

# **J-PAL Africa at the University of Cape Town Anti-Trafficking Compliance Plan for USAID-funded Activities Implemented through the Teaching at the Right Level in Africa: Creating Pathways to Scale Programme**

## **1. Background and Purpose**

In its capacity as the secretariat for Teaching at the Right Level in Africa: Creating Pathways to Scale, J-PAL Africa at the University of Cape Town (hereafter referred to as "UCT"), has developed an Anti-Trafficking Compliance Plan (herein after referred to as the "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 UCT staff, engaged in Teaching at the Right Level in Africa: Creating Pathways to Scale-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 UCT 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 UCT and those within the Teaching at the Right Level in Africa: Creating Pathways to Scale partnership. Teaching at the Right Level in Africa: Creating Pathways to Scale 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 Upon initial adoption of the Plan, all employees at UCT involved in Teaching at the Right Level in Africa: Creating Pathways to Scale - related activities will be notified and provided a copy of the Plan via email. A Teaching at the Right Level in Africa: Creating Pathways to Scale wide email will also be sent to sub-awardees engaged in Teaching at the Right Level in Africa: Creating Pathways to Scale-related activities, notifying them of the Plan.

3.2 UCT will send annual email reminders to employees engaged in Teaching at the Right Level in Africa: Creating Pathways to Scale activities, advising them of any Policy updates

as well as to familiarize themselves with the Plan. All new employees employed at UCT engaged with Teaching at the Right Level in Africa: Creating Pathways to Scale as well as those implementing Teaching at the Right Level in Africa: Creating Pathways to Scale activities in UCT's sub-awardees are required to take note, read and acknowledge the Plan at time of employment.

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

4.1 In accordance with South African labour laws, UCT prohibits the use of any misleading or fraudulent recruitment practices during the recruitment of employees or offering of employment to employees.

4.2 UCT requires all USAID-funded sub-awardees involved with Teaching at the Right Level in Africa: Creating Pathways to Scale-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 UCT 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 UCT 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, UCT 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 UCT 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 Teaching at the Right Level in Africa: Creating Pathways to Scale 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 Teaching at the Right Level in Africa: Creating Pathways to Scale-related activities, their employees, contractors, consultants, vendors, suppliers and subcontractors must agree to comply with the Plan and all applicable Provisions. UCT 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 UCT 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 J-PAL Africa at the University of Cape Town 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 UCT 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 UCT will review the plans and certifications of its sub-awardees implementing Teaching at the Right Level in Africa: Creating Pathways to Scale-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, UCT 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 Teaching at the Right Level in Africa: Creating Pathways to Scale-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 Executive Director, at J-PAL Africa at the University of Cape Town or to any Teaching at the Right Level in Africa: Creating Pathways to Scale sub-awardee focal point listed in Annexure A.

7.2 Any Teaching at the Right Level in Africa: Creating Pathways to Scale sub-awardee focal point listed in Annexure A or UCT staff member who receives such a complaint is required to immediately forward the report to the Executive Director, at J-PAL Africa at the University of Cape Town (refer Annexure A for contact details).

7.3 Any UCT or Teaching at the Right Level in Africa: Creating Pathways to Scale 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 Executive Director, at J-PAL Africa at the University of Cape Town 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. UCT will investigate all reports of prohibited trafficking-related activity or non-compliance with this Plan and take appropriate action.

7.4 UCT 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 UCT 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 UCT's disciplinary action.

## **8. Investigations**

8.1 Whenever UCT 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 UCT Executive director or his/her designate must inform Human Resources and the UCT Legal Adviser. S/he must also immediately notify USAID's Agreement Officer and the USAID Office of the Inspector General.

8.2 UCT 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 Teaching at the Right Level in Africa: Creating Pathways to Scale-related facilities and staff.

Date: 22<sup>th</sup> August 2017

**ANNEXURE A: Teaching at the Right Level in Africa: Creating Pathways to Scale focal point persons:**

<b>Country and Institution</b>	<b>Focal Point</b>	<b>Contact Details</b>
<b>ALL</b>	<b>Laura Poswell</b> Executive Director, at J-PAL Africa at the University of Cape Town	<a href="mailto:lposwell@povertyactionlab.org">lposwell@povertyactionlab.org</a> (office) +27 21 650 5981 (cell) +27 82 856 8733
<b>ALL</b>	<b>Emily Cupito</b> Associate Director, at J-PAL Africa at the University of Cape Town	<a href="mailto:ecupito@povertyactionlab.org">ecupito@povertyactionlab.org</a> South Africa: +27 76 741 0741 Rwanda: +250 78 682 0486 Zambia +260 97 355 6016 Uganda +256 78 750 8638
<b>ALL</b>	<b>Jay Adjei</b> Operations and Grants Manager, at J-PAL Africa at the University of Cape Town	<a href="mailto:jay.adjei@uct.ac.za">jay.adjei@uct.ac.za</a> +27 21 650 1839
<b>Pratham India</b>	<b>Ashleigh Morrell</b> Policy Manager at J-PAL Africa	<a href="mailto:amorrell@povertyactionlab.org">amorrell@povertyactionlab.org</a> South Africa +27 72 725 0552 Zambia +260 97 385 3678
<b>Film company South Africa</b>	<b>Ashleigh Morrell</b> Policy Manager at J-PAL Africa	<a href="mailto:amorrell@povertyactionlab.org">amorrell@povertyactionlab.org</a> South Africa +27 72 725 0552 Zambia +260 97 385 3678
<b>Website contractor (TBC) South Africa</b>	<b>Ashleigh Morrell</b> Policy Manager at J-PAL Africa	<a href="mailto:amorrell@povertyactionlab.org">amorrell@povertyactionlab.org</a> South Africa +27 72 725 0552 Zambia +260 97 385 3678
<b>Zambia NGO(TBC) Zambia</b>	<b>Ben Simunyandi</b> Policy Manager at J-PAL Africa	<a href="mailto:bsimuyandi@povertyactionlab.org">bsimuyandi@povertyactionlab.org</a> +26 097 425 0489
<b>IPA USA</b>	<b>Ben Simunyandi</b> Policy Manager at J-PAL Africa	<a href="mailto:bsimuyandi@povertyactionlab.org">bsimuyandi@povertyactionlab.org</a> +26 097 425 0489



**Sub-Awardee Certification Regarding Trafficking in Persons  
Teaching at the Right Level in Africa: Creating Pathways to Scale Programme**

**USAID sub-grant agreement between the University of Cape Town and Incline Films**

By signing below, the subawardee, as applicable, through its duly designated representative, after having conducted due diligence, hereby certifies the following:

1. The subawardee will adopt and implement this compliance plan to prevent the prohibited activities identified in section (a) of the Mandatory Provision "Trafficking in Persons" alternatively have a compliance plan to prevent prohibited trafficking-related activities which is not less favourable than this Plan and is in compliance with that plan;
2. The subawardee has implemented procedures to prevent any activities described in section (a) of the Mandatory Provision "Trafficking in Persons" and to monitor, detect, and terminate any contractor, employee, or other agent engaging in any activities described in such section; and
3. To the best of the representative's knowledge, neither the subawardee, nor any employee, contractor, or agent nor contractor, is engaged in any of the activities described in section (a) the Mandatory Provision "Trafficking in Persons."

Organisation: VVOB vzw, Julian Zillensplein 1 B24  
1060 Brussels  
BELGIUM

Contracting Representative: BART DEWAELE, DIRECTOR

Signature:

Bart Dewaele

Date:

16/11/2017



**Employee Acknowledgement & Certification Regarding Trafficking in Persons  
Teaching at the Right Level in Africa: Creating Pathways to Scale Programme**

**USAID sub-grant agreement between the University of Cape Town and Incline Films**

By signing below, I hereby certify that:

1. I have received a copy of the J-PAL Africa at the University of Cape Town Anti Trafficking Compliance Plan for USAID-funded Activities Implemented through the Teaching at the Right Level in Africa: Creating Pathways to Scale Programme.
2. I have read the Compliance Plan, understand my obligations as set forth in the Plan and that I have a shared duty to prevent, correct and, if necessary, report suspected prohibited trafficking-related activity.
3. I acknowledge the importance of the Compliance Plan to the proper conduct of business for and with USAID;
4. I commit to conduct myself in accordance with the Compliance Plan at all times.

Employee Name:

BART DEWAELE

Position/Role:

DIRECTOR

Organisation/Employer:

VVOB vzw

Signature:

Date:

16/11/2017

Any UCT or Teaching at the Right Level in Africa: Creating Pathways to Scale 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 Executive Director, at J-PAL Africa at the University of Cape Town 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](mailto:help@befree.org)

