



Anti-Trafficking Compliance Plan

Context

The US Government has a zero-tolerance policy regarding any Government employees and recipient personnel and their subrecipients or agents engaging in any severe form of trafficking in persons, defined to mean the recruitment, harboring, transportation, provision or obtaining of a person for labor or services, using force, fraud, or coercion for the purpose of exploitation or the prostitution of others or other forms of sexual exploitation, forced labor or services, slavery or practices like slavery, servitude or the removal of organs.

Purpose

The purpose of this Plan is to demonstrate Counterpart's compliance with the Combating Trafficking in Persons requirements outlined in: *USAID Standard Provision M20, FAR 52.222-50 Combatting Trafficking in Person*, and FAR 52.222-56 Certification Regarding Trafficking in Persons Compliance Plan and to frame Counterpart's procedures and approach to prevent any prohibited activities under these Anti-Trafficking provisions. Counterpart International is opposed to human trafficking and forced labor in any form. It is committed to working to mitigate the risk of human trafficking and forced labor in all aspects of our operations.

Applicability

Counterpart must implement its Anti-Trafficking Compliance Plan in each instance under a Federally-funded award where the estimated value of services required to be performed outside of the United States exceeds \$550,000 under a USAID contract and \$500,000 under a USAID cooperative agreement or grant.

For each award, Counterpart must evaluate the complexity of the award and the nature and scope of the activities to determine whether the baseline plan outlined herein should be enhanced to adequately address risk. Factors such as the following should be considered: size and complexity of award; number of non-U.S. citizens to be employed; and the risk that the award will involve services or supplies susceptible to trafficking in persons.

Employee Awareness Program

Counterpart's awareness program is intended to inform its employees about trafficking-related prohibitions, the activities prohibited, and corrective actions that Counterpart may take in response to violations.

Counterpart provides training and awareness to its employees through the following:

- ❖ All Counterpart staff are required to read and acknowledge Counterpart's **Global Code of Conduct** at the initiation of employment as well as annually not later than September 30th each year.

Counterpart's **Global Code of Conduct** is found on the Human Resources portal page on Counterpart's Intranet. Counterpart's **Global Code of Conduct** includes the Code of Conduct for Protection from Sexual Exploitation and Abuse (PSEA) and Counterpart's Trafficking in Persons (TIP) Policy. All Counterpart staff world-wide, regardless of country of origin, are bound by the PSEA Code of Conduct and the TIP Policy. In addition, the **Global Code of Conduct** flows down to all staff members of subcontractors or subgrantees working with Counterpart on U.S. Government-funded programs through language included in their subcontracts and subgrants;

- ❖ Periodic training on Counterpart's Trafficking in Persons (TIP) Policy and the requirements of USAID's *Standard Provision M20 and Trafficking in Person and FAR Subpart 22.17 and 52.222-50(h)*.; and
- ❖ Periodic communication to all Counterpart staff, sent via email, reminding them of the process to report violations.
- ❖ Counterpart will post its Trafficking in Persons Compliance Plan on its website, Intranet and at all workplaces, except where the work is being performed in the field or not otherwise at a fixed location.

Additional awareness information about trafficking in persons may be found at the U.S. Department of State's Office to Monitor and Combat Trafficking in Persons website at <http://www.state.gov/j/tip>.

Reporting Process

Counterpart's reporting process allows employees, subrecipients and contractors to report, in good faith and without fear of retaliation, activity inconsistent with its policy prohibiting trafficking.

It is the responsibility of staff, subrecipients and contractors to report any violation that they or others have been subjected to (this person is known as "the Complainant"). The Complainant may be but does not need to be a victim or a witness to the alleged violation. The Complainant should inform his/her Chief of Party or go directly to the Arlington-based Human Resources staff or Compliance staff (both serving as PSEA "Focal Points"). If none of these options are acceptable to the Complainant, the Complainant may use the Counterpart Hotline to make an anonymous or non-anonymous report.

While it is the responsibility of any Counterpart staff, subrecipient and contractors to report suspected violations of the Anti-Trafficking Policy, it is not the Complainant's responsibility to determine whether the complaint is true. The Complainant will immediately be advised of the requirements of confidentiality during and following the investigation, and of any continuing role they will play in the complaint process. Counterpart will investigate all reports of violation of its Anti-Trafficking Policy, take appropriate action, and notify the required government agencies

Reporting Contact Information

- ❖ Counterpart's web-based whistleblower [hotline EthicsPoint](http://www.ethicspoint.com), which can be accessed at www.ethicspoint.com. Counterpart 24-hour Hotline: (USA) 1-888-475-2533 , or
- ❖ via email to whistleblower@counterpart.org, or
- ❖ Anyone in Human Resources or Grants, Contracts and Compliance

In addition to Counterpart's reporting mechanisms, employees may contact the Global Human Trafficking Hotline at 1-844-888-FREE or via its email address at help@befree.org.

Recruitment and Wage Plan

In situations when Counterpart uses recruitment companies, the following requirements apply:

- ❖ Counterpart may only use recruitment companies with trained employees;
- ❖ No recruitment fees may be charged to the candidates or employee; and
- ❖ All wages must meet applicable host-country legal requirements or explain any variance. Local national staff salaries and wages are set by the Chief of Party in each project office, with the review and oversight of the Senior Director of the Washington DC based Program Management Unit , and either meet or exceed local labor law. All employees are presented with a written employment agreement or contract in English and in the official language of that country as needed.
- ❖ Counterpart will provide or pay the cost of return transportation at the end of employment for any employee who is not a national of the country where the work took place and was brought into that country by Counterpart for purposes of working on a covered US Government contract or award.

Housing Plan

In situations that Counterpart provides or arrange housing for its employees, the housing plan must meet any host-country housing and safety standards.

Lower-tier compliance procedures

All Counterpart agreements with subrecipients, vendors, suppliers, contractors and consultants (collectively referred to as “lower-tier”) include flow down of all applicable clauses through language included in contract and grant agreements as required in USAID’s *Standard Provision M20 and Trafficking in Person and FAR Subpart 22.17 and 52.222-50(h)*.

Moreover, the language included in Counterpart’s lower-tier agreements requires the contractual party to confirm its understanding of and acknowledge that Counterpart shall have the right to terminate the agreement, without penalty, if the lower-tier party or its employees, or any of its lower-tier’s employees, engage in any of the following conduct during the period of the agreement: (1) Trafficking in persons (as defined in the Protocol to Prevent, Suppress, and Punish Trafficking in Persons, especially Women and Children, supplementing the UN Convention against Transnational Organized Crime); (2) Procurement of a commercial sex act; or (3) Use of forced labor in the performance of the agreement. If any lower-tier entity fails to comply with the requirements outlined in the agreement issued by Counterpart, Counterpart will take corrective action. Counterpart will determine whether to terminate, apply corrective measures or debar the violator from further funding from Counterpart.

For lower-tier agreements and contracts required to be performed under the award in which the value exceeds \$550,000 (federal contact) and \$500,000 (under a federal assistance award) and is performed outside of the United States, Counterpart requires the lower-tier awardee to implement a compliance plan to prevent trafficking in persons, as well as submit annually a certification of that plan.

Counterpart retains the right to unilaterally terminate any lower-tier agreement or contract for violations of trafficking prohibitions.

Monitor and Detection

Counterpart will make reasonable efforts to monitor and detect non-compliance with this plan through its awareness program.

Investigation and Notification

In the event of the receipt of credible information alleging the occurrence of prohibited human trafficking-related activity, Counterpart will:

- Conduct an investigation;
- Notify the donor. For USAID-funded projects, notification will include the Agreement Officer or Contracts Officer as well as the USAID Inspector General; and
- Take appropriate corrective and preventative action, up to and including the dismissal of Counterpart employees and termination of lower-tier agreements and contracts.