

# American Red Cross

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## Anti-Trafficking in Persons Compliance Procedure

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<b>Status</b>	Approved
<b>Procedure ID</b>	0002.1
<b>Responsible Office</b>	International Services Department
<b>Sponsor</b>	Business Operations
<b>Related Policies</b>	<a href="#">Whistleblower Protection Policy</a> <a href="#">Policy on Abuse and Neglect of Children and Vulnerable Adults</a> Policy on Anti-Trafficking in Persons

### 1. Purpose

The American Red Cross International Services Department expects the highest professional and ethical conduct from its personnel and volunteers and is committed to:

- **ensuring** that children and vulnerable people are protected from all forms of violence, abuse, exploitation, and neglect in all American Red Cross programs, including abuse and sexual exploitation by their staff and associated personnel;
- **preventing** prohibited trafficking activities by American Red Cross Personnel volunteers, and its partners and terminating those who engage in such activities;
- **prioritizing** preventative and applying a survivor-centered response and accountability when abuses occur; and
- **Ensure** American Red Cross personnel are aware of the conduct prohibited under its safeguarding policy and the actions that may be taken against Red Cross personnel and volunteers for violations of this policy.

The American Red Cross recognizes that we all have a critical role in combatting human trafficking. We employ the “do-no-harm” principle throughout all aspects of our work and aim to foster a coordinated and holistic approach to preventing and responding to slavery and human trafficking crimes. As part of these efforts, the ISD has developed a supplemental Anti-Trafficking in Persons Procedure, expanding upon the American Red Cross’s Policy on Policy on Anti-Trafficking in Persons, Policy on Abuse and Neglect of Children and Vulnerable Adults, its Employee Handbook, Code of Business Ethics and Conduct, and Whistleblower Protection Policy.

This Anti-Trafficking in Persons Procedure outlines the actions all ISD Personnel, sub-recipients, contractors at any tier, and their respective employees, labor recruiters,

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brokers, or other agents will take to prevent and mitigate the risks of trafficking in persons.

## 2. Scope

This Procedure is applicable to all ISD personnel.

## 3. Definitions

**“Trafficking in persons”** shall mean the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labor or services, slavery or practices similar to slavery, servitude or the removal of organs;

**“Child”** shall mean any person under eighteen years of age.

**“Personnel”** includes employees, contractors, delegates, In-Country Nationals (ICNs), roster deployments or IFRC secondments, and volunteers working within or temporarily assigned to the International Services Division within the Red Cross.

**“Agent”** means any individual, including a director, an officer, an employee, or an independent contractor, authorized to act on behalf of the organization.

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

**“Coercion”** means-

- i. Threats of serious harm to or physical restraint against any person;
- ii. 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
- iii. The abuse or threatened abuse of the legal process.

**“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

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limited and defined. “Forced Labor” means knowingly providing or obtaining the labor or services of a person:

- i. By threats of serious harm to, or physical restraint against, that person or another person;
- ii. 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
- iii. 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-

- i. 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
- ii. The abuse or threatened abuse of the legal process

“**Recruitment fees**” means fees of any type, including charges, costs, assessments, or other financial obligations, that are associated with the recruiting process, regardless of the time, manner, or location of imposition or collection of the fee.

- i. Recruitment fees include, but are not limited to, the following fees (when they are associated with the recruiting process) for-
  - a) Soliciting, identifying, considering, interviewing, referring, retaining, transferring, selecting, training, providing orientation to, skills testing, recommending, or placing employees or potential employees;
  - b) Advertising
  - c) Obtaining permanent or temporary labor certification, including any associated fees;
  - d) Processing applications and petitions;
  - e) Acquiring visas, including any associated fees;
  - f) Acquiring photographs and identity or immigration documents, such as passports, including any associated fees;
  - g) Accessing the job opportunity, including required medical examinations and immunizations; background, reference, and security clearance checks and examinations; and additional certifications;
  - h) An employer's recruiters, agents or attorneys, or other notary or legal fees;
  - i) Language interpretation or translation, arranging for or accompanying on travel, or providing other advice to employees or potential employees;
  - j) Government-mandated fees, such as border crossing fees, levies, or worker welfare funds;

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- ii. Transportation and subsistence costs-
  - a) While in transit, including, but not limited to, airfare or costs of other modes of transportation, terminal fees, and travel taxes associated with travel from the country of origin to the country of performance and the return journey upon the end of employment; and
  - b) From the airport or disembarkation point to the worksite;
  - c) Security deposits, bonds, and insurance; and
  - d) Equipment charges.
- iii. A recruitment fee, as described in the introductory text of this definition, is a recruitment fee, regardless of whether the payment is-
  - a) Paid in property or money;
  - b) Deducted from wages;
  - c) Paid back in wage or benefit concessions;
  - d) Paid back as a kickback, bribe, in-kind payment, free labor, tip, or tribute; or
- iv. Collected by an employer or a third party, whether licensed or unlicensed, including, but not limited to-
  - a) Agents;
  - b) Labor brokers;
  - c) Recruiters;
  - d) Staffing firms (including private employment and placement firms);
  - e) Subsidiaries/affiliates of the employer;
  - f) Any agent or employee of such entities; and
  - g) Subcontractors at all tiers.

**“Forced Labor”** means knowingly providing or obtaining the labor or services of a person:

- i. By threats of serious harm to, or physical restraint against, that person or another person;
- ii. 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
- iii. By means of the abuse or threatened abuse of law or the legal process.

**“Severe forms of trafficking in persons” means:**

- i. 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
- ii. 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.

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

“**Subcontract**” means any contract entered into by a subcontractor to furnish supplies or services for performance of a prime contract or a subcontract.

“**Subcontractor**” means any supplier, distributor, vendor, or firm that furnishes supplies or services to or for a prime contractor or another subcontractor.

#### 4. Work Steps

**Prevention:** The American Red Cross takes numerous preventative efforts to ensure the risk of trafficking is mitigated. These measures include:

*Recruiting and Wage Provisions:* The American Red Cross’s staff recruitment will comply with all internal policies and host country recruitment standards to combat trafficking in persons and trafficking-related activities. The American Red Cross will pay all personnel wages that meet applicable host-country legal requirements.

*Housing Provision:* The American Red Cross confirms that any housing or accommodation provisions meet host-country housing and safety standards.

*Subawards and Contracts:* Subawards and contracts under the applicable awards must include a provision prohibiting the conduct described in subsection (a) of the provision on Trafficking in Person of USAID’s Mandatory Standard Provisions for U.S. Nongovernmental Organizations, as amended.

Subrecipients will receive a copy of the applicable Compliance Policy and be bound to the same requirements as the American Red Cross. Prior to issuing any subawards exceeding an estimated value of \$500,000, the American Red Cross shall obtain from each subrecipient the certification required of a recipient under subsection (c) of provision Trafficking in Person of USAID’s Mandatory Standard Provisions for U.S. Nongovernmental Organizations, as amended.

Violations of these Compliance Procedures or the American Red Cross ISD’s Supplemental Safeguarding Policies and Procedures are grounds for the American Red Cross to take all appropriate actions, up to and including termination of the sub-award or the contract.

*Posting and Submission:* An award-specific compliance plan will be developed and submitted to the Agreement or Contract Officer. Relevant contents of the plan will be posted on the American Red Cross’s website. Upon completion of a contract, the American Red Cross will submit a certification to the Contracting Officer pursuant to FAR 52.222-50 (h) (5).

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**Awareness:** The American Red Cross ISD supports an awareness program to inform staff about the trafficking-related prohibitions described in the Supplemental Safeguarding Policy, the activities prohibited, and the action that will be taken against the staff member for violations. This awareness program includes:

- Prior to beginning employment with American Red Cross, individuals are required to certify that they have read and understand this Policy, as well as certify that they have read and will comply with the American Red Cross or IFRC Code of Business Ethics and Conduct, as applicable
- Conduct an annual policy refresher covering ISD safeguarding Policies, including Anti-Trafficking in Persons and other safeguarding measures.

**Reporting Process:** Red Cross ISD personnel and volunteers are required to report any trafficking in persons-related concerns, activities, or violations either to the American Red Cross Concern Connection Line or IFRC’s established safe line. **It is strongly recommended that a concern, observation, or suspected trafficking in persons violation is submitted to both the American Red Cross and the IFRC via the two platforms below:**

American Red Cross Connection Line	IFRC Integrity Line
<p>The American Red Cross Concern Connection Line is available 24/7:</p> <ul style="list-style-type: none"> <li>• By phone 1-888-309-9679 – report via a toll-free call</li> <li>• Report <a href="#">online</a></li> </ul>	<p>The IFRC Integrity Line is available 24/7:</p> <ul style="list-style-type: none"> <li>• Report online via <a href="https://ifrc.integrityline.org">https://ifrc.integrityline.org</a></li> <li>• Email <a href="mailto:speakup@ifrc.integrityline.org">speakup@ifrc.integrityline.org</a></li> <li>• Or call (<a href="#">Phone List</a>)</li> </ul>

In addition, any Red Cross staff, volunteers, or contractors who believe that they or others have been subjected to trafficking in persons-related situations may submit may contact the independent Global Human Trafficking Hotline at 1-844-888-FREE or via its email address at [help@befree.org](mailto:help@befree.org).

The American Red Cross expressly prohibits retaliation against anyone making protected disclosures, including intimidation, harassment or any other adverse action for reporting information in accordance with the Policy. Any personnel or volunteer who retaliates against an individual who has made a good faith report of alleged Trafficking in Persons (TIP), or who has cooperated in the investigation of such a matter, is subject to discipline, up to and including termination of employment or volunteer status. Any person who has made a report of suspected misconduct and who believes that he or she is the subject of retaliation should immediately report the retaliation using the reporting channels listed in section 4.2 of the [Whistleblower Protection Policy](#).

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Upon receipt of any credible information from any source, the American Red Cross will notify the designated Agreement Officer of the allegation if the allegation pertains to a program funded by a United States government entity. The American Red Cross is committed to investigating such allegations and taking appropriate remedial measures. In addition, the American Red Cross will fully cooperate with any United States federal government agencies responsible for audits, investigations, or corrective actions relating to trafficking in persons.

## 5. Enforcement Responsibility

ISD's Business Operations Unit is responsible for enforcement of the Anti-Trafficking Policy. ISD Business Operations shall work in consultation with Human Resources Advice and Counsel and Office of the General Counsel to monitor adherence and any need for revision.

## 6. Associated Documents

- [Procedure for Reporting Abuse and Neglect of Children and Vulnerable Adults](#)
- [Whistleblower Protection Policy](#)
- ISD Anti-Trafficking in Persons Policy

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