SEC-031 Combatting Human Trafficking

Effective Date Friday, November 3, 2023

Status Final

Last Revised Monday, November 27, 2023

Policy Type University

Contact Office Sponsored Programs (Office of)

Student Affairs UVA Human Resources

Oversight Executive
Vice President and Chief Human Resources Officer Vice President and Chief Student Affairs Officer
Vice President for Research

Applies To Academic Division, the Medical Center, and the College at Wise.

Table of Contents

Policy Statement

1. Prohibited Activity
2. Reporting Suspected Activity
3. Resources for Victims and Survivors of Human Trafficking or Sex Trafficking
4. Retaliation
5. Compliance Plan
6. Responsibilities
7. Compliance with Policy

Reason for Policy

The University of Virginia is committed to an environment free from human trafficking, sex trafficking, and forced labor. The University will comply with foreign, federal, and state laws regarding human trafficking and provide means for reporting and investigating suspected human exploitation or coercion.

Definition of Terms

Agent

Description

Any individual, including a director, an officer, an employee, or an independent contractor authorized to act on behalf of an organization.

Human Trafficking

Description

The use of force, fraud, or coercion to obtain some type of labor or commercial sex act (refer to 22 U.S. Code Chapter 78 – Trafficking Victims Protection).

Subcontract

Description

Any contract entered into by a third party to furnish supplies or services related to a discreet portion of a University contract, grant, or award.

Subcontractor

Description Any supplier, distributor, vendor, or firm that is party to a subcontract.

Policy Statement

The University has a zero-tolerance policy on any form of human trafficking and will comply with all applicable foreign, federal, and state laws.

1. **Prohibited Activity:**
   The University must inform its faculty, staff, students, agents, independent contractors, and subcontractors working on federal contracts, grants, or awards, of the U.S. Government's regulation 48 CFR § 52.222-50 - Combating Trafficking in Persons.

   The University, its faculty, staff, students, agents, independent contractors, and its subrecipients of federal funds (and their respective employees), are prohibited from the following:
   - Engaging in human or sex trafficking or procuring commercial sex acts during the award period.
   - Using forced labor to perform the award.
   - Destroying, concealing, confiscating, or otherwise denying access to an individual's identity or immigration documents, such as passports or drivers' licenses.
   - Using misleading or fraudulent practices during the recruitment process for work on a project outside the U.S., such as failing to disclose, in a format and language understood by the potential worker, key terms and conditions of the employment, such as wages and fringe benefits, work location, living conditions, housing costs, and any hazardous nature of the work.
   - Using recruiters that do not comply with local labor laws of the country in which the recruiting takes place.
   - Charging recruitment fees to the individuals recruited to work on the award.
   - Providing or arranging housing that fails to meet 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 their country of origin to work on the contract in another country.
   - Under certain circumstances, failing to supply return transportation, at the conclusion of the work, if the worker is not a national of the country in which the work occurs and was brought into the country to work on the federal award.

2. **Reporting Suspected Activity:**
University faculty, staff and students, agents, and independent contractors must immediately notify UVA HR – Employee Relations at phone: 434.243.3344 or email: respect@virginia.edu to report an incident of suspected human trafficking activity or other conduct that appears to involve force, fraud, or coercion. As it pertains to sex trafficking (of which sexual exploitation is a component), faculty and staff must adhere to the reporting requirements stipulated in HRM-041: Addressing Sexual and Gender-Based Harassment and Other Forms of Interpersonal Violence and Reporting Disclosures and HRM-009: Addressing Discrimination, Harassment, and Retaliation by reporting to the Title IX Coordinator via *Just Report It*.

   All persons, regardless of employer, providing patient care or other services within or for the benefit of the Medical Center shall report any suspicions involving patients in accordance with applicable Medical Center policies and procedures.

   For the College at Wise, to report an incident of suspected human trafficking, contact their Title IX Coordinator at phone: 276.328.0131 or tabitha.smith@uvawise.edu. As it pertains to sex trafficking, refer to Sexual Misconduct and Interpersonal Violence Policy | UVA Wise.

   Students are encouraged to report an incident of suspected human trafficking activity, sex trafficking (of which sexual exploitation is a component), or forced labor through *Just Report It* as explained in policy HRM-041 noted above. Students may also report directly to the Department of Homeland Security at 1.866.DHS.2.ICE.

   Other reporting requirements are stipulated in Section 6. Responsibilities.

3. **Resources for Victims and Survivors of Human Trafficking or Sex Trafficking:**
Assistance is available to victims and survivors of human trafficking with services and supports to obtain help and remain safe at the following:

Resources

Organization	**Contact Information**
UVA HR – Employee Relations	**Call:** 434.243.3344 **Email**: respect@virginia.edu
University of Virginia Police Division	**Call:** 911 for emergencies, crimes in progress, or crimes that just occurred. 434.924.7166 for a non-emergency **Email**: police@virginia.edu
Title IX Coordinator (UVA)	**Call:** 434.924.3200 **Email:** TitleIXOffice@virginia.edu
Virginia Victims Assistance Network	**Call:** 833.INFO.4.HT

Global Human Trafficking Hotline	**Call:** 1.844.888.FREE **Email:** help@befree.org
National Human Trafficking Resource Center (NHTRC)	**Call:** 1.888.373.7888 **Text:** 233733 **TTY:** 711 **Chat:** www.humantraffickinghotline.org/en/chat **Email:** help@humantraffickinghotline.org
Department of Homeland Security	Call: 1.866.DHS.2.ICE

UVA Wise Resources.

4. **Retaliation:**
   The University prohibits retaliation against any individual who makes a good faith report of suspected wrongful conduct pursuant to this policy or related federal or state laws.

5. **Compliance Plan:**
   Federal law **requires** that the University maintain an anti-trafficking compliance plan for any federal contract and subcontract where supplies are acquired, or services will be performed, outside the United States and the estimated value of these supplies and/or services exceeds $550,000.

   For research contracts/subcontracts, the Principal Investigator (PI) must submit to OSP (1) a compliance plan specific to the project and local circumstances that complies with the federal requirement; and (2) an annual certification (for the duration of the project) attesting to the best of the PI's knowledge and belief, none of the employees, agents, independent contractors, or subcontractors are or have been engaged in human or sex trafficking, forced labor, or other trafficking-related activities prohibited by the U.S. government policy, and that the PI has reported any known purported activities within the University.

6. **Responsibilities:**
   The ***Principal Investigator*** or the ***person entering into the contract on behalf of the University*** (or ***designee***) is responsible for:
   - Complying with the U.S. Government's policy 48 CFR § 52.222-50 - Combating Trafficking in Persons.
   - Notifying individuals working on the project of the:
     - U.S. Government's policy regarding trafficking in persons.
     - Sanctions for non-compliance.
     - Reporting requirement stipulated in Section 2 of this policy.
   - If the federal award is a contract (not a grant or cooperative agreement), contacting the Research area and UVA HR – Recruiting, prior to engaging any non-U.S. citizen to work on the project outside the United States to verify that recruitment, wages, and housing procedures are in accordance with the U.S. Government's policy.
   - Creating a compliance plan specific to the project and local circumstances as outlined in Section 4 above and submitting the plan to OSP.
   - Adhering to the reporting requirement stipulated in Section 2 of this policy.

   UVA HR – Employee Relations is responsible for:

- Responding to any reports or credible information alleging human or sex trafficking, forced labor, or other violations of the policy. Where an activity reported to be in violation of this policy would also violate HRM-041: Addressing Sexual and Gender-Based Harassment and Other Forms of Interpersonal Violence and Reporting Disclosures, UVA HR - Employee Relations will immediately share the information with the Office for Equal Opportunity and Civil Rights.
- Implementing human trafficking awareness and prevention training for University faculty and staff.

Student Affairs is responsible for providing a human trafficking awareness and prevention training program to be completed by all first-year students as part of their orientation program to comply with State requirements. This training will include trauma-informed training on the recognition, prevention, and reporting of human trafficking.

Office of the Vice President for Research is responsible for developing awareness training as referenced in 48 CFR § 52.222-50(h)(3)(i) for those involved in federally sponsored research.

Office of Sponsored Programs is responsible for:

- Gathering any required documentation or PI certifications to document the University's compliance with the U.S. Government's policy 48 CFR § 52.222-50 - Combating Trafficking in Persons.
- Notifying any suppliers of adherence to the U.S. Government's policy 48 CFR § 52.222-50 - Combating Trafficking in Persons by including a clause as needed. Violations of the clause will be reported to the sponsoring federal agency.
- Submitting any required certifications made by the University regarding compliance with applicable regulations and execute any federal contracts for sponsored research that contain 48 CFR § 52.222-50 - Combating Trafficking in Persons.
- Reporting (specifically by the Executive Director of OSP) to the federal Contracting Officer and Inspector General any credible information that alleges an employee, agent or subcontractor has engaged in conduct that violates the policy.

UVA Finance is responsible for developing awareness training as referenced in (h)(3)(i) of 48 CFR § 52.222-50 for those involved in non-research contracts.

7. **Compliance with Policy:**
   Faculty, staff, agents, independent contractors, or subcontractors who fail to comply with this policy will be subject to appropriate disciplinary action by the University including, but not limited to, removal from a contract, termination of employment, or other disciplinary action.

   Violation of the federal or state laws against human trafficking may result in criminal prosecution of responsible individuals.

   Students accused of violating this policy will be adjudicated under the University's disciplinary processes.

   Direct questions about this policy to the Office of Sponsored Programs when related to federal contracts (direct or flow-through) and to Student Affairs when related to the required human trafficking awareness and prevention training program to be completed by all first-year students.

Related Information

HRM-009: Addressing Discrimination, Harassment, and Retaliation
HRM-041: Addressing Sexual and Gender-Based Harassment and Other Forms of Interpersonal Violence and Reporting Disclosures
HRM-050: Protection of Minors and Reporting Abuse
UVA Medical Center Policy: Abuse, Neglect or Exploitation of Patients
UVA Wise Protection of Minors and Reporting Abuse Policy
Sexual Misconduct and Interpersonal Violence Policy | UVA Wise
Code of Virginia § 23.1-808.1 – Human Trafficking awareness and prevention training; first-year orientation
Virginia Department of Criminal Justice Services – Human Trafficking Response in Virginia
International Rescue Committee (Charlottesville, VA)

Major Category Safety, Security and Environmental Quality

Next Scheduled Review Tuesday, November 3, 2026

Revision History

Added UVA Wise resources link and reporting information 11/27/23.

Category Cross Reference
Research Administration

Approved By Executive Vice President and Chief Operating Officer

Approved Date Friday, November 3, 2023