

2142: THE UNIVERSITY OF PENNSYLVANIA'S NOTICE REGARDING U.S. GOVERNMENT POLICY AGAINST HUMAN TRAFFICKING AND FORCED LABOR

The U.S. government has adopted a policy prohibiting human trafficking, sex trafficking, forced labor, and trafficking-related activities. As a recipient of federal funds from grants, cooperative agreements, and contracts (collectively, "awards"), the University of Pennsylvania is obligated to inform its employees, agents, independent contractors and subrecipients performing awards, regarding the U.S. government's policy. The University of Pennsylvania opposes human trafficking, sex trafficking, and forced labor, which are inherently harmful and contrary to the University's core values, and which may violate applicable foreign, U.S., state, and/or local laws.

What is Human Trafficking?

Human trafficking (or "trafficking in persons" as used in the U.S. government policy) includes the recruitment, harboring, transportation, provision, or obtaining of persons 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, and inducing a commercial sex act by force, fraud, or coercion, or in which the person induced to perform a commercial sex act is under 18 years old. (Definitions of other relevant terms used in the policy are set forth in the U.S. government's regulations implementing its policy, available at 2 C.F.R. § 175.15 for grants and cooperative agreements and 48 C.F.R. § 52.222-50 for federally-funded contracts.)

What is Prohibited?

The University, its employees, agents, and independent contractors, and its subrecipients of federal funds (and their respective employees), are prohibited from the following:

- Engaging in human trafficking 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;
- Using misleading or fraudulent practices about the recruitment process for work on a project outside the U.S., such as failing to disclose, in a format and language accessible to the potential worker, key terms and conditions of the engagement, 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 in the countries in which 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 his or her country of origin to work on the contract in another country; and
- Under certain circumstances, failing to supply return transportation, or payment for 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.

Responsibilities of the Principal Investigator or Project Director ("PI")

It is primarily the responsibility of the PI who receives the award to ensure compliance with the U.S. government policy and to take the actions outlined below. Specifically, the PI and his/her Business Administrator shall:

- Notify individuals working on the project of:
 - The U.S. Government's policy regarding trafficking in persons;
 - The actions that may be taken against individuals for violations of the policy, which may include, without limitation, removal from the award or other disciplinary action, up to and including termination of employment; and
 - The requirement to notify the University's Associate Vice President & Associate Vice Provost for Research Services or the University Institutional Compliance Officer immediately of any information received from any source (including host country law enforcement) that alleges an employee, agent, independent contractor, or subrecipient (or employee of such subrecipient) has engaged in, or may have engaged in, conduct that violates the policy.

In addition, if the federal award is a contract (i.e., not a grant or cooperative agreement), the PI and his/her Business Administrator also shall:

- Prior to engaging any non-U.S. citizen to work on the project outside the United States, contact Penn Global Support Services ("GSS"), your Human Resources contact person, and the University's Office of Research Services ("ORS") to ensure that recruitment, wages, and housing procedures are in accordance with the U.S. government's policy.

Compliance Plans

Federal law requires that an anti-trafficking compliance plan be in place for any federal contract and subcontract where supplies are acquired outside the United States, or services will be performed outside the United States, and the estimated value of the supplies and/or services outside of the United States exceeds \$500,000. For such contracts and subcontracts, the PI, with assistance from his/her Business Administrator and the University's Office of Research Services, is responsible for creating a compliance plan specific to the project and local circumstances that complies with the federal requirements. In

addition, the PI will be required to make annual certifications to research administration for the duration of the project, certifying that to the best of the PI's knowledge and belief, none of the employees, agents, independent contractors, or subcontractors has been engaged in human trafficking, 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. The University's Office of Research Services maintains a template Compliance Plan to assist PIs and Business Administrators develop any required plan tailored to the performance of the specific federal contract. The PI and his/her Business Administrator are responsible for sending the final, compliant Compliance Plan to the University Office of Research Services, and publicly posting the plan, if required by law or the award.

Reporting Resources

Always contact 911 or local law enforcement if you or someone else is in immediate danger. In addition, all University employees, agents and independent contractors must notify one of the following, if they become aware of any credible information alleging human trafficking, sex trafficking, forced labor, or other violations of the policy:

1-215-P-COMPLY (1-215-726-6759) or www.upenn.edu/215pcomply (the University's Reporting and Help Line)
University Associate Vice President & Associate Vice Provost for Research Services
Executive Director of Penn Global Support Services

The University prohibits retaliation against an individual who makes a good faith report of suspected wrongful conduct pursuant to this policy and notice.

For More Information

Individuals may contact the Global Human Trafficking Hotline at 1-844-888-FREE or help@befree.org. To read more about the U.S. government policy applicable to individuals working on grants and cooperative agreements, please review 22 U.S.C. §7104(g) and 2 CFR §175.15. To read more about the U.S. government policy applicable to individuals working on a federal contract, please review 48 CFR 52.222-50.