

# LABOR TRAFFICKING PROTOCOL GUIDELINES

Identifying and Responding to  
Victims of Labor Trafficking  
24 Years Old and Under

The Labor Trafficking Protocol Guidelines are designed to help communities throughout Minnesota successfully identify and respond to victims of labor trafficking, especially youth 24 years old and younger.

The protocol guidelines are based on information collected from over 100 professionals and trafficking experts throughout Minnesota and reflect the needs of rural, suburban, and urban communities in addressing labor trafficking.

## What is Labor Trafficking?

Labor trafficking occurs when an employer compels or tricks a workers into involuntary labor. It occurs most often in industries where workers are itinerant or isolated, or where the industry is fissured or illegal. Involuntary labor typically takes place in abusive conditions, such as unsafe work environments, long hours without breaks, or work without pay.

Methods of control vary from case to case. Traffickers may use violence, physical abuse, sexual assault, denial of food, water, medical care and other necessities to inflict serious bodily harm on the victim or the victim's family and friends. Traffickers may also engage in non-physical coercion and manipulation, often threatening to report victims to immigration or law enforcement.

Youth are at an especially high risk for trafficking for several reasons. First, youth frequently lack the experience and knowledge to recognize abusive employment practices and suspicious job offers. Second, youth face challenges securing well-paid work, both because of legal restrictions and because they lack work experience and advanced education.

Victims of labor trafficking very rarely come forward on their own, both because they fear retaliation by the trafficker and because they do not know that they are victims of a crime. The fact that victims rarely report this crime makes it especially important for the people they encounter to recognize the signs of labor trafficking and know how to respond.

## Who Should Use the Protocol?

### Trusted organizations:

Faith communities, immigrant and minorities leaders, libraries, neighborhood centers, homeless and runaway youth organizations, schools, worker/labor organizers

### Service providers and government agencies:

Law enforcement, health care, housing providers, legal aid, child protection, adult protection, county social services, labor enforcement agencies, workforce centers

### Organizations where trafficking may be present:

Transit companies, code compliance inspectors, public health officials, industry-specific groups such as labor unions, and agricultural extension services

# Content Overview

**Section 1: Background** provides key information for individuals and organizations wanting to understand the definitions of labor trafficking and how it occurs.

**Section 2: Universal Protocol** contains information that should be reviewed by anyone who may interact with victims of labor trafficking or who would like to learn more about the multiple components to a comprehensive response to labor trafficking, centered on protecting victims.

To respond effectively, all sectors must be actively involved, and communities must understand who they should contact if they suspect labor trafficking. The Universal Protocol provides an overview of which organizations and agencies may need to be involved in a response, as well as guidance on prevention, identification, confidentiality, and special considerations for victims who are minors, foreign nationals, or vulnerable adults.

Minnesota's unique context may place a greater burden on organizations and agencies to implement the protocol guidelines. Many government services are decentralized, with elected county and city officials exerting substantial control over agency policies and practices and affecting the conduct of law enforcement, child protection, adult protection, social welfare services, education, and other sectors. This allows policies to be responsive to local conditions, but also requires organizations and agencies implementing the protocol to investigate who is best placed to serve labor trafficking victims at the local level and the process their community will follow. **Section 3: Protocol Implementation Worksheet** provides an easy-to-use tool to help communities plan their response to labor trafficking.

As part of the development of this protocol, there were several types of organizations and agencies that were identified as regularly interacting with – or having the potential to regularly interact with – victims of labor trafficking. **Section 4: Sector-Specific Protocols** includes detailed guidelines and best practices for these sectors. These chapters are designed to be used in conjunction with the Universal Protocol Section. The Sector-Specific Protocols do not include chapters for every sector that may interact with trafficking victims; all sectors should refer to the Universal Protocol for guidance.

**Section 5: Recommendations** includes suggested changes in law and practice for policymakers, government agencies, and funders to improve Minnesota's response to youth victims of labor trafficking.

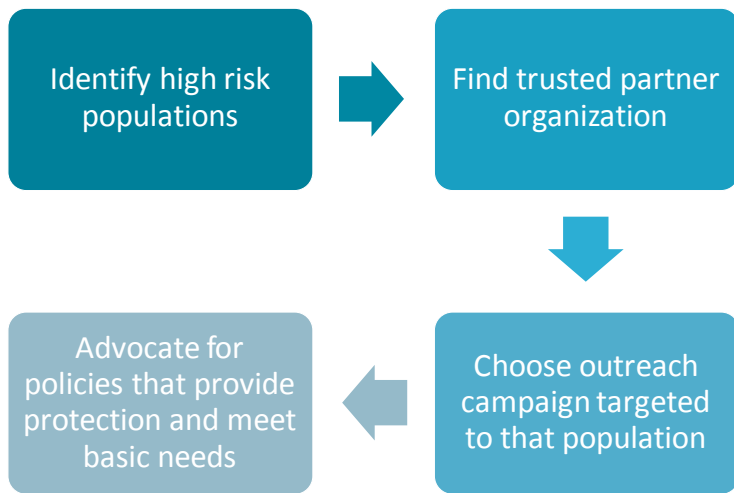
**Section 6: Appendices** provides a detailed list of federal and state statutes related to labor trafficking, a directory of Minnesota labor trafficking service providers, a list of key resources, materials for trafficking victims, and a sample of the survey that was developed to research existing services for labor trafficking victims.



# Key Topics

## Collaboration

Multi-disciplinary teams are recognized around the world as a best-practice response to human trafficking, and can result in increased victim reporting, cooperation, and satisfaction with services and the criminal justice system. The guidelines provide key considerations for communities creating a collaborative response to labor trafficking.



## Prevention

Labor trafficking is driven by two primary factors: a population of workers vulnerable to exploitation and businesses seeking to maximize profits without taking into account the treatment of workers who perform the labor. The guidelines discuss three key prevention strategies: **outreach and education** in high risk communities, **increased enforcement of laws** against trafficking, and **address root causes** by reducing the demand for cheap labor and enacting policies that protect human rights for all poverty.

## Identification

Connecting victims with people trained and equipped with the tools to recognize and respond to labor trafficking is essential for successful identification. Organizations should choose the level of assessment that best fits the services they provide.

1. Is someone holding your personal documents for you?  
*I.D., passport, or papers*

2. Does someone else control the decisions you make about your life?  
*Where you go; where you live; who you talk to; when you see your family; whether you take breaks at work; whether you work when you are sick or injured; or how you spend your money*

3. Do you owe money to your boss, the person who hired you, or the person who helped you find the job?  
*Money is taken directly from your pay to cover a debt or for travel; the amount you owe increases; or the amount you owe does not decrease*

4. Are you receiving all your pay?  
*Not paid at all; not paid on time; not paid as promised; or paid in housing, food, or other things*

5. Are you afraid something bad will happen to you or someone else if you leave your work?

**IF YOU OR ANYONE YOU KNOW ANSWERED YES TO ANY OF THESE QUESTIONS, CONTACT THE NATIONAL HUMAN TRAFFICKING HOTLINE TO GET HELP NOW.**

**YOU CAN GET HELP WITHOUT FEARING YOU WILL BE ARRESTED OR DEPORTED.**

## Protecting and Supporting Victims

At the core of a victim-centered approach is responding to the victim's needs and concerns. After being identified as a victim or leaving a trafficking situation, victims of labor trafficking may have many immediate needs. These needs may include: **safety, victim advocacy, housing, transportation, legal services, physical and mental health care, education, and employment.**

The protocol also includes best practices for work with special populations including: **victims under age 18, vulnerable adults, and foreign nationals.**

# Key Topics

## Offender Accountability

Labor trafficking is a crime and it frequently involves exploitative acts that violate employment laws and other civil protections. As a result, traffickers can face criminal investigations and prosecutions involving local, state, and federal law enforcement and prosecutors. In addition, government agencies that enforce employment laws can impose financial penalties and recover lost wages for victims. Victims can also file civil lawsuits for financial compensation and damages. Criminal, administrative, and civil penalties can all be pursued based on the trafficking situation. The protocol guidelines presents key considerations for anyone working with labor trafficking victims when pursuing criminal or civil justice.

# Planning Tools

The protocol guidelines provide templates and checklists for organizations and communities to use when planning their response to labor trafficking.

### CHECKLIST FOR WORKING WITH LABOR TRAFFICKING VICTIMS

- I am a community-based victim advocate.
- I have disclosed to the victim what I can do for them. I have also disclosed to the victim what the victim shares with them.
- The victim and I have discussed if there are any other organizations that can assist them.
- The victim and I have prepared or updated a plan of action.
- The victim and I have discussed their needs:
  - Housing
  - Transportation
  - Legal needs
  - Physical health
  - Mental health
  - Education
  - Employment
- I have reviewed the following sections of the protocol:
  - Working with community-based victim advocates
  - Working with law enforcement
  - Working with prosecutors
  - Working with courts
- I have reviewed and discussed potential risks with organization or individual.
- I have discussed with the victim whether relief or remedies and what impact there will be.
- If I have questions, I have consulted with my supervisor.
- Other considerations specific to this victim.

### VICTIM SERVICE ORGANIZATION

Organization Name:	Eligibility	Experience working with trafficking or victims of trauma	Willingness and ability to serve	Confidentiality
Address:	Age	Extensive	Resources type available	
Phone:	Gender	Some	Willing but limited resources	
Contact Person:	Immigration status	Very limited	Unwilling – no resources	
Contact Email:	Income	None	Unwilling – no resources	
Contact Phone:	Other	Wants training	Wants to be part of collaborative response	

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### IDENTIFY RESOURCES TO MEET VICTIM NEEDS

Call local organizations and ask if they have resources to assist victims of labor trafficking. Confirm any eligibility restrictions and determine their policies on confidentiality. Fill out the Victim Service Organization table for every organization contacted. Use that information to answer the following questions:

- Have you identified organizations that can meet the following needs? Indicate who should be the first point of contact for each need.

Victim Advocacy	
Case Management	
Housing	
Emergency	
Transitional	
Long-term Supportive	
Permanent	
Transportation	
Legal Services	
Physical Health Care	
Mental Health Care	
Education	
Employment	
Language Access	

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