

WHAT TRANSIT NEEDS TO KNOW ABOUT LABOR TRAFFICKING

This document, focusing on labor trafficking, is intended to be a supplementary resource to TAT's human trafficking training materials for transit.

Learn more here: www.tatnonprofit.org/transit.

What is Labor Trafficking?

Human trafficking – or modern-day slavery – is the exploitation of human beings through force, fraud or coercion for the purposes of commercial sex or forced labor. Labor trafficking is often characterized by factors such as:

- Extremely long hours with few or no breaks;
- Confiscation of identification documents (e.g. passports, driver's license, etc.);
- Receiving little or no pay, unreasonable sales quotas, wage theft;
- Excessive or unexpected fees/deductions taken from paychecks;
- Isolation of workers (e.g. withholding information, limiting contact with outsiders, etc.);
- Unsafe or hazardous work conditions;
- Housing at the worksite that appears sub-standard and closely monitored; and/or
- Verbal, physical or sexual abuse (or threats of abuse).

Victims of Labor Trafficking

Victims are often lured into labor trafficking through false promises about employment and opportunity. Immigrants are highly vulnerable to all forms of human trafficking, though the crime does not require the crossing of an international border. Victims can be of any nationality, gender or age, though certain types of trafficking may ensnare higher rates of men, women or children because of the type of labor involved. For example, men are trafficked in construction and agriculture at higher rates; women are trafficked more commonly in domestic work and hospitality; and children are exploited at higher rates in begging schemes and forced peddling.¹

Buses and Labor Trafficking: Intersections

Members of the bus industry could be coming into contact with victims of labor trafficking during the recruitment, exploitation or exit phases.

- **Recruitment:** Traffickers may be looking for vulnerable people on buses or at transit centers then luring them into a trafficking situation through promises of work and opportunity. Buses and public transit could also be used when the initial recruitment occurred online and the potential victim is riding a bus on their way to a trafficking situation.
- **Exploitation:** Traffickers or their victims may ride buses or public transit to get to a work site or in the course of their work. For example, a victim of domestic servitude may rely on public transit to run errands or victims may be forced to peddle or beg at a transportation hub. Child victims have been connected to street flower vending, which could occur near bus stops or transit centers. The bus industry may also intersect with labor trafficking that is embedded in operations and equipment sourcing, such as within supply chains for parts manufacturing or through third-party contractors for repairs, cleaning services, food service, landscaping, etc.
- **Exit:** Victims may perceive a transit center as a safe place to flee or they may go to one of these locations in attempt to find transportation to get to a friend or family member for help.



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Immigration Relief

U.S. and Canadian laws have protections in place to prevent immigrant victims of trafficking from being deported. Under U.S. law, victims who are cooperating with a law enforcement investigation may be eligible for immigration relief through a T-Visa or designation of Continued Presence (CP).² In Canada, victims may qualify for a temporary resident permit (TRP) and do not have to testify against their trafficker to be eligible.³

Red flags that could indicate labor trafficking

- Being fearful, anxious, submissive, nervous or tense
- Not in control of own money, ticket, phone or ID
- Confused about where they are or what day it is (because of access to information being so limited by trafficker)
- Restricted or controlled communication – not allowed to speak for self, avoiding eye contact
- Poor physical health, appears malnourished, shows signs of abuse or lack of medical care
- Giving you responses that seem scripted or rehearsed

Case Example⁴

A young man in California joined a construction crew and was promised good pay for which he was willing to work hard. After spending two weeks building homes in California, the crew traveled to Texas to work on other projects. The supervisor confiscated the IDs, work authorization documents and personal belongings from all of his workers and was refusing to pay them. After the young man confronted the supervisor, the crew abandoned him and stole his documents and belongings. He did not know the city he was in, had no ID or phone with him, and did not know where to go for help. He started walking and made his way to a bus station. He told his story to a ticket agent and security guard and asked if there was someone who could help him get a bus ticket home. They saw that he was extremely distressed and offered him a bottle of water and some potato chips. The onsite supervisor heard his story and called the National Human Trafficking Hotline which connected him to a local non-profit organization specializing in services to trafficking survivors. The service provider gave him a place to rest for the night, got him medical care for injuries he'd received on the job, helped him get in touch with his family, and connected him with law enforcement.

What can you do?

- Get trained on how to recognize signs of human trafficking.
- Post victim-centered posters in bus stations, transit centers and on buses.
- Be observant, listen and believe someone when they tell you they need help.
- Support someone in need by calling the National Human Trafficking Hotline (US: 1-888-3737-888; CAN: 1-833-900-1010) and/or connecting them with local resources (service provider or law enforcement).
- For suppliers and manufacturers, consult the toolkit developed by the U.S. Chamber of Commerce and A21 outlining a series of steps businesses can take to root out labor trafficking within their operations or supply chains.⁵

Notes

1. <https://polarisproject.org/wp-content/uploads/2019/09/Polaris-Typology-of-Modern-Slavery-1.pdf>
2. https://www.dhs.gov/sites/default/files/publications/continued_presence_pamphlet_ccht_final.pdf
3. <https://www.canada.ca/en/immigration-refugees-citizenship/services/application/application-forms-guides/protection-assistance-victims-human-trafficking.html>
4. Shared with TAT and used with permission from the Paseo Del Norte Center of Hope in El Paso, TX.
5. <https://www.uschamber.com/employment-law/anti-human-trafficking/us-chamber-of-commerce-and-a21-labor-trafficking-toolkit>