

# Stellenbosch University Anti-Trafficking Compliance Plan for USAID-funded Activities Implemented through the Periperi U Programme

## 1. Background and Purpose

In its capacity as the secretariat for Periperi U, Stellenbosch University, acting through its Research Alliance for Disaster and Risk Reduction (RADAR) (hereafter referred to as “SU”), has developed an Anti-Trafficking Compliance Plan in accordance with the U.S. Government’s zero-tolerance policy regarding human trafficking by government contractors and award recipients, as set out in FAR Subpart 22.17 and 52.222-50(h). This Plan is further aligned with the Republic of South Africa’s Prevention and Combating of the Trafficking in Persons Act (Act No. 7 of 2013; <http://www.justice.gov.za/legislation/acts/2013-007.pdf>).

This Plan clarifies processes for: (1) making SU staff, engaged in Periperi U-related activities as well as USAID-funded sub-awardees and their employees aware of conduct prohibited under USAID’s Anti-Trafficking Provisions (Provisions) as well as the actions that may be taken against any SU employees, sub-contractors, agents, suppliers and sub-awardees (including their employees, agents and or sub-contractors/suppliers) for any violations of the Plan and or Provisions; (2) employing fair recruitment, wage and housing practices; and (3) monitoring, detecting and preventing prohibited trafficking activities by sub-awardees, and when required, taking appropriate action against those who engage (alternatively are found to be engaged) in such activities.

## 2. Applicability

This Plan describes the baseline standards for anti-trafficking compliance for SU and those within the Periperi U partnership. Periperi U sub-awardees may in their implementation of the Plan, adapt or modify the Plan as necessary, to ensure that it is appropriate to the size and complexity of their respective awards and the nature and scope of the activities to be performed.

## 3. Awareness Programme

- 3.1 The SU Plan is posted on the Periperi U website ([www.riskreductionafrica.org](http://www.riskreductionafrica.org)) where it can be accessed by both SU employees, sub-contractors, agents, suppliers engaged with Periperi U activities as well as all Periperi U sub-awardees, (including their employees, agents and or sub-contractors/suppliers).
- 3.2 Upon initial adoption of the Plan, all employees at SU involved in Periperi U-related activities will be notified and provided a copy of the Plan via email as well as the link to the website where the Plan may be viewed. A Periperi U consortium-wide email will also be sent to sub-awardee engaged in Periperi U-related activities, notifying them of the Plan. The communications will contain a link to the website(s) where the Plan may be viewed, with instructions on how to access and review the Plan.
- 3.3 SU will send annual email reminders to employees engaged in Periperi U activities, advising them of any Policy updates as well as to familiarize themselves with the Plan All new employees employed at SU engaged with Periperi U as well as those

implementing Periperi U activities in SU's sub-awardees are required to take note, read and acknowledge the Plan at time of employment.

- 3.4 SU will provide annual updates at the yearly Periperi U consortium consultative meetings.

#### **4. Recruitment and Wage Plan**

- 4.1 In accordance with South African labour laws, SU prohibits the use of any misleading or fraudulent recruitment practices during the recruitment of employees or offering of employment to employees.
- 4.2 SU requires all USAID-funded sub-awardees involved with Periperi U-related activities to fully and accurately disclose, in a format and language accessible to their employees, all key terms and conditions of employment, including wages and benefits, work location, living conditions, housing and associated costs, (where provided or arranged by the respective sub-awardee), significant costs to be charged to the employee, and, if applicable, the hazardous nature of the work they will be engaged in.
- 4.3 SU and Sub-awardees are not permitted to use recruiters that do not have trained employees, or that do not comply with all labour laws of the country where the recruitment takes place. They are not permitted to charge recruitment fees to any employee.
- 4.4 SU and Sub-awardees are required to pay to all employees' wages that meet applicable national legal requirements, or will explain any variance.
- 4.5 Where required by law or contract, SU and sub-awardees must provide every employee with an employment contract, recruitment agreement or other required work document, written in a language the employee understands, containing all required information about the terms of conditions of employment, which may include, by way of example, the work description, wages, work location, living accommodations and associated costs, time off, transportation arrangements, grievance process, the content of applicable laws and regulations prohibiting trafficking in persons, and the prohibition on recruitment fees.
- 4.6 SU and sub-awardees are not permitted to destroy, conceal, confiscate or otherwise deny any employee access to his or her identity or immigration documents. They are also required to provide or pay the cost of return transportation at the end of employment for any employee who is not a national of the country where the work took place and was brought into that country by the university concerned for purposes of working on the Periperi U programme.

#### **5. Housing Plan**

Where housing is provided to employees, the housing will be required to meet national country housing and safety standards.

#### **6. Sub-Awardee Compliance**

- 6.1 All USAID-funded Sub-awardees implementing Periperi U-related activities, their employees, contractors, consultants, vendors, suppliers and subcontractors must

agree to comply with the Plan and all applicable Provisions. SU will and will require all Sub-awardees to include language to that effect in all supplier contracts, subcontracts and sub-agreements (“Supplier Contracts”), including inserting FAR 52.222-50, FAR 52.222-56 and USAID Standard Provisions where applicable.

- 6.2 All Sub-awardees must comply with this Plan, alternatively have a compliance plan to prevent prohibited trafficking-related activities which is not less favourable than this Plan or any amendment hereto from time to time. The Sub-awardee must provide SU with a copy of its plan on request. The Sub-awardee’s compliance plan must meet the minimum requirements in the Provisions and be appropriate to the size and complexity of the contract, subcontract or sub-agreement with Stellenbosch University and the nature of the activities to be performed under it.
- 6.3 Prior to the issuing of a sub-award, and on an annual basis thereafter, all Sub-awardees must submit a certificate of compliance to SU indicating that:
- the Sub-awardee has implemented and complied with the Plan, alternatively its compliance plan; and
  - after conducting due diligence, to the best of the Sub-awardee’s knowledge and belief, neither it nor any of its employees, its contractors, consultants, suppliers, subcontractors, sub recipients or their employees, have engaged in any prohibited trafficking-related activities, or if any abuses relating to prohibited trafficking-related activities have been found, the Sub-awardee has taken appropriate remedial and referral actions.
- 6.4 SU will review the plans and certifications of its Sub-awardees implementing Periperi U-related activities to ensure they include adequate monitoring procedures and reporting mechanisms. If any Sub-awardee fails to comply with the Plan, its own plan and or applicable Provisions, SU will take appropriate action to remediate the non-compliance and prevent future non-compliance, including, but not limited to:
- Requiring the Sub-awardee to terminate its relationship with any contractor, consultant, supplier, subcontractor or sub-recipient.
  - Suspending payments to the Sub-awardee until the non-compliance is remedied.
  - Immediately terminating the agreement with the Sub-awardee.

## **7. Reporting Requirements and Procedures**

- 7.1 All staff or employees engaged in Periperi U-related activities and Sub-awardees are required to report any suspected trafficking related activity and or non-compliance of this Plan and or Provisions to the Director, RADAR SU or to any Periperi U Sub-awardee focal point listed in Annexure A.
- 7.2 Any Periperi U Sub-awardee focal point listed in Annexure A or SU staff member who receives such a complaint is required to immediately forward the report to the RADAR Director at Stellenbosch University (refer Annexure A for contact details).
- 7.3 Any SU or Periperi U Sub-awardee employee who believes s/he or others have been subjected to prohibited trafficking-related activities may report the activity as outlined above, or may inform the RADAR Director, SU at the contact details listed in Annexure A. S/he may also contact the Global Human Trafficking Hotline in the United States at + 1-844-888-FREE or help@befree.org. SU will investigate all reports of prohibited trafficking-related activity or non-compliance with this Plan and take appropriate action.

- 7.4 SU strictly prohibits any form of retaliation, discrimination and or victimisation against any employee who reports prohibited trafficking-related activity and or non-compliance with this Plan and or the Provisions, or who cooperates with any internal or government investigations of such complaints. Employees may do so without fear of reprisal.
- 7.5 SU personnel who engage in any form of retaliation, discrimination and or victimisation of those who report prohibited trafficking-related activities and or non-compliance with this Plan and or the Provision will be subject to SU's disciplinary action.

## **8. Investigations**

- 8.1 Whenever SU receives information from an employee or Sub-awardee and or any other source alleging prohibited trafficking-related activity, non-compliance with the Plan and or Provisions, the SU director or his/her designate must inform Human Resources and the SU Legal Adviser. S/he must also immediately notify USAID's Agreement Officer and the USAID Office of the Inspector General.
- 8.2 SU and all Sub-awardees must cooperate with any Federal agencies responsible for audits, investigations, or corrective actions relating to human trafficking, including, but not limited to, providing timely and complete responses to reasonable and relevant document requests, and providing reasonable access to Periperi U-related facilities and staff.

## **9. Posting**

SU will post this Plan on [www.riskreductionafrica.org](http://www.riskreductionafrica.org), and will require that all USAID-funded Periperi U Sub-awardees also post the plan on their respective websites, (if and when required).

Date: 9 March 2016

### ANNEXURE A: Periperi U Focal Points

Country and Institution	Focal Point	Contact Details
Nigeria Ahmadu Bello University	Edwin Iguisi	<a href="mailto:ediguisi@yahoo.com">ediguisi@yahoo.com</a> + 234 803 703 7516
Tanzania Ardhi University	Benedict Malele	<a href="mailto:benedictmalele@yahoo.com">benedictmalele@yahoo.com</a> + 255 22 277 1272
Ethiopia Bahir Dar University	Tarekegn Ayalew	<a href="mailto:tarekegnayalew@gmail.com">tarekegnayalew@gmail.com</a> + 215 918 730 624
Senegal Gaston-Berger University	Mateugue Diack	<a href="mailto:mateugue.diack@ugb.edu.sn">mateugue.diack@ugb.edu.sn</a> + 221 77 637 5791
Uganda Makerere University	Chris Orach	cgorach@musph.ac.ug + 256 772 511 444
Kenya Moi University	Diana Menya	<a href="mailto:dianamenya@gmail.com">dianamenya@gmail.com</a> +254 720 352 579
South Africa Stellenbosch University (RADAR)	Ailsa Holloway	<a href="mailto:ailsaholloway@sun.ac.za">ailsaholloway@sun.ac.za</a> + 27 (0)21 808 9281/5
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