



## **Compliance Plan Safeguarding and Countering Trafficking in Persons**

### Background

Our largest donor, the U.S. Government (USG), has several critical requirements we must follow to help prevent, detect, address, and respond to exploitation, sexual abuse, child abuse, child neglect, and trafficking in persons. This Compliance Plan is a key document to help us meet our obligations. In addition, EGPAF has policies and procedures in many areas, reinforced by our Code of Conduct, that convey to staff our strong commitments to promoting human rights in all the work we do, regardless of the source of donor funding.

All children have a right to be protected from harm and everyone has a responsibility to support the protection of children, our most vulnerable members of society. As a pediatric organization, we especially have a responsibility to the children with whom we are in contact with, or who are affected by our work and operations.

### Summary

We must act to ensure that exploitation, sexual abuse, child abuse, child neglect, procurement of a commercial sex act, use of forced labor, illegal child labor, trafficking in persons, or acts that directly support or advance these activities do not happen in doing our work and are not done by individuals under EGPAF's control or influence. These prohibitions constitute acts of gross misconduct and employees who knowingly allow any of these violations to occur can expect the termination of their employment. In the places where we operate, most or all of these prohibited activities are also crimes and violators may be subject to criminal prosecution.

The exchange of money, employment, goods, services, or assistance under our programs services for sex is prohibited. Regardless of the "age of majority" or "age of consent" under local law, sexual activity with any person under the age of 18 is prohibited. Furthermore, any sexual relationship between an EGPAF employee and a client who is benefitting from our assistance that involves improper use of rank or position is prohibited, because such relationships undermine the credibility and integrity of our aid work and aid work in general.

Doing any of these prohibited activities is not allowed, regardless of the time of day or location, as long as the employee/contractor/etc. is currently being funded by U.S. Government (USG) funds. There is no "off duty" exception and there is no "minimum level" or threshold of acceptable prohibited conduct.



EGPAF will employ a survivor-centered approach to responding to violations, ensuring a survivor's dignity, experiences, considerations, needs, and resiliencies are placed at the center of the process. Protection is the cornerstone of a survivor-centered approach. We will act to ensure survivors are safe, and we will be involved with seeing that survivors can access supporting services they need. When a child is involved, EGPAF will place the best interests of the child foremost in considering possible outcomes for a vulnerable child who has been exposed to violence, abuse, exploitation, or neglect.

Managers at all levels have a responsibility to support this plan and help maintain a healthy working environment that promotes EGPAF's code of conduct and prevents exploitation, abuse, and trafficking.

Compliance in these areas is a fundamental priority for EGPAF, especially given our pediatric focus and embrace of health equity. Furthermore, in addition to other remedies, the USG may terminate an award, or suspend/debar an organization from receiving any USG funds in any country, if the organization has failed to comply with its safeguarding and counter-trafficking responsibilities.

If you have any information of an actual or possible violation that appears credible, regardless of whether or not EGPAF employs, or funds, the activity or the alleged offender, you must report it to [safeguarding@pedaids.org](mailto:safeguarding@pedaids.org) in addition to any others you may choose to report to.

This Compliance Plan is EGPAF's global plan. Specific procedures and approaches will need to be tailored to various local contexts, based on assessed risks or conditions.

#### Contractual requirements -- Safeguarding

Under the terms of our USG awards, all of the categories of people below are prohibited from engaging in, supporting, or advancing exploitation, sexual abuse, child abuse, and child neglect, or intentionally ignoring or failing to act upon allegations of these actions.

- Employees
- Interns
- Volunteers
- Consultants
- USG-funded subrecipients and their employees, consultants, and volunteers
- Any other third-party acting on our behalf (an "agent")
- Any other person we provide access to, or contact with, the award's clients



## Contractual requirements – Countering Trafficking in Persons

Under the terms of our USG awards, EGPAF’s employees, consultants, and volunteers; and our USG-funded subrecipients and their employees, consultants, and volunteers are prohibited from procuring a commercial sex act; using forced labor, engaging in trafficking in persons, or acts that directly support or advance trafficking in persons.

These prohibited actions include:

1. Destroying, concealing, confiscating or otherwise denying an employee access to that employee’s identity or immigration documents;
2. Failing to provide return transportation or pay for return transportation costs to an employee from a country outside of the United States to the country from which the employee was recruited upon the end of employment if requested by the employee, unless EGPAF is exempted from this requirement by the USG awarding agency; or the employee is a victim of human trafficking seeking services or legal redress in the country of employment or is a witness in a human trafficking enforcement action.
3. Soliciting a person for the purpose of employment, or offering employment, using false or fraudulent statements or promises;
4. Charging recruited employees a placement or recruitment fee; or
5. Providing or arranging housing that fails to meet local housing and safety standards.

### Consequences

Anyone who engages in this prohibited conduct are subject to significant consequences. Employees can expect to have their employment terminated. Business partners face termination of their current award from EGPAF and possibly suspension or disbarment by EGPAF and/or the USG. In addition, EGPAF may refer the matter to law enforcement or take other measures, as appropriate.

### Recruitment and Employment Practices

As part of EGPAF’s human resources practices, EGPAF does not charge prospective or newly-hired employees any recruitment fees. Employee recruitment is typically conducted by EGPAF staff. If an external recruitment company is necessary to meet EGPAF’s needs, EGPAF will work with professional recruitment firms that use trained employees who follow applicable labor laws and we will, as applicable, flow down the necessary contract terms when engaging the services of a recruiting firm.

EGPAF compensates its employees in a manner that meets all applicable labor laws where it operates. Any employee housing arranged or funded by EGPAF (which is rare), must meet local housing and safety standards.



Any employee dismissed for conduct prohibited in this plan will have the matter reported to the USG, will not receive a favorable reference for future employment, and prospective employers will be told that they are not eligible for rehire at EGPAF.

### Subrecipients and Contractors

EGPAF's grants and procurement staff will include the applicable flow down requirements in subawards and contracts funded by the USG. Through monitoring and support of its subrecipients, EGPAF staff will provide information to ensure applicable safeguarding and counter-trafficking requirements are known and understood, reducing the risk of violations.

If a subrecipient receives \$500,000 or more in USG funds, it is required to have a Safeguarding Compliance Plan. They can choose to adopt/adapt EGPAF's Compliance Plan or develop a unique plan, which EGPAF can assist them with.

When a subrecipient has firsthand knowledge, or receives information from any source that alleges credible evidence of prohibited conduct, the subrecipient must report it to EGPAF's central office at [safeguarding@pedaids.org](mailto:safeguarding@pedaids.org) with a copy to their local EGPAF Grants Officer.

Merely having a prohibited incident at the subrecipient's organization, or associated with their work, is not automatic grounds for EGPAF to impose a penalty. Indeed, it could be that their detection and awareness plans are working as intended. However, if subrecipient or a contractor willfully violates their compliance requirements – such as failing to report to EGPAF or to take their responsibilities seriously – this type of violation will be considered a material breach of the award, and EGPAF reserves the right to terminate the award as a consequence.

### Communications and the Requirement to Speak Up

Employees will be informed of EGPAF's expectations in these areas through appropriate messaging about this plan. This Compliance Plan is posted online at <https://www.pedaids.org/ethics-and-accountability/>. Furthermore, employees are required to certify annually that they have read the Code of Conduct and understood its requirements, including the duty to speak up about illegal, unethical, or non-compliant behavior.

In the locations where we perform work, we will make an analysis of the risks of violations, and how they might occur, and accordingly make information available to enable others to be aware of prohibited activities and how to report allegations. These efforts must be tailored to the local context in a culturally appropriate manner.



Anyone who has firsthand knowledge, or receives information from any source that alleges credible evidence of prohibited conduct, must speak up and report it to EGPAF's central office at [safeguarding@pedaids.org](mailto:safeguarding@pedaids.org). Employees must not wait until they have "proof" or gather additional information – just information that a violation could have occurred is enough to require mandatory reporting. Employees will not be retaliated against in any way for making such a report. The Integrity In Action Hotline, which allows employees to remain anonymous if they desire, is also a reporting option, and in regards to potential trafficking violations, employees also may use the USG's Global Human Trafficking Hotline at +1 884-888-3733 or via email at [help@befree.org](mailto:help@befree.org).

Mandatory reporting is required for any information that appears "credible" – that is trustworthy or worthy of belief -- regardless of whether or not EGPAF employs, or funds, the activity or the alleged offender. All such reports will be treated as sensitive, and the information shared with EGPAF will be limited to those staff who have a need to know.

In accordance with the terms of our USG awards, EGPAF's Awards, Compliance & Operational Excellence department will notify appropriate USG officials, including the Office of the Inspector General, immediately when we receive information from any source that alleges credible information that someone has engaged, or may have engaged, in prohibited conduct. This initial notification to the USG will include what is currently known about what, where, when, and how concerning the incident or it will state the elements not currently known. EGPAF will not furnish personally identifiable information to the USG (unless the USG requests such information). The USG can choose to be involved in EGPAF's investigation of allegations and if they do, EGPAF will cooperate fully with any such USG involvement.

#### Definitions for Terms used in this Plan

**Agent** -- any individual, including a director, an officer, an employee, or an independent contractor, authorized to act on behalf of EGPAF.

**Child** -- a person younger than 18 years of age.

**Child abuse** -- emotional, physical, sexual, or any other ill-treatment carried out against a child by an adult.

**Child neglect** -- a failure to provide for a child's basic needs in the absence of the child's parent or guardian when the care of the child is associated with a contract requirement.

**Commercial sex act** -- any sex act on account of which anything of value is given to or received by any person.

**Emotional child abuse or ill-treatment** -- injury to the psychological capacity or emotional stability of the child caused by acts, threats of acts, or coercive tactics.

**Exploitation** -- any actual or attempted abuse of a position of vulnerability, differential power, or trust, including for the purposes of profiting monetarily, socially, or politically. When carried out for a sexual purpose, this constitutes sexual exploitation.



**Elizabeth Glaser  
Pediatric AIDS Foundation**  
Fighting for an AIDS-free generation

**Forced labor** -- labor obtained by any of the following methods: 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.

**Physical child abuse** -- acts or failures to act resulting in injury (not necessarily visible); unnecessary or unjustified pain or suffering without causing injury, harm, or risk of harm to a child's health or welfare; or death.

**Sexual abuse** -- any actual or threatened physical intrusion of a sexual nature towards another person whether by force or under unequal or coercive conditions. When carried out against a child by an adult, such conduct is considered sexual abuse even in the absence of force or unequal or coercive conditions.

**Trafficking in persons** -- 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.

\*\* end of compliance plan \*\*