

## **2.0 Administrative Policies and Procedures**

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### **2.00.00 Organization Policies**

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### **2.30.00 Anti-Human Trafficking Policy**

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#### **1. POLICY STATEMENT**

Desert Research Institute (DRI) has a zero-tolerance policy on trafficking in persons. This policy has been established to ensure compliance with Federal Government (i.e. Federal Acquisition Regulations 52.222-56 and 52.222-50) and State of Nevada (i.e., NRS 200.467 through 200.469) laws. Forms of trafficking include 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. It also includes 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 eighteen (18) years of age.

DRI employees are prohibited from engaging in any of the following types of trafficking-related activities:

- (a) Using misleading or fraudulent recruitment practices during the recruitment of employees, such as failing to disclose basic information or making material misrepresentations regarding the key terms and conditions of employment, including wages and fringe benefits, the location of work, living conditions and housing (if employer provided or arranged), any significant costs to be charged to the employee, and, if applicable, the hazardous nature of the work.
- (b) Charging employees recruitment fees.
- (c) Destroying, concealing, confiscating, or otherwise denying access by an employee to the employee's identity documents, such as passports or drivers' licenses.
- (d) Failing to provide return transportation or pay for the cost of return transportation upon the end of employment:
  - (i) for an employee who is not a national of the country in which the work is taking place and who was brought into that country for the purpose of working on a U.S. Government contract or subcontract (for portions of contracts performed outside the United States); or
  - (ii) for an employee who is not a United States national and who was brought into the United States for the purpose of working on a U.S. Government contract or subcontract, if the payment of such costs is required under existing temporary worker programs or pursuant to a written agreement with the employee (for portions of contracts performed inside the United States); except that,

- a. The requirements of (d)(i) and (d)(ii) of this section shall not apply to an employee who is: 1) legally permitted to remain in the country of employment and who chooses to do so; or 2) exempted by an authorized official of the contracting agency from the requirement to provide return transportation or pay for the cost of return transportation; and
  - b. The requirements of (d)(i) and (d)(ii) of this section are modified for a victim of trafficking in persons who is seeking victim services or legal redress in the country of employment, or for a witness in an enforcement action related to trafficking in persons. DRI shall provide the return transportation or pay the cost of return transportation in a way that does not obstruct the victim services, legal redress, or witness activity. For example, DRI shall not only offer return transportation to a witness at a time when the witness is still needed to testify. This paragraph does not apply when the exemptions in the previous paragraph directly above applies.
- (e) Provide or arrange housing that fails to meet the host country housing and safety standards.
- (f) 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 (5) 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.

## **2. REASON FOR POLICY**

The defining element of human trafficking is exploitation, an element which poses a threat to the core values of Desert Research Institute. Federal law and state law prohibit human trafficking. Furthermore, it is required by federal law that an anti-trafficking compliance program be in place for any federal contractors and subcontractors where the estimated value of the supplies acquired, or services required to be performed outside the United States exceeds \$550,000.

## **3. PROCEDURES**

DRI employees shall cooperate fully in providing reasonable access to allow contracting agencies and other responsible enforcement agencies to conduct audits, investigations, or other actions to ascertain compliance with the Trafficking Victims Protection Act (TVPA), Executive Order 13627, or any other applicable law or regulations establishing restrictions on trafficking in persons, the procurement of commercial sex acts, or the use of forced labor.

For federal contracts and sub-contracts where the estimated value of the supplies acquired or services required to be performed outside the United States exceeds \$550,000, the DRI

Sponsored Projects Office ([SPO@dri.edu](mailto:SPO@dri.edu)) shall be contacted to assist in creating a tailored compliance plan specific to the project.

DRI employees should always contact 911 or law enforcement if they know someone is in immediate danger. DRI employees shall notify the Sponsored Projects Office or General Counsel if they become aware of any activities that they suspect are related to or meet the definitions of trafficking in persons.

DRI prohibits taking any retaliatory action against individuals who make a good faith disclosure of suspected wrongful conduct. Individuals are protected from acts of retaliation for reporting concerns or suspected wrongful conduct in good faith, consistent with applicable federal and state laws as well as Institute policy.

Any violations of Institute policies by an individual will be dealt with in accordance with applicable DRI policies and procedures, which may include disciplinary actions up to and including termination from DRI. Suspected violations of law will be referred to law enforcement or the appropriate federal agency and may result in criminal penalties.

Additional information can be found at the National Human Trafficking website at <https://humantraffickinghotline.org/national-hotline-overview>.