Guidance Memo: Combatting Trafficking in Persons

**Responsible Office:** Sponsored Programs Administration

**Responsible Officer (title only):** Associate Vice President for Research and Sponsored Programs

**Contact Person:**Dara Little, Associate Vice President for Research and Sponsored Programs

**Initial Date:** 4/17/2025

**Review Date:**

**Revision Date:**

**University Policy Reference:**Combatting Trafficking in Persons

# Purpose

The U.S. government and the state of Illinois have adopted laws prohibiting trafficking in persons, sex trafficking, forced labor and trafficking-related activities. This guidance is intended to explain NIU’s obligations to comply with this prohibition as it relates to federal funds and is specific to allegations associated with sponsored awards.

# Definitions

Human Trafficking: The act of recruiting, harboring, transporting, providing or obtaining a person for labor services or commercial sex acts through force, fraud, or coercion for the purpose of exploitation, 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 additional terms used in the federal policy can be found at 2 CFR 175.15 and 48 CFR 52.222-50.

## Guidance and Procedures

NIU has a responsibility to fully comply with its obligations in federal investigations into allegations of human trafficking.

Fully complying requires:

* Disclosing to the contracting officer with authority over an applicable federal award and the applicable federal agency Inspector General information sufficient to identify the nature and extent of an alleged offense and the persons allegedly responsible for the activity and disclose when the University has taken action against any such University employee, subcontractor or subcontractor employee pursuant to this policy.
* Providing timely and complete responses to federal government auditors’ and investigators’ requests for documents.
* Cooperating fully in providing reasonable access to facilities and staff (both inside and outside the United States) to allow contracting agencies and other responsible federal agencies to conduct audits, investigations or other actions to determine compliance with the Trafficking Victims Protection Act of 2000 (22 U.S.C ch. 78), E.O. 13627, or any other applicable law or regulation establishing restrictions on trafficking in persons, the procurement of commercial sex acts, or the use of forced labor.
* Protecting all University employees suspected of being victims of or witnesses to prohibited activities prior to returning to the country from which the employee was recruited and shall not prevent or hinder the ability of these employees from cooperating fully with government authorities.

NIU is obligated to inform the federal Contracting Officer and Inspector General of any credible information, from any source, that alleges an employee, agent or subcontractor has engaged in an activity that violates the ten prohibited actions outlined above.

**Any NIU department or unit that becomes aware of the occurrence of any prohibited actions related to a sponsored award must notify Sponsored Programs Administration.** SPA will evaluate the disclosure with the unit and applicable institutional offices (including, but not limited to, Ethics and Compliance and Office of General Counsel) and coordinate agency notifications as required under the award.

### Certification and Compliance Plan – Certain Federal Contracts and Awards >$550,000

Federally funded contracts and awards for supplies, other than commercially available off-the-shelf items, to be acquired outside the Unites States or services to be performed outside the United States exceeding $550,000 require a compliance plan and execution of a certification related to human trafficking.

If such a plan is necessary, SPA will work with the NIU Ethics and Compliance Office and other university offices as necessary to develop the plan to certify compliance with this requirement. Compliance requires annual certification.

The plan must include the following:

* An awareness program to inform all employees, agents and subcontractors engaged in the performance of work under the contract at all project tiers and dollar values of (1) the U.S. Government’s policies prohibiting human trafficking and trafficking-related activities; (2) the prohibited activities; and (3) the disciplinary actions that may result from individuals acting in violation of the policy.
* Reporting resources and processes for employees to report suspected violations of the policy, without fear of retaliation, including a means to make available to all employees the hotline phone number of the Global Human Trafficking Hotline at 1-844-888-FREE and its email address at [help@befree.org](mailto:help@befree.org).
* A recruitment and wage plan that requires partnership with recruitment companies that have trained employees, prohibits charging recruitment fees to the employee or potential employee, and ensures wages meet applicable host-country legal requirements.
* A housing plan, if the university or subcontractor intends to provide or arrange housing, that ensures that the housing meets host-country housing and safety standards.
* Procedures to prevent agents and subcontractors at all project tiers and dollar values from engaging in human trafficking and trafficking-related activities and to monitor, detect, and terminate any employees, agents or subcontractors who have engaged in such activities. 48 CFR.52.222-50 (h)
* Be appropriate relative to the size and complexity of the federal contract and the nature and scope of the activities the University is performing for the federal government.

Annual certification must include confirmation that NIU has:

* Implemented a compliance plan to prevent any prohibited activities and to monitor, detect and terminate any agent, subcontract or subcontractor engaging in prohibited activities; and
* After having conducted due diligence, to the best of the University’s knowledge and belief, neither it nor any of its agents, subcontractors or their agents is engaged in any such activities, or
* If abuses relating to any of the prohibited activities have been found, the University or subcontractor has taken appropriate remedial and referral actions.

Sponsored Programs will notify subrecipients of the policy and related requirements by flowing down the requirements of 2 CFR 175.15 or FAR 52.222-50 in all in subawards, subcontracts and contracts with agents as applicable. The requirements of these federal regulations only apply to portions of a subcontract that is for supplies, other than commercially available off-the-shelf items, to be acquired outside the United States or services to be performed outside the United States if the estimated contract value exceeds $550,000.

# Reporting Suspected Human Trafficking

Emergencies: If you are aware of an emergency threatening the health or safety of another individual, or of the commission of a crime, please call 911 immediately.

Non-Emergencies: USA students, faculty and staff should contact the NIU Department of Human Resources at 815-753- 6000 or [humanresources@niu.edu](mailto:humanresources@niu.edu).