shall not—

1. Engage in severe forms of trafficking in persons during the period of performance of their work;
2. Procure commercial sex acts during the period of performance of their work; or
3. Use forced labor in the performance of their work.

Trafficking in Persons (TIP) is a violation of U.S. law and internationally recognized human rights, and is incompatible with FRA values.

In addition to other remedies available to the FRA, the Employee's failure to comply with the requirements of this policy may result in—

1. Removal of the Employee or Employees from the performance of his or her job duties or performance of a particular contract;
2. Termination of a contract or subcontract on which the Employee was working at the time of the incident;
3. Suspension of contract payments;
4. Termination of the contract on which the Employee was working at the time of the incident, for default or cause, in accordance with the termination clause of the contract; or
5. Suspension or debarment.

## 5.0

### Definitions

The following terms are elements of or constitute trafficking in persons (TIP).

As used in this clause:

“Coercion” means—

1. Threats of serious harm to or physical restraint against any person;
2. Any scheme, plan, or pattern intended to cause a person to believe that failure to perform an act would result in serious harm to or physical restraint against any person; or
3. The abuse or threatened abuse of the legal process.

“Commercial sex act” means any sex act on account of which anything of value is given to or received by any person.

“Debt bondage” means the status or condition of a debtor arising from a pledge by the debtor of his or her personal services or of those of a person under his or her control as a security for debt, if the value of those services as reasonably assessed is not applied toward the liquidation of the debt or the length and nature of those services are not respectively limited and defined.

“Employee” means an employee of the Contractor directly engaged in the performance of work under the contract who has other than a minimal impact or involvement in contract performance.

“Forced labor” means knowingly providing or obtaining the labor or services of a person—

1. By threats of serious harm to, or physical restraint against, that person or another person;
2. By means of any scheme, plan, or pattern intended to cause the person to believe that, if the person did not perform such labor or services, that person or another person would suffer serious harm or physical restraint; or
3. By means of the abuse or threatened abuse of law or the legal process.

“Involuntary servitude” includes a condition of servitude induced by means of—

1. Any scheme, plan, or pattern intended to cause a person to believe that, if the person did not enter into or continue in such conditions, that person or another person would suffer serious harm or physical restraint; or
2. The abuse or threatened abuse of the legal process.

“Severe forms of trafficking in persons” means—

1. 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; or
2. 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.

“Sex trafficking” means the recruitment, harboring, transportation, provision, or obtaining of a person for the purpose of a commercial sex act.

## **6.0**

### **Guidance**

An Employee of FRA, a Sub-contractor, or a Sub-subcontractor who encounters any form of TIP during the period of his or her employment at FRA, or during the period of performance of his or her contract with FRA must report this activity to FRA Management as soon as is reasonably possible. Additionally, you may contact local law enforcement authorities to make them aware of the incident of TIP.