



Prohibition of Trafficking in Persons

Policy Type: Administrative
Responsible Office: VCU Human Resources
Initial Policy Approved: 07/16/2008
Current Revision Approved: 09/17/2015

Policy Statement and Purpose

In all federal contract activities to which Virginia Commonwealth University (VCU) is a party, the university complies with the *Federal Acquisition Regulation (FAR) for Combating Trafficking in Persons*, Subpart 22.17, in which “the United States Government has adopted a zero tolerance policy regarding trafficking in persons.”

In all federal assistance activities to which VCU is a party, the university complies with *Code of Federal Regulations*, Section 2, Part 175, “Trafficking in Persons.”

As a federal government contractor and recipient, VCU, its assigned contract employees, subcontractors, subrecipients, subcontractor employees and subrecipient employees are prohibited from the following activities:

- engaging in severe forms of trafficking in persons during the period of performance of the contract;
- procuring commercial sex acts during the period of performance of the contract; or
- using forced labor in the performance of the contract.

Noncompliance with this policy may result in disciplinary action up to and including termination of employment. VCU supports an environment free from retaliation. Retaliation is prohibited against any employee who brings forth a good faith concern, asks a clarifying question or participates in an investigation.

Table of Contents

Who Should Know This Policy.....	2
Definitions.....	2
Contacts.....	3
Procedures.....	3
Forms.....	4
Related Documents.....	4
Revision History.....	4

Who Should Know This Policy

All faculty and staff who work or may work on federal contracts, grants and cooperative agreements on behalf of VCU are responsible for knowing this policy and familiarizing themselves with its contents and provisions.

Definitions

Coercion

This term encompasses the following actions:

- threats of serious harm to or physical restraint against any person;
- 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
- the abuse or threatened abuse of the legal process.

Commercial Sex Act

This term refers to any sex act on account of which anything of value is given to or received by any person.

Debt Bondage

This term refers to 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 limited and defined.

Employee

This person is an employee of the contractor (VCU) directly engaged in the performance of work under the contract who has other than a minimal impact or involvement in contract performance.

Involuntary Servitude

This term includes a condition of servitude induced by means of:

- 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, he/she or another person would suffer serious harm or physical restraint; or
- the abuse or threatened abuse of the legal process.

Severe Forms of Trafficking in Persons

This term encompasses the following actions:

- 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
- 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.

Sex Trafficking

This action includes the recruitment, harboring, transportation, provision or obtaining of a person for the purpose of a commercial sex act.

Subcontractor

This term refers to a firm and its employees or an individual contracted to provide goods and or services for VCU.

Subrecipient

This term refers to a non-federal entity that expends federal awards received from a pass-through entity to carry out a federal program

Contacts

VCU Human Resources, in conjunction with the Office of the Provost and Vice President for Academic Affairs and the Office of Sponsored Programs, officially interprets this policy and is responsible for obtaining approval for any revisions as required by the policy *Creating and Maintaining Policies and Procedures* through the appropriate governance structures. Please direct policy questions to VCU Human Resources.

Policy Specifics and Procedures

- 1. Notification:** VCU shall notify its employees, subcontractors and subrecipients of the United States government's zero tolerance policy and prohibited activities described above and the actions that may be taken against them for violations as described below by means of this policy.
- 2. Reporting Possible Violations:** Possible violations of this policy should be referred to VCU Human Resources, which will coordinate with the Office of the Provost and Vice President for Academic Affairs for faculty and other offices as appropriate.

Violation of any of the above-mentioned prohibitions may subject an employee to actions that include, but are not limited to, removal from the contract, grant or cooperative agreement and/or disciplinary action in accordance with the *Commonwealth of Virginia Standards of Conduct*, the *VCU Rules and Procedures*, the *VCU Promotion and Tenure Policies and Procedures*, the *University Policy for Administrative and Professional Faculty and Faculty Holding Administrative Appointments* and/or any other applicable university procedure. Remedies for violations of any of the foregoing prohibitions by subcontractors and subrecipients shall be as specified in the agreement between VCU and the subcontractor or subrecipient.

Forms

There are no forms associated with this policy and procedures.

Related Documents

1. Commonwealth of Virginia Standards of Conduct
http://www.dhrm.virginia.gov/docs/default-source/hrpolicy/pol1_60.pdf?sfvrsn=2
2. VCU Rules and Procedures
<http://www.policy.vcu.edu/sites/default/files/Rules%20and%20Procedures.pdf>
3. VCU Promotion and Tenure Policies and Procedures
http://www.policy.vcu.edu/sites/default/files/Faculty%20Promotion%20and%20Tenure%20Policies%20and%20Procedures_0.pdf
4. University Policy for Administrative and Professional Faculty and Faculty Holding Administrative Appointments
http://www.policy.vcu.edu/sites/default/files/University%20Policy%20for%20Administrative%20and%20Professional%20Faculty%20and%20Faculty%20Holding%20Administrative%20Appointments_0.pdf

Revision History

This policy supersedes the following archived policies:

July 16, 2008	<i>Prohibition of Trafficking in Persons</i>
August 21, 2012	<i>Prohibition of Trafficking in Persons</i>
September 17, 2015	<i>Prohibition of Trafficking in Persons</i>

FAQs

There are no FAQs associated with this policy and procedures.