

**San Bernardino County
Department of Behavioral Health**

Trafficking Victims Protection Act of 2000

Effective Date 11/05/2015
Approval Date 08/08/2016


CaSonya Thomas, Director

Policy Human trafficking is a violation of labor, public health and human rights standards; therefore, DBH does not tolerate any DBH employee, contract agency, or its staff member who is trafficking or is affiliated with human trafficking.

In accordance with the Trafficking Victims Protection Act of 2000 (TVPA), the Department of Behavioral Health (DBH) shall not hire, contract or utilize the services of any individual or entity that has been determined to have violated TVPA including:

1. Engaging in trafficking in persons during the duration of a contract or employment,
2. Procuring a commercial sex act, and
3. Utilizing forced labor in the performance of a contract or employment.

Purpose To explain the requirements of TVPA and to ensure that no DBH employee, contractor, vendor, workforce member, intern, or volunteer is trafficking persons who by force, fraud, debt or coercion or any other means are physically or sexually exploited.

Definition **Trafficking Victims Protection Act of 2000 (TVPA):** A comprehensive federal law enacted to protect victims of trafficking or to prosecute their traffickers.

Compliance with TVPA To ensure DBH employees, contractors, vendors, workforce members, interns, and volunteers are adhering with TVPA, DBH is requiring the following actions of DBH and its contractors:

- Conduct appropriate background and/or Department of Justice screenings prior to employment (contractors must adhere with DBH contractual requirements),
- Require all levels of staff do not engage the services of any employee, contractor, vendor, workforce member, intern, or volunteer who violates TVPA, including administrative and management services that are necessary components for providing items and services to federal or state program beneficiaries,

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San Bernardino County Department of Behavioral Health

Trafficking Victims Protection Act of 2000, Continued

Compliance with TVPA, continued

- Take appropriate disciplinary action up to and including termination against any employee, contractor, vendor, workforce member, intern, or volunteer who is in violation of TVPA,
 - Enforce denial of payment to any employee, contractor, vendor, workforce member, intern, or volunteer who is in violation of TVPA,
 - Communicate the TVPA policy to all levels of staff including, but not limited to, employees, contractors, vendors, workforce members, interns and volunteers, and
 - Require contract language that includes prohibition of trafficking and adherence to TVPA.
 - DBH county and contractor clinics will post and make available within public viewing areas, resources on the "The Blue Campaign" which are available for public distribution. "The Blue Campaign" is the unified voice for the U.S. Department of Homeland Security's (DHS) efforts to combat human trafficking. Comprehensive resource materials can be found at: <https://www.dhs.gov/blue-campaign/resource-catalog>.
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Non- Compliance with TVPA

DBH employees, contractors, workforce members, interns, and volunteers who have been determined to have violated TVPA may be subject to termination as their salary is paid, in part or in whole, directly or indirectly, by federal or state reimbursement.

If a DBH contract agency, and its employees and/or agents, is determined to have violated the Trafficking Victims Protection Act of 2000, it may result in a unilateral termination of its contract without penalty in accordance with Title 2 of the Code of Federal Regulations, Part 175.

Reference

- Section 106 (g) Trafficking Victims Protection Act of 2000 (TVPA) as amended (22 U.S.C. 7104)
 - Title 2 of the Code of Federal Regulations, Part 175
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