

Labor Trafficking Considerations for Housing Providers

Labor Trafficking is often under identified due to lack of training and awareness. It is frequently identified as other forms of exploitation, which can lead to a decrease in accessing appropriate services. Survivors of labor trafficking may be eligible for resources such as housing, case management, immigration relief, record expungement, public benefits, and restitution through both civil and criminal courts. Throughout this document we will briefly cover how housing programs can begin to identify and define labor trafficking, screen for labor trafficking and incorporate practices that include labor trafficking survivors seeking housing services.

Defining Forced Labor

The Trafficking Victims Protection Act (TVPA) defines forced labor (often referred to as labor trafficking) as 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. [Human Trafficking | Human Trafficking \(justice.gov\)](https://www.justice.gov/human-trafficking)

Difference Between Labor Trafficking & Labor Exploitation

There is often a gray area between labor trafficking and labor exploitation and differentiating between the two is a matter of appropriate screening. Labor trafficking and labor exploitation are both exploitative in nature. In cases of labor exploitation, an individual may be treated poorly, not paid as promised, and/or even experience harassment by the employer but free to leave or quit their job. In cases of labor trafficking, individuals may experience the same conditions as those being exploited but are not free to quit their jobs for a variety of reasons, including threats of legal processes or physical harm.

Intersectionality

It is important to acknowledge that labor trafficking can be experienced as a singular victimization. This can include trafficking in agriculture, hospitality, illicit forms of labor, manufacturing, construction, forestry, and much more. Human trafficking can also often intersect with other forms of violence. It is important to acknowledge that many survivors of violence may experience polyvictimization. Below are some examples of frequent intersections.

- **Sex Trafficking & Labor Trafficking**

An example of this intersection would include a trafficker sending a victim to a home where they are forced to clean during the day and engage in sex acts at night.

- **Domestic Violence & Labor Trafficking**

Traffickers frequently use romantic relationships to gain trust and compliance from their victims. Traffickers and perpetrators of Domestic Violence also use very similar power and control tactics (force, fraud, coercion, threats). An intimate partner may collect the victim's earnings; deny them the right to choose whether or not to work; and use threats of physical harm, deportation, and taking away children to keep the victim compliant.

- **Family Violence & Labor Trafficking**

Family violence, which includes child and elder abuse, may look like family members abusing a child while also forcing them into labor trafficking.

- **Sexual Assault & Labor Trafficking**

Labor trafficking victims are frequently targeted for sexual assault, and sexual assaults can be used by traffickers as a power and control tactic.

Survivors of labor trafficking may present to you as victims of another crime, adding to the under identified nature of the crime and the importance of screening.

Screening for Labor Trafficking

Labor trafficking screening requires going beyond soliciting yes or no answers. It must include follow-up questions that provide the screener or service provider with enough information to gauge recruitment, expectations, and the reality that the survivor faced while being trafficked. This includes knowing the number of days and hours worked, payment of services, access to earnings, debts owed, use of force either against the individual being screened or others employed by the trafficker, use of threats that lead an individual to believe that they or someone else may be harmed, incarcerated or deported. Screening may occur during one interview or over the course of several weeks.

If your agency has not been screening for labor trafficking it is important to engage in additional training support for program staff to effectively implement the screening questions and support proper identification. There are a variety of tools available to guide you through the process. Below are some examples:

- [Labor Trafficking Service Delivery: Screening and Interviewing](#)
- [Trafficking Victim Identification Tool](#)
- [Human Trafficking Indicators](#)
- [Resources: Screening Tool for Victims of Human Trafficking](#)
- [Adult Human Trafficking Screening Tool and Guide](#)
- [Trafficking Screening Tools for Youth](#)
- [Comprehensive Human Trafficking Assessment](#)



Labor Trafficking & Housing

Identifying Housing Needs & Barriers

Survivors of all forms of trafficking face barriers and challenges in accessing housing. This includes a lack of documentation, credit, or a history of incarceration that prevents them from accessing certain housing. Survivors of labor trafficking often do not have access to emergency housing due to lack of labor trafficking shelters. Service providers may utilize hotels or community placements for emergency stays. Transitional or long-term housing may require advocacy, credit repair assistance, assistance with obtaining documentation, and utilization of master leases.

Intersection of Labor Trafficking and Employer-Owned Housing

Individuals residing in employer-owned housing may be at risk of being isolated and monitored. They may also be dependent on their employer for their basic needs, which include access to food and water, as well as transportation to a grocery store. Some individuals may only have access to employer-provided transportation to grocery stores once per week, decreasing their access to food and increasing dependency on the employer. In certain rural communities, the employer may also be the owner of local stores and check cashing businesses, placing additional fees on services and making it impossible to keep any of the earnings. In smaller communities, the employer may be a well-established business person and a community member protected by the community. These situations are compounded when the employer is indeed trafficking the workers, who become both dependent on the trafficker for basic needs and unable to leave. This situation further decreases the opportunities for victim identification and referral to needed services.

Traffickers may use housing as a means of control, including housing scenarios where the crew leader and/or supervisor is residing with potential victims to monitor their every move. Some individuals may have been required to reside in employer-provided housing only to have deductions taken out of their checks for rent. Overcrowded living spaces, lack of privacy, and inadequate access to basic necessities contribute to a climate of fear.

Harmful Practices & Possible Alternatives

Service providers can unknowingly mimic labor trafficking experiences. The following is a list of some harmful practices and possible solutions. Please note that this list may not be all inclusive and it is important to consider the “why” behind policies and practices that are in place with your organization.

Chore requirements can be especially traumatic to domestic servitude survivors. Rigid requirements can be a reminder of tasks that a survivor had to complete in order to avoid physical harm.

- Alternatives: First, transparency helps to build trust; therefore, all requirements should come with explanations, and opportunities to ask questions and provide feedback. In communal environments, such as shelters, there are multiple ways that survivors can contribute if and when they voluntarily decide on those activities. For example, survivors may feel more comfortable with a different chore, cooking, teaching arts and crafts, reading to the children, answering the phones, etc. It’s important to ask survivors what they enjoy doing and thinking outside the box. Also note that in housing programs, survivors should not be monitored or inspected for cleanliness.

Strict schedules without explanation can negatively impact survivors.

- Alternative: Consider flexible schedules for individuals accessing outside services.

Requirements to participate in services and supports can be traumatic. Consider the many forms of trafficking, and various experiences, that can alienate individuals. Individuals who have experienced trauma may also struggle with systems of meaning and their view of the world. Requirements to participate in activities such as therapy, support groups, religious/spiritual groups, budgeting classes, parenting classes, and cooking classes are not appropriate.

- Alternative: Allow the survivor to choose their own path to healing including the right to choose not to access group therapy and engage in religious or spiritual practices.

Taking away people's belongings (cell phones) further impedes an individual's ability to communicate with family members. Their traffickers may have also taken away phones and used the threat of harm to a family member as a means of control.

- Alternative: Consider offering to demonstrate social media safety techniques while allowing survivors to keep their cell phone belongings. Remember that your services are voluntary and survivors have the right to choose to be there.

Monitoring phone calls is a harmful practice that is often used by traffickers. Service providers should not attempt to collect evidence or prohibit the survivor from communicating freely.

- Alternative: An explanation of shelter safety procedures that help protect the location of the shelter can be used to protect the survivor and the facility.

Using other survivors as interpreters to collect sensitive information violates a victim's right to privacy and confidentiality. Traffickers may have posed as survivor's interpreters in different settings limiting their ability to voice their concerns.

- Alternative: Create agreements with trained interpreters when the need for interpretation arises.

Unexpected visits, while residing in transitional housing, can feel like a form of supervision. This contributes to a feeling of lack of control, a key trauma trigger.

- Alternative: Consider offering the survivor support in identifying scheduling visits and giving the survivor options to choose the best day and time that works for them.

Documentation requirements that create barriers for marginalized communities contribute to uneven access to resources and services. These barriers include requiring survivors to provide documentation showing citizenship and proof of employment. Many traffickers seize victims' documents to maintain control of their movement.

- Alternative: Make access to housing services as low-barrier as possible, while assisting survivors to obtain documentation. Consider master lease agreements, which are a helpful tool in removing barriers for survivors and expediting the move-in process.

Drug testing requirements further limit survivors' access to coping mechanisms and access to housing services. Consider individuals who have been forced or coerced to sell, distribute, and use illegal substances as part of their labor trafficking scheme. Many individuals struggle with self-identifying as victims of labor trafficking due to messaging used by the trafficker that implies that they are criminals and not victims.

- Alternative: Consider offering treatment that can be accessed by survivors at any time, if this is an identified goal of theirs. Many individuals will need to have their basic needs met before prioritizing sobriety.

Requiring financial contribution while in housing programs. Agencies may encourage survivors to seek employment or income to be self-sufficient upon entering the shelter/housing program and in turn request payment from a survivor in exchange for their housing stay, which can be problematic. This dynamic can create a situation where a survivor returns to exploitative labor to be able to contribute to their housing and also leads to feelings of instability as their stay is once again dependent on someone else. Additionally, programs need to evaluate the expectation to provide financial contribution to stay in the shelter or program provided housing services.

- Alternative: Programs contribute 100% of rental support while a survivor is in the project and offer economic empowerment that centers the survivors' skills and needs to be permanently housed after the project.

Conclusion

Service providers need to assess their methods of screening for labor trafficking in conjunction with their screening processes for sex trafficking, domestic violence, and other victim identification procedures employed by the agency. Implementing an inclusive approach to screening for various forms of victimization reduces the need for survivors to undergo multiple interviews with the program. Furthermore, within the framework of existing housing programs, it is crucial to scrutinize the current policies and practices to ascertain whether these programs inadvertently replicate dynamics associated with trafficking experiences. Recipients of OVC funding are not only encouraged but also obligated to support survivors of all types of trafficking.

Additional Resources

- Labor trafficking training, videos, and screening questions created by Framework [Framework Resource Library - Framework Technical Assistance \(frameworkta.org\)](https://www.frameworkta.org)
- HEAL Trafficking, [HEAL Direct Services- Addressing the Needs of Labor Trafficking Survivors | HEAL Trafficking: Health, Education, Advocacy, Linkage](#)
- National Institute of Justice (NIJ), Urban Institute, [Understanding the Organization, Operation, and Victimization Process of Labor Trafficking in the United States \(ojp.gov\)](https://www.ojp.gov/ncjrs/pdffiles1/nij/247311.pdf)
- National Human Trafficking Resource Center (NHTRC) [Labor Trafficking Cases by Industry in the US Fact Sheet FINAL_1.pdf \(humantraffickinghotline.org\)](https://www.humantraffickinghotline.org/fact-sheet)
- COPS Labor Trafficking Videos and resources [LABOR TRAFFICKING | COPS OFFICE \(usdoj.gov\)](https://www.usdoj.gov/cops/labor-trafficking)