



FRAMEWORK

tools to combat labor trafficking

Labor Trafficking Service Delivery: Screening and Interviewing

During Framework's Labor Trafficking Service Delivery: Screening and Interviewing event on January 3, 2022, educational psychologist, Cristobal Perez, provides in-depth knowledge of labor trafficking screening and interviewing procedures.

Screening: Meant to diagnose a certain experience with a predetermined population

Assessment: Used by experts, more comprehensive, and used to confirm crime victimization

Indicators of Human Trafficking Checklist: Identifies risk factors

Universal Education Approach: Educates clients on potential abuse to normalize talking about it so that they can share their experience

Why is screening important in labor trafficking cases?

Screening allows you to see if the person is eligible for services. In labor trafficking specifically, there are nuances to consider within different industries.

Remember: Only ask what is necessary. Be curious but not invasive.

Pre-screening

How does your organization train your staff, are they trauma-informed?

It's important to have a policy in place for different scenarios. Can survivors come to your office or will they be intimidated? Is there a safe, confidential place to meet?

Make sure your organization has interpretation and translation services set up in advance.

Make sure your organization has a referral system set up so you feel comfortable and familiar if you need to refer to another resource.

Selecting your screening tool

- Has the tool been validated?
- What language is it in?
- Are there different tools for general & emergency situations?
- What role do you play? Supervisor? Staff?
- Is it survivor-centered?
- Is it inclusive to all populations?
- What is the minimum info needed to screen this case?

What factors should be included in your tool?

Labor

Force, Fraud, Coercion

Emergency Intake Questions

Leading question:

"In a work situation, have you felt pressured, forced, or expected to work and you couldn't walk away because you were afraid for yourself or others?"

-You can use "catch-all" questions to identify other forms of trafficking.

-Remember that follow-up questions can uncover different forms of abuse than what the person came in for.

First, do no harm

Referral Interpretation Location Training

Screening

Location

Whether your screening takes place in person or remote will impact how you interact with survivors. Tailor your preparation to the circumstances.

Considerations

- Allow the survivor to lead the conversation.
- Do not force the subject.
- Be patient and listen.
- Be present.
- Remember that there might be industry-specific questions.
- Be mindful of the population you are screening.
- Know the difference between labor exploitation and trafficking.

Screening Steps

Establish a rapport & explain the process

Address basic needs.

Screen with chosen method & follow-up questions

Listen and observe

Communicate next steps

Food
Water
Interpreter
Address their fears

Safety plan
Share ways to contact you
Plan for barriers

Assess comfort
Normalize feelings
Take breaks
Listen for indicators
Watch body language

It's important to have a basic understanding of the main industries.



Do not impose your thoughts

Post-screening

Does the case meet the definition of human trafficking?

Yes

- Follow up
- Develop a service plan
- Make referrals

No

- Communicate why
- Make referrals if needed, prepare for warm handoff
- Share resources

Not sure

- Confer with your team/supervisor/funder
- Ask follow-up questions

Common Pitfalls

- Do not assume that the client will understand everything
- No need to over-promise
- Do not assume that labor trafficking only affects foreign-born individuals
- Not all cases of labor trafficking are the same

Q&A



and additional resources

Q. I have worked with a few people that have limited English and feel offended if you offer an interpreter, and worked with clients who feel uncomfortable with interpreters from their communities. How can audience members handle those situations?

A. It's hard to generalize, because it's always a case by case scenario. Mainly you don't want to lose their trust. Highlight that you're trying to understand their situation properly and that you are not trying to offend them. Highlight that it's more of a tool for you than for them.

Q. Can you share an example of an industry-related question?

A. There are various industries to choose from but here are some example of questions that apply to foreign born individuals in contract-based sectors like the hospitality industry:

- Did you sign a document/contract to come to the US?
- If you did sign a contract, do you have a copy of it? Depending on the answer, follow up questions may include:
 - Was it in your language or did someone translate the content to you?
 - Did you agree to a wage and role verbally or in writing?
 - Was it a temporary agreement? Was it stipulated in the contract?
 - What were the terms of the contract? Were those terms honored?
 - Do you know if it could be terminated at any point?

Q. Where can I find information on labor trafficking vs labor exploitation?

A. There are multiple resources online. To summarize, according to the federal definition in the United States, labor trafficking applies to work performed under force, fraud, or coercion. Labor exploitation applies to instances in which employers deny workers their rights under labor law, such as the right to fair compensation, working hours, and conditions. There also might be wage theft and a denial that the employee can quit the job if they choose. These are some examples but please contact us if you'd like to have a more detailed description of this.

Q. What are the rights that you most often find that people are unaware of, such as control of passport, etc.?

A. The list of rights that people aren't always aware of can vary but below are some examples that I've seen:

- Workers' rights (like minimum wage or how overtime applies to work in the United States);
- If you are a foreign-born individual in the United States (documented and undocumented) you have rights that protect you against crimes;
- For minors, how many hours they are allowed to work, how it varies by age, and the variables that might change what is allowable such as the industry.

Q&A



and additional resources

Q. Would you say that, in terms of considerations, it's important to have cultural humility and experience on how certain communities understand their reality? For instance, I find that when screening for labor trafficking with young adult Latino immigrant men engaged in illicit drug sales, asking if they were "forced" or using similar terms will surely result in them saying NO.

A. Absolutely, being culturally humble and aware is a key component when screening or interacting with people. It may break your building blocks before you even have a chance to start building it. The important thing you have to keep in mind is that you might not be an expert on all cultures. If you are aware of the survivor's background in advance of your meeting, you can do some research or connect with partners who may be able to provide practical guidance. Many times, we do not have the information ahead of the initial conversation, so if you find the lack of cultural understanding is a barrier, ask the individual to share a bit about themselves and their community. You can also share with them about your lack of familiarity but willingness to learn more. Give them the space to teach you and also, ask for understanding as well as feedback if there is miscommunication. The relationship should be one of mutual respect.

Q. I'm also interested in knowing if that is a similar experience for you.

A. Most definitely, culture is something that I think is very important when considering screening individuals. A great amount of labor trafficking cases that I have worked have involved foreign-born individuals and they all required me to consider cultural components. This allows me to make sure that I frame the issue in a way that they are comfortable addressing the subjects that are being discussed, understand the exploitation that might have been taking place, and of course it helps with the rapport building.

Q. I worked with a few people that have limited English and feel offended if you offer an interpreter. How can we address those situations?

A. If this is the case, the first component here is to explain the role of the interpreter and that working with one isn't about insulting or offending anyone. The main goal here would be to redirect the conversation. Let them know that using an interpreter is a tool that you need to make sure you answer your questions as best as possible. It isn't because the individual isn't capable of communicating, but in your experience, you've felt that using an interpreter is something that has been beneficial when having these types of conversations. If necessary, take the blame for the need of an interpreter, do not make it seem like it's their fault. Share with them that it is because you don't want to miss anything they say, all components discussed need to be properly considered and interpreters have helped you achieve this in the past. If after having that that initial conversation they might seem open to it, make sure that you offer them that if at any point they feel uncomfortable with the interpreter that they can stop the screening at any time.

Resources

- **Trafficking Victim Identification Tool:**

<https://www.vera.org/downloads/publications/human-trafficking-identification-tool-and-user-guidelines.pdf>

- **PEARR Tool:**

<https://www.dignityhealth.org/hello-humankindness/human-trafficking/victim-centered-and-trauma-informed/using-the-pearr-tool>

To learn more about Framework or to request training, technical assistance, or individualized support on labor trafficking, visit us on our website.

www.frameworkta.org