



PROTECTIONS AGAINST TRAFFICKING IN PERSONS

Sample Facilities Services Supply Chain Due Diligence Process

This document provides an overview of the processes a company could implement to identify where risks of human trafficking are present within its supply chains; to address identified issues; to implement enduring solutions; and to monitor supplier performance over time.

It describes the fundamental systems approach to risk management (increasingly known as “due diligence” and described by the UN Guiding Principles on Business and Human Rights, and the OECD Due Diligence Guidance for Responsible Business Conduct)¹.

The specific processes a company needs to put in place will depend on the size and complexity of the company’s supply chain and its inherent risks, and particular legal or other obligations that may apply. Companies may want to manage the processes entirely in-house or may choose to outsource some (e.g., audits) or all processes to specialized third parties. This document simply provides the underlying principles to follow and does not attempt to ensure compliance with any applicable legal requirements, such as the U.S. Federal Acquisition Regulation (FAR): Combating Trafficking in Persons.

INTRODUCTION AND SCOPE

<Company Name> stakeholders expect that it is known where the products and services that are sold or used by the business are fairly and ethically sourced and that human trafficking and other labor abuses are not present in its supply chain. Having a robust approach for evaluating and improving supplier social responsibility practices and performance will:

- effectively manage risks to workers in our supply chain
- help ensure compliance with all applicable social responsibility laws, regulatory requirements and customer requirements, including those addressing human

¹ [Guiding Principles for Business and Human Rights: Implementing the United Nations “Protect, Respect and Remedy” Framework | UN Global Compact](#) and [Due Diligence - Organisation for Economic Co-operation and Development \(oecd.org\)](#)

trafficking

- provide transparency for our customers, partners, the public, and other stakeholders
- ensure <Company Name> Supplier Code of Conduct requirements are upheld, and
- protect our company's brand and reputation

This supply chain due diligence process applies to all <Company Name> business activities and provides the framework to verify that suppliers are conforming to both the <Company Name> Supplier Code of Conduct standards and applicable legal requirements.

This document should be read in conjunction with Attachment 1, Supply Chain Due Diligence Process Flowchart, and the <Company Name> Supplier Code of Conduct.

OBJECTIVES

<Company name> strives to deliver quality products and services to our customers, but not at the expense of the welfare of workers anywhere in our supply chain. We will therefore:

- seek to ensure that products and services delivered to customers or used in our business are sourced from suppliers and business partners that share our commitment to worker welfare and eradicating all forms of human trafficking in their operations and supply chains
- establish a consistent process for engaging with our suppliers to ensure that they meet or exceed minimum Code requirements and legal standards
- define <Company name> roles, responsibilities and accountabilities for supply chain due diligence
- embed human rights in our procurement business processes and practices
- enable <Company name> to achieve its supply chain social responsibility objectives and targets
- implement control procedures to prevent and mitigate supply chain human rights risks and impacts
- provide training and capacity building for <insert company name> and suppliers on effective implementation of risk controls
- routinely monitor the human rights performance of our suppliers, and
- establish a transparent process for reporting <Company Name> supply chain human rights risks and progress in achieving conformance with human rights

Code and legal requirements

IMPLEMENTATION

General Obligations

<Company Name> senior management shall ensure that responsibilities are assigned, and processes and programs are planned and implemented to ensure:

- i. all existing and new suppliers formally declare that they will comply with the <Company Name> Supplier Code of Conduct and all applicable legal requirements.
- ii. new and existing suppliers go through risk screening (type of goods or services provided, country of operation, etc.) to identify potential human trafficking and other social responsibility risks and impacts.
- iii. where screening identifies potential social responsibility risks, those suppliers and subcontractors complete and submit self-assessments using the <Company name> Supplier Self-Assessment Questionnaire.
- iv. those suppliers and subcontractors with identified social responsibility risks by self-assessment will undergo an on-site assessment (audit) and remediate all identified serious human rights risks and management system nonconformances prior to:
 - a) approval as a supplier to <Company name>,
 - b) renewal of existing contracts, or
 - c) placing new orders.
- v. <Company Name> monitors supplier social responsibility performance on an ongoing basis and works cooperatively with them to ensure that they meet applicable legal requirements and the ethical workplace standards set out in the <Company Name> Supplier Code of Conduct and that any noncompliances identified during the term of the contract are immediately and effectively addressed.

Attachment 1 provides a visual overview of the Supply Chain Due Diligence Process.

Supplier Identification and Declarations

- i. The <Position Title> is responsible for mapping the Company's supply chain by identifying all current suppliers and determining the nature and scale of the supply of good and services according to:
 - Type of product or service
 - Location of the supplier (i.e., country)

- Contractual relationship (i.e., sourced via a third party; direct from a production site; service provider)
- Contract value (revenue, length of engagement, etc.)
- ii. Compliance with the requirements of the <Company Name> Supplier Code of Conduct and with all applicable human trafficking and social responsibility laws and regulations will be incorporated into both new and existing supplier contracts and purchase agreements.
- iii. All suppliers are required to sign a declaration (see “Sample Supplier Agreement” - Attachment 2) as evidence of their commitment to comply with the <Company Name> Supplier Code of Conduct as follows:
 - All new suppliers are required to confirm their commitment to compliance as part of the contracting process
 - All existing suppliers are required to confirm their compliance commitment prior to contract renewal or new orders being placed

Supplier Prioritization

The <Position Title> is responsible for identifying “at risk” suppliers using the following two-stage prioritization process:

i. Risk Screening

This is a high-level assessment of the potential risk presented by a supplier based on the supplier’s location, product or service, contract size, and other indicators of risk.

- All existing and new suppliers are required to disclose information about the location and nature of its operations and operating sites to support risk screening.
- The risk screening will be completed for each current and prospective supplier to identify and rank those with potential social responsibility risks as Low, Moderate or High risk.
- The <Position Title> is responsible for maintaining a risk-ranked supplier listing and a record of the potential risks identified for each supplier.
- Suppliers with Low potential for social responsibility and human trafficking risks should be re-evaluated at least every two years to determine if changes in operations, location or contract value have increased the potential risk presented by the supplier.
- All Moderate and High-risk suppliers will be required to complete the <Company Name> Supplier Self-Assessment Questionnaire.

ii. Self-Assessment Questionnaire (SAQ)

The Supplier Self-Assessment Questionnaire looks at business processes and controls, such as worker recruitment and hiring, to identify process gaps that could lead to human rights issues, including human trafficking.

- All suppliers identified as at Moderate or High risk for human trafficking or other human rights risks based on the results of Risk Screening are required to complete the <Company Name> Supplier Self-Assessment Questionnaire (SAQ).
 - a) Prospective suppliers will complete the SAQ prior to approval as a <Company Name> supplier.
 - b) Current suppliers are required to complete the SAQ within 30 days of receiving a request to do so.
 - c) Suppliers that decline to complete the self-assessment will be rated as High risk and will not be eligible to become a <Company Name> supplier or renew their contract and receive new orders until the SAQ is completed.
- The <Position Title> will review the completed questionnaires with the supplier to ensure the responses are accurate and to request supporting information, as needed.
- Based on the Self-Assessment results, the <Position Title> will:
 - a) update the supplier risk ranking and prioritization
 - b) require those suppliers ranked as High and Moderate risk to undergo an on-site audit with priority given to the highest risk suppliers, and
 - c) re-evaluate all Low-risk suppliers every two years to determine if there have been any changes in the supplier's operation(s) that could increase its risk score

Supplier Social Responsibility Audits

All current and potential suppliers that have been rated as High or Moderate risk based on the Supplier Self-Assessment will be requested to undergo an on-site audit to objectively evaluate the effectiveness of the supplier's control of human rights risks, including human trafficking.

- i. Initial (baseline) audits will be performed according to the following timeframe:
 - Moderate and High-Risk prospective suppliers: prior to contracting

- High-Risk current suppliers: within 30 days
 - All other current suppliers: prior to contract renewal or placing of new orders
 - Suppliers may provide reports of recent audits (less than one year old) and status of corrective actions in lieu of a new audit.
 - Unless agreed otherwise, <Company name> will only accept audits which meet its minimum audit process requirements, including the considerations for auditing for human trafficking provided in Attachment 3.
- ii. Audits must be completed by a competent third-party auditor or audit firm approved by <Company Name>.
 - iii. As a general principle, suppliers are expected to pay all reasonable costs associated with audits. <Company Name> may on occasion choose to share audit costs with the supplier or in certain cases pay for all costs associated with the audit.
 - iv. The <Position Title> may, at his/her discretion, rely on information contained in existing audits if they:
 - have been completed to equivalent standards by a competent party and
 - are no more than one-year old.

Audit Findings and Follow-up

The <Position Title> is responsible for ensuring that any Code nonconformance and legal noncompliance identified by the auditor(s) is effectively addressed in a timely manner.

The process for audit reporting and implementing corrective action must include the following elements:

- i. **Egregious Issues.** The auditor will notify the <Company Name and Position Title> of any egregious issue (e.g., passport withholding, workers locked in their accommodation, etc.) immediately upon identification. The <Company Name and Position Title> will then contact the supplier to ensure that remedial actions are promptly taken, and future risks are prevented or mitigated.
 - The <Position Title> is responsible for promptly notifying the customer (including the Contracting Officer for US Government contracts) of the specific nature of the identified issue and the measures and timeframe to address them.
- ii. **Audit Report.** The auditor will submit a written audit report to the <Company

Name and Position Title> within two weeks after completing the on-site assessment. The report will contain a description of the audited facility/operation, a summary of the audit process, and detailed supporting evidence on all findings, both compliant and noncompliant. The findings must be described clearly as the report serves as the basis for the supplier's corrective action plan.

- iii. **Corrective Action Plan.** The <Company Name and Position Title> will:
- ensure that the audited supplier submits a Corrective Action Plan to <Company Name> within one month of completion of the on-site audit.
 - review and approve submitted Corrective Action Plans to verify that:
 - a) corrective actions have been taken for any egregious audit findings (e.g., passport withholding, charging of recruitment fees, etc.)
 - b) all findings are addressed
 - c) root causes have been identified
 - d) corrective and remedial actions are appropriate
 - e) action owners and target completion dates are listed and
 - f) specific corrective actions directed by the USG Contracting Officer or Contracting Officer Representative (for federal contracts) are included in the plan
 - require suppliers to submit monthly status reports to track and follow-up on corrective and preventive actions
 - remotely verify the closure of corrective actions where possible (e.g., by reviewing documents or photographs provided by the supplier)
 - schedule a follow-up audit to verify the closure of any egregious and major findings or to verify corrective actions that can only be evaluated through worker interviews and on-site documentation reviews
 - ensure that no new contracts or new orders are placed until closure of any egregious issues has been independently verified (within two weeks of supplier notification of closure).
- iv. **Progress Reporting.** The supplier will send monthly progress reports to the <Company Name> until all nonconformances have been corrected, evidence of completion has been submitted to the <Position Title>, and closure of

egregious and major issues has been verified by follow-up audit.

- If any egregious findings are identified during the audit, the first progress report must be submitted no later than 30 days after discovery and should clearly identify how the issue is being addressed, including copies of supporting evidence where appropriate.
 - The <Position title> will then schedule a follow-up audit at the earliest opportunity to verify closure of the item(s). Closure audits will be performed within 60 days of identification of the egregious finding.
 - In the absence of egregious nonconformance, follow-up audits will be performed within one year of the initial audit.
- v. **Frequency of Re-audits.** Once remediation of all egregious and major findings has been verified by follow-up audit, the <Position Title> will arrange for re-audits of the supplier every two years.
- If egregious findings are not satisfactorily addressed by the closure audit, prospective suppliers will not be approved for use and current suppliers will not receive new orders and be eligible for contract renewal and may be subject to contract termination.
 - If major issues remain outstanding after two rounds of follow-up audits have taken place, <Company name> shall evaluate its continued relationship with the supplier.

Note to User: The following two sections, “Notification” and “Certification,” apply specifically to compliance with FAR 52.222-50, Combating Trafficking in Persons. All federal contractors are required to comply with the trafficking in persons prohibitions and the notification requirements described below. Certification is required only for those federal contracts described in *Footnote 2* on the following page.

- vi. **Notification.** For U.S. Government contracts, the <Company Name Position Title> will inform the Contracting Officer and the agency Inspector General immediately of:
- audit findings or any credible information from any other source indicating that a <Company Name> employee, subcontractor (including suppliers), subcontractor employee, (including supplier employees), or their agent has violated the requirements of FAR 52.222-50(b), and
 - any remedial actions and/or other actions taken against a <Company Name> employee, subcontractor, subcontractor employee, or their agent.

- vii. **Certification.** Prior to contract award and annually thereafter, <Company Name> will submit a certification² to the Contracting Officer that:
- it has implemented a compliance plan to prevent the prohibited activities listed in FAR 52.222–50(b) and to monitor, detect, and, if necessary, terminate any agent, subcontract, or subcontractor employee engaging in prohibited activities; and
 - after having conducted due diligence, either
 - to the best of <Company Name>'s knowledge and belief, neither it nor any of its proposed agents, subcontractors, or their agents is engaged in any such activities; or
 - if abuses relating to any of the prohibited activities identified in FAR 52.222–50(b) have been found, <add company name> or proposed subcontractor has taken the appropriate remedial and referral actions.

Ongoing Performance Monitoring

The <Company Name and Position Title> will:

- i. Work with suppliers and partners to progressively ensure that all suppliers meet or exceed minimum human rights standards set out in the <Company Name> Supplier Code of Conduct and applicable legal requirements. This includes provision of appropriate training, consultation, and other capacity-building services as required.
- ii. Require suppliers to submit quarterly performance reports as evidence of their ongoing efforts to ensure conformance with the <Company Name> Supplier Code of Conduct and legal requirements.
 - Performance reports should contain the results of internal/self-audits, summaries of worker grievance reports and their resolution, interviews with new migrant workers on the recruitment process, agreed Key Performance Indicators (KPIs), etc. The specific content of the reports will depend on the supplier business and identified risks and must be approved by the <Company Name and Position Title>.
 - Supplier reporting and the results of <Company Name> audits and assessments will be used to create periodic reports for customers and the public on the company's risk management program, including

² Certification is required under 52.222-50(h) and 52.22-56 where contracts are for supplies, other than commercially available off-the-shelf items, acquired outside the United States, or services to be performed outside the United States; and have an estimated value that exceeds \$550,000

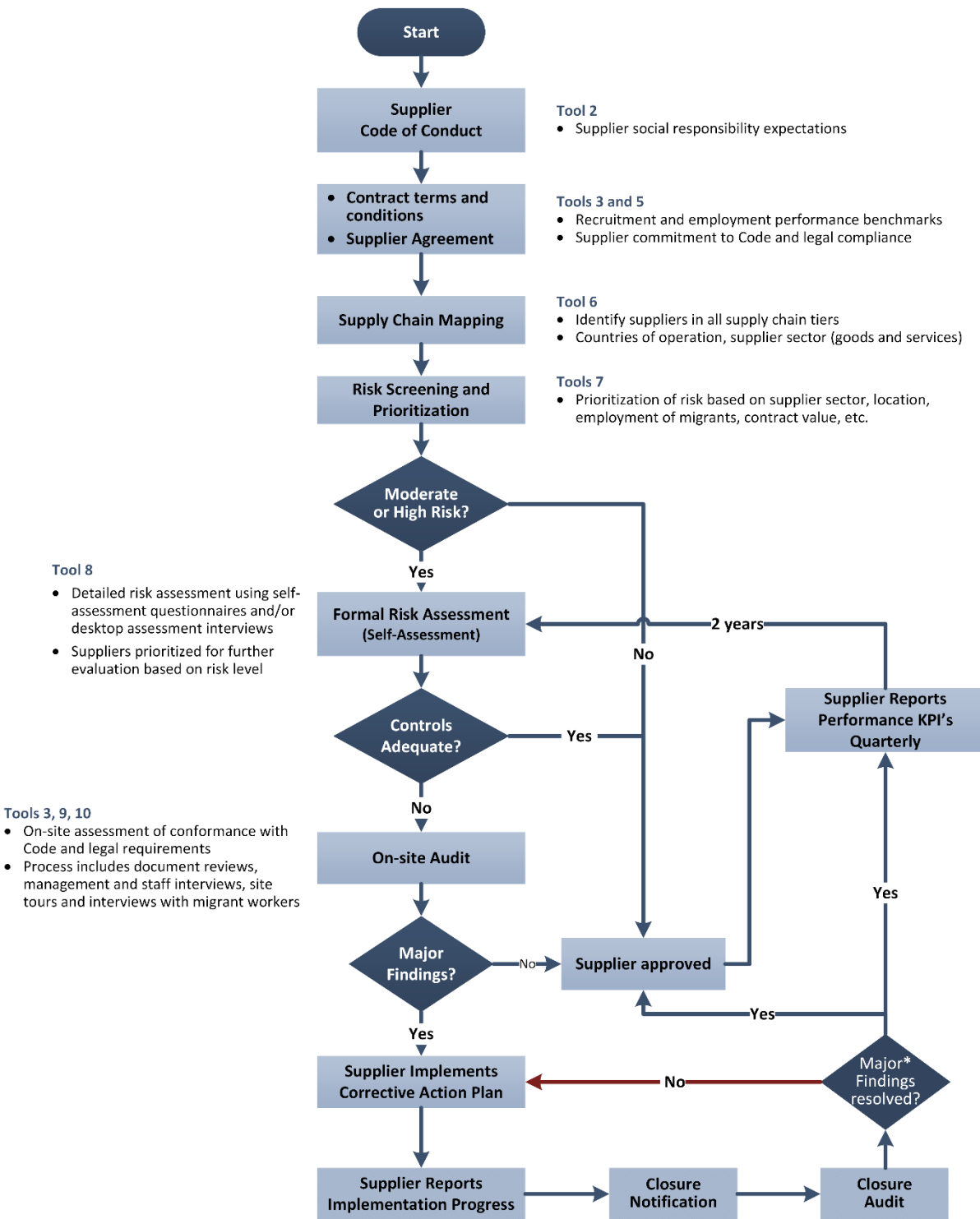
specifics on reported violations and how they were remediated.

- iii. Set improvement targets for suppliers to achieve when they are re-audited every two years.

Reporting, Assurance, and Escalation

- i. The <Company Name and Position Title> will maintain appropriate records associated with supplier social responsibility performance. As a minimum, the following will be recorded:
 - Supplier declarations
 - Risk screening results
 - Completed Supplier Self-Assessment reports
 - Listing of suppliers prioritized by risk
 - Audit reports and associated Corrective Action Plans and supplier progress reports
 - Follow-up audits and associated evidence of closure
 - Supplier quarterly performance reports
 - Reports of significant violations of legal and Code of Conduct requirements, including how the issues were remediated
- ii. The <Company Name and Position Title> will track and report internally all progress with the requirements of this Standard in collaboration with other supplier-facing functions.
- iii. Company and supplier compliance with the requirements of <Company Name> Supplier Code of Conduct and this program will be formally reviewed by <Company Name> executive management and reported to the public on a regular basis, no less than annually.

ATTACHMENT 1: Sample Supply Chain Due Diligence Process Flow



Tool 8

- Detailed risk assessment using self-assessment questionnaires and/or desktop assessment interviews
- Suppliers prioritized for further evaluation based on risk level

Tools 3, 9, 10

- On-site assessment of conformance with Code and legal requirements
- Process includes document reviews, management and staff interviews, site tours and interviews with migrant workers

*includes both Egregious and Major Findings

ATTACHMENT 2: Sample Supplier Agreement

This Supplier Agreement (“Agreement”) is dated this [day] of [month], [year] by and between <Company Name> Company, <address> (the “Company”) and [Name & Corporate Address of Supplier] (“Supplier”).

Rationale

- A. This Agreement is intended to supplement any and all contracts and agreements between the Company and Supplier for the supply of goods or services by Supplier to the Company.
- B. The Parties wish to address in this Agreement how they may work collaboratively to achieve the objectives of the Company Supplier Code of Conduct (Appendix 1).

Now therefore, the Parties agree as follows:

1.0 SUPPLIER RESPONSIBILITY

- 1.1 Supplier confirms that it has read the Company Supplier Code of Conduct, agrees with its statement of requirements, and commits to comply with them.
- 1.2 Supplier will complete the Company Supplier Self-Assessment questionnaire available at [URL for supplier access to SAQ].
- 1.3 Supplier will be responsible for identifying any areas of its operations that do not conform to the Company’s Supplier Code of Conduct and for implementing and monitoring improvement programs designed to achieve conformance with the Company Supplier Code of Conduct.
- 1.4 Upon request by the Company, Supplier will submit a report to the Company describing actions taken and progress made by Supplier to meet the requirements of the Company Supplier Code of Conduct.
- 1.5 Supplier will provide the Company, or its nominated representative, on reasonable notice, access to Supplier’s facilities, work sites, and relevant records insofar as they relate to contracts and purchase agreements with the Company to verify information provided in Supplier’s report.

2.0 COMPANY RESPONSIBILITY

- 2.1 The Company agrees that the report (Section 1.4 above), site access, and records referred to will only be used for the purposes of assessing the Supplier’s progress in accordance with the Company’s Supply Chain Code

of Conduct and will not be disclosed to any third party without Supplier's prior written consent, unless otherwise required by law.

- 2.2 Where the Supplier's employees work at facilities owned or operated by the Company, the Company will provide the Supplier complete information about the potential occupational health and safety hazards in the workplace and will work cooperatively with the Supplier to control exposure of Supplier's employees to workplace hazards

3.0 SCOPE OF AGREEMENT

- 3.1 This Agreement applies to all existing and future contracts and purchase agreements between Supplier and the Company.
- 3.2 This Agreement will remain in force so long as there are any contracts and purchase agreements in force. This Agreement will terminate when and if no contract or purchase agreement is in force.
- 3.3 This Agreement does not require either the Company or Supplier to enter into any contract nor to enter into any new or further agreement of any kind.

PARTIES SIGNED

For and on behalf of Company:

For and on behalf of Supplier:

Company Name: _____

Supplier Name: _____

Signature: _____

Signature: _____

Name: _____

Name: _____

Position: _____

Position: _____

Date: _____

Date: _____

ATTACHMENT 3: Sample Considerations for Auditing for Human Trafficking

Introduction

Human trafficking and trafficking-related activities are complex issues. They are hidden, characterized by deception, and typically the result of complex pressures, abuses, and exploitation levied not by a single employer, but by a number of abusive actors at different stages of the recruitment, hiring, and employment processes, and at every level in the supply chain. The <Company name> company requires audits performed on its behalf to integrate the following guidance to improve auditors' ability to identify potential human trafficking risks.

There are many reasons why human trafficking can be difficult for auditors to detect:

- Deception and lies are a defining factor of human trafficking and among the key means used by dishonest labor agents to lure their victims into hiring traps.
- Migrant workers are a particularly vulnerable group. They may be hesitant to provide details about their recruitment experience or their situation in the workplace for fear of reprisal, up to and including termination of their contract and deportation.
- A situation of human trafficking may be the result not of a single, easily identifiable abuse, but rather a series of circumstances and violations committed by different actors.
- The abuse may originate with criminal actions of a labor agent overseas, as in the case of debt bondage due to excessive recruitment fees.
- The management of workers by an on-site labor agent can make it more difficult to determine the nature of employment and working conditions due to a lack of direct control.
- Auditors themselves may lack the skills, experience, and resources needed to identify human trafficking.

Audits for human trafficking share many common elements with other social audits, including:

- *Site Tours and Inspections*, including work areas, canteens and accommodations. Visiting the employer- or labor agent-provided housing is particularly important when trafficking audits as migrant workers often have no option but to live in such accommodations. Security practices at worker housing is often a source of restrictions in freedom of movement. Workers' living quarters may also be a good place for third-party auditors to conduct confidential worker interviews.
- *Management Interviews*. These interviews need to focus on the recruitment process, worker contracts, wage payments, disciplinary actions, and the worker grievance reporting process. More details are provided below.

- *Worker Interviews.* Gathering information from workers is an essential part of any social audit, but is even more critical when evaluating the risk of human trafficking. Due to the prevalence and extent of illicit and unethical practices by labor agent and sub-agents, workers may be the only source of reliable information on the details of the recruitment and hiring process. Trained native language interviewers must be part of any human trafficking audit team to cover all the languages spoken by the workforce.
- *Labor Agent Interviews.* Labor agents play an essential role in cross border recruitment and often provide complete outsourcing of a company's recruitment selection and hiring process and therefore must be part of any human trafficking focused audit. Interviewing labor agents will provide the auditor with a more complete picture of the recruitment process. See below for more details.

Interviewing Managers

Managers are a key source of information for social auditors. The following approach should be used in audits of <insert company name> facilities and those of its suppliers and subcontractors. In assessing compliance against the Supplier Code of Conduct provisions, auditors should make sure to speak with all possible members of the management team. Auditors should speak about human trafficking directly and address the full complexity of these issues, recognizing the need to go beyond simply asking if such abuse is prohibited. In addition, auditors should ask about migrant workers in the workplace and learn about the use of labor agents and recruitment methods; and discuss in greater detail the recruitment, selection, and hiring process used by the employer or worksite, as well as employment conditions facing migrant workers. Cross-check this information with the results of interviews with workers and labor agents themselves.

Here is a selective list of the key issues auditors should discuss with managers:

- General profile of workers at the facility or worksite
- The process for selecting and contracting labor agents
- Who has oversight of the recruitment process
- Recruitment fees and expenses
- Contracts of employment for migrant workers
- Other methods of communicating working conditions (hours, wages, length of voyage) to workers
- Document retention and withholding passports
- Charging of security deposits
- Wage payments and deductions
- Compulsory or involuntary overtime
- Worker freedom of movement and personal freedom at the workplace and in dormitories

- Workplace discipline
- Threats of violence and intimidation
- Grievance procedures and whistleblower protections
- Worker rights to terminate employment without penalty

Gathering Information from Workers

Speaking with workers — in particular, migrant workers — is a key aspect of a comprehensive and effective social audit focused on human trafficking. This can be done individually or in groups, and every effort must be made to ensure the confidentiality and anonymity of worker identities and the statements they make. This is important when dealing with sensitive matters such as human trafficking, which can result in criminal sanctions for the perpetrators and others involved, and thus increase the risk of retaliation to workers.

Make sure to speak with a wide cross-section of workers from different shifts, production lines, occupational groups (e.g., including security or cleaning staff) and sections of the workplace. Speak with both local and migrant workers both informally during the site inspection or walk-through, and more formally in the workplace, at dormitories, or other agreed upon locations, if the latter allow workers to feel more comfortable. Use a variety of means and methods of interviewing to elicit detailed information about the recruitment, hiring, and employment conditions facing workers. Information can also be gathered from grievance mechanisms.

Interviews should be conducted by trained native language interviewers that are part of the audit team. Unless it is absolutely necessary, do not rely upon facility or labor agent staff to translate for the workers. This may result in inaccurate information and will create an atmosphere in which workers are unwilling to share sensitive information.

Here are some of the issues that auditors should discuss directly with workers:

- how they were recruited, hired, transported and received in the countries of origin and destination;
- what fees or expenses they were charged by the labor agent or its local partner in the country of destination, and if they were given receipts;
- whether an employment contract was signed, with whom it was signed, when it was signed, and whether the worker had to sign two or more different contracts;
- if the worker was provided a copy of the contract;
- whether wage payments are ever withheld or delayed, or if illegal or unexplained deductions are made by the labor agent or employer from workers' salaries;
- if passports or other valuable documentation are ever confiscated or withheld;

- what restrictions there are, if any, on migrant workers' freedom of movement and personal freedom in dormitories or other employer- or labor agent-operated housing;
- the safety and quality of employer provided housing;
- whether the job terms recruited for match the job in reality, including location of work, type of work, and hazardous nature of work; and
- if there is a way for them to file a complaint or grievance about recruitment or employment practices, if they feel comfortable using the process, and, if they have used it, was it effective in resolving their issues.

Interviewing Labor Agents

Another feature of an effective human trafficking audit —one which is only rarely performed — is interviewing the labor agent(s) contracted by the employer. This can give the auditor full insight into the recruitment, selection, and hiring procedures used by the labor agent, and the conditions facing migrant workers in pre-deployment, transportation, arrival, and placement.

Auditors should speak with a broad cross-section of labor agents. They should interview labor agent representatives and sub-agents, if possible, from each country of origin of migrant workers in the facility, as well as local partners in the destination country.

Topics to discuss range from the specifics of fees and expenses charged to workers or the contracting employer to the labor agents' legal history and its certification or license to operate in each country from which it sends workers. Some of the other issues to address with labor agents include:

- the pre-departure orientation or training they provide to workers;
- contracting procedures and contract substitution;
- whether they also perform human resource management functions for migrant workers, such as salary payment;
- document retention or confiscation; and
- whether the labor agent has established an effective complaints mechanism or grievance procedure for workers.

Reviewing Documents and Records

A review of documents and records is an important part of an audit to guard against human trafficking involving migrant workers. It is likely to include both company and worker documentation such as wage slips and contracts of employment, which are common to most social auditing systems; however, it should also include a review of

labor agent materials, which can be collected and used to cross check information gathered through the labor agent and worker interviews. Although small services employers will be more difficult to monitor and cannot be expected to have mature management systems in place, they may nevertheless be held accountable to basic standards of ethical practices. Small providers, for example, will likely not have formal payroll documents, however they should be required to maintain basic documentation, such as handwritten records of when and how much workers were paid. Ultimately, all employers should have a transparent system that documents: the amount of work a worker performs; the wage system; how many hours worked or quota units completed; what overtime wages are, if applicable; what deductions may have been made; and how much money is due and paid out per pay period. Workers should be able to receive some sort of pay-slip, even if handwritten, which both the worker and employer can confirm is accurate.

Some of the written materials auditors may wish to review include:

- signed contracts or service agreements between each labor agent and the employer;
- a list of all migrant workers in the worksite and their migration status;
- copies of employer and labor agent policies and each party's respective operating procedures handbook;
- personnel files for a representative number of workers in the worksite, including recently terminated workers and those that have resigned;
- copies of pre-departure and arrival worker training materials;
- labor agent and facility training records for workers; and
- records of pending and past complaints or grievances that have been raised by workers.