



<b>WS 18-15</b>
<b>August 13, 2018</b>
<b>Basic &amp; Expanded Service</b>
<b>Expires: Continuing</b>

To: All Contractors

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Subject: Serving Victims of Human Trafficking

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## Purpose

Guidance on service to victims of human trafficking.

**This issuance replaces WS 16-14 Serving Victims of Human Trafficking.**

## Background

Workforce Solutions helps victims of human trafficking find and enter good jobs.

Victims of human trafficking are individuals who meet the definition under section 103(8) of the Trafficking Victims Protection Act.

(A) 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

(B) 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.

This issuance provides basic guidance on recognizing victims, connecting them to victims' service agencies and resources, and providing Workforce Solutions service.

## Process

1. **Recognize the characteristics of victims of trafficking.** To help Workforce Solutions staff identify and assist victims of trafficking, the [U.S. Department of Labor](#) makes resources available that outline the characteristics of potential victims of trafficking as well as tools and information provided by the U. S. [Department of Homeland Security](#).

These resources include “Characteristics of Potential Human Trafficking”, Trafficking Hotline information and other federal and national hotlines.

**Workforce Solutions has also created an online e-learning course about human trafficking.**

**All staff must take the [Human Trafficking eLearning course](#) by September 30, 2018. The course will become part of the annual training requirements for all staff.**

Attachment 1 has more information on recognizing victims.

2. **Contact law enforcement and victims’ support agencies.** If an individual is in immediate danger, contact local law enforcement.

If assistance outside the office’s capability is necessary, contact victims’ support agencies to connect the customer.

When victims of human trafficking come to an office before working with law enforcement or other agencies, staff can refer to local law enforcement and victims service agencies for initial support.

Staff may use the guide published by the U.S. Department of Health and Human Services titled: “[Services Available to Victims of Human Trafficking: A Resource Guide for Social Service Providers](#)” or call the National Human Trafficking Resource Center at 1-888-373-7888.

Attachment 2 includes hotlines for reporting suspected trafficking and getting assistance for victims.

3. **Provide high-quality service.** As with any customer, tailor or adapt service to match that customer’s needs. For example, trafficking victims may have limited English speaking ability, criminal records, limited work experience, and/or may lack housing and transportation.

We expect that most of these customers will come into an office after working with law enforcement and other support organizations and agencies.

Make sure that you are aware of and can integrate wraparound service from organizations outside Workforce Solutions to help customers go to work.

4. **A customer who is a victim of trafficking is automatically eligible for financial aid paid with Workforce Innovation and Opportunity Act (WIOA) funds. The documents listed below support the customer's attestation she is a victim of trafficking.**

**The customer may give us one or more of these documents or may self-attest she is a victim of trafficking if she does not have one of the following documents available. The customer must give us one of these documents within 90 calendar days from the application date.**

- **A letter of certification issued by the U.S. Department of Health and Human Services (HHS) to an individual who is 18 years old or older and whose circumstance meets the definition of "severe forms of trafficking in persons"**
- **A letter of eligibility issued by HHS to minors (that is, individuals younger than age 18) who are victims of trafficking**
- **An approved T Visa from the U.S. Department of Homeland Security. Some human trafficking victims receive T visas (also known as I-914s) to stay in the United States and help with the investigation and prosecution of human trafficking networks. T visas are not listed on the federal Employment Eligibility Verification form (I-9), which lists the documents for identity and the right to work; however, T visas are issued at the same time as the federal Employment Authorization Document (I-766), and the I-766 is listed on the I-9.**

## Action

1. Ensure managers, supervisors and staff are aware of the information in this issuance.
2. At each office, make sure supervisors and staff know how to get assistance when working with a customer who is a victim of human trafficking or when suspecting that a customer is a victim.
3. Make sure supervisors and staff have the information in the attachments to this issuance.
4. **Ensure all staff take the [Human Trafficking eLearning course](#) by September 30, 2018.**

## Questions

Staff should ask questions of their supervisors first. Direct questions for Board staff through the electronic [Issuance Q&A](#).

## Attachments

- 1: [Characteristics of Potential Victims of Trafficking](#)
- 2: [Serving Victims of Human Trafficking Desk Aid](#)
- 3: [Hotlines](#)

# Issuance 18-15 Serving Victims of Human Trafficking

## Attachment 1

### **Characteristics of Potential Victims of Trafficking**

The information on this page lists some warning signs that trafficking may be taking place. The presence of any of these signs should be taken seriously and may indicate that trafficking is occurring. These warnings signs are based on the Department of Homeland Security's Blue Campaign Human Trafficking Indicators card.

However, Workforce Solutions staff are not expected to, or may not be able to, identify these signs.

More tools and information are available from DHS at: [www.dhs.gov/human-trafficking-blue-campaign-toolkit](http://www.dhs.gov/human-trafficking-blue-campaign-toolkit)

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### **Warning Signs that Trafficking may have Occurred:**

- The potential victim does not possess identification and/or travel documents.
- The potential victim appears to be coached on what to say to law enforcement and immigration officials.
- The potential victim was recruited for one purpose and forced to engage in some other job.
- The potential victim's salary appears to be being garnished to pay off a smuggling fee. (Note: Paying off a smuggling fee alone is not considered trafficking.)
- The potential victim appears to have been forced to perform sexual acts.
- The potential victim does not appear to have freedom of movement.
- The potential victim and/or his or her family have been threatened with harm if the victim attempts to escape.
- The potential victim has been threatened with deportation or law enforcement action.
- The potential victim has been harmed or deprived of food, water, sleep, medical care, and/or other life necessities.
- The potential victim cannot freely contact friends or family.
- The potential victim is a juvenile engaged in commercial sex.
- The potential victim is not allowed to socialize or attend religious services.

# Issuance 18-15 Serving Victims of Human Trafficking

## Attachment 2 - Desk Aid

Workforce Solutions can serve individuals who are victims of human trafficking in the Gulf Coast area.

1. For any customer requesting employment assistance, we:
  - a. Provide a brief description of Workforce Solutions' service and resources
  - b. Discuss what the customer wants and needs from Workforce Solutions; develop a Job Search Map or employment plan if appropriate.
  - c. Create a Work-In-Texas application for the customer, offer guidance on job search, provide referrals to open jobs
  - d. Discuss any needs for financial aid
  - e. Document services as appropriate in Work-In-Texas and TWIST
  - f. Update the customer's homeless status in TWIST (located in the "Characteristics" tab under "Intake Common").
2. If a customer identifies herself to be a victim of human trafficking:
  - a. Using discretion, refer the customer to the Human Trafficking Hotline at 888-373-7888 or to local agency that will help individuals who are victims of trafficking. A good local resource is to initiate services is the Greater Houston YMCA.
    - Make phone calls on behalf of the customer
    - Answer questions if you can
    - If you can't, find someone who can, or lead the customer to the right resource
  - b. Provide employment and training assistance only when they are ready to start work or got to school.
  - c. Customers who are victims of human trafficking who are working with a local agency (see 2.a. above) may request financial aid for help with job search. Refer to [Financial Aid Limits by Type of Assistance](#) chart.
3. Customers must complete a financial aid application and provide documents to satisfy eligible to work status. Individuals who are victims of human trafficking may not have all the documents we require to support eligibility. We should help customers obtain appropriate documents if necessary.
  - a. Document the customer's self-certification of the missing documents in TWIST counselor notes
  - b. Include action items in the customer's TWIST service plan to obtain the appropriate documents within 90 days
  - c. If we do not receive the appropriate eligibility documents within 90 days, staff will reassess the customer's situation and then make a decision on whether to close the customer's TWIST record

4. Be sure to fully assess the customer's workforce needs and provide service as appropriate. Many of these customers have skills and experience and may need additional assistance to remove employment challenges and regain their confidence.
  - a. Discover new or hidden employment opportunities using job development techniques
  - b. Refer customers to job readiness seminars to help them improve computer literacy skills, develop resumes and sharpen interviewing skills
  - c. Offer work-based learning opportunities (e.g. on-the-job training, work experience) to help customers develop employability and technical job skills.
  - d. When necessary, contact a navigator or a shelter directly to advocate for a customer to job search and/or work past curfew.

#### *Tracking*

- Update the customer's homeless status in TWIST, located in the "Characteristics" tab under "Intake Common"
- Track services and enter counselor notes as appropriate

#### **RESERVED – Instructions for Coordination and Tracking Units**

We will issue desk aid instructions for coordination and tracking in the near future.

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## Attachment 3: Hotlines

**Human Trafficking** is a crime involving the exploitation of someone for the purposes of compelled labor or a commercial sex act through the use of force, fraud, or coercion. Where a person younger than 18 is induced to perform a commercial sex act, it is a crime regardless of whether there is any force, fraud, or coercion. Victims can be anyone from around the world or right next door: women and men, adults and children, citizens and noncitizens alike.

1. In an emergency, call 911
2. Call the National Human Trafficking Resource Center at **1-888-3737-888** to:
  - ✓ **GET HELP** and connect with a service provider in your area;
  - ✓ **REPORT A TIP** with information on potential human trafficking activity; or
  - ✓ **LEARN MORE** by requesting training, technical assistance, or resources.

The National Human Trafficking Resource Center (NHTRC) is a national, toll-free hotline answering calls from anywhere in the country, 24 hours a day, 7 days a week, every day of the year. The NHTRC is not a law enforcement or immigration authority and is operated by a nongovernmental organization funded by the U.S. government.

3. Call federal law enforcement directly to report suspected human trafficking activity and get help:
  - U.S. Department of Homeland Security at **1-866-347-2423** 24 hours a day, 7 days a week, every day of the year, or submit a tip [online](#).
  - Individuals across the world can report suspicious criminal activity to the U.S. Immigration and Customs Enforcement (ICE) Homeland Security Investigations (HSI) Tip Line. The Tip Line is accessible internationally by calling **1-802-872-6199**. Highly trained specialists take reports from both the public and law enforcement agencies on more than 400 laws enforced by ICE HSI, including those related to human trafficking.
  - U.S. Department of Justice Trafficking in Persons and Worker Exploitation Task Force Complaint Line at **1-888-428-7581** (voice and TTY) from 9:00am to 5:00pm (EST). Individuals can report incidents of trafficking to this hotline. You may also submit a tip to the [FBI tip hotline](#), or call your local [FBI office](#).

4. Report suspected child prostitution activity to the [CyberTipline](#):

The National Center for Missing & Exploited Children, at **1-800-THE-LOST** or **www.cybertipline.com**, 24 hours a day, 7 days a week. The Congressionally-authorized [CyberTipline](#) is operated by a nongovernmental organization and provides a means for reporting crimes against children and is staffed 24 hours a day, 7 days a week.

5. Additional resources include:

- U.S. Department of Labor, Wage and Hour Division at **1-866-4USWAGE (1-866-487-9243)** for cases where labor exploitation may be present but does not rise to the threshold of trafficking.
- U.S. Department of Labor [OIG Hotline](#) at 1-202-693-6999 or 1-800-347-3756 24 hours a day, 7 days a week to report allegations of trafficking committed through fraud in DOL programs, including, but not limited to, the H-1B, H-2A, H-2B, and PERM. When filing an OIG Hotline complaint, it is not necessary to provide names or any other identifying information.
- Equal Employment Opportunity Commission (EEOC) at **1-800-669-4000** from 7:00am to 8:00pm (Eastern Time Zone) for information about how workers, including trafficking victims, can file a charge of employment discrimination.