Labor Trafficking and Exploitation Update

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Figure 1: Global estimate by form of forced labour

- State imposed: 2,200,000.00 (10%)
- Sexual exploitation: 4,500,000.00 (22%)
- Labour exploitation: 14,200,000.00 (68%)

Source: ILO
Figure 5. Annual profit per victim by sector of exploitation (US$)

Annual profits per victim per sector of exploitation (US $)

Source: ILO
UNDERSTANDING HUMAN TRAFFICKING

Human trafficking is a public health, public safety and human rights violation that occurs around the world and in communities throughout Minnesota. Human trafficking includes both labor and sex trafficking, and international and domestic victims. The Minnesota Human Trafficking Task Force (MNHTTF) is working to address and prevent human trafficking through a coordinated, multidisciplinary, statewide response.
Federal Law

Trafficking Victim Protection Act of 2000
“Severe forms of trafficking in persons” includes:

The recruitment, harboring, provision, or obtaining of a person for labor or services, through the use of force, fraud, or coercion for the purposes of subjection to involuntary servitude, peonage, debt bondage or slavery

Human Trafficking TVPA 2000

**Action** How did the person get into the situation?
- Recruitment, transportation, harboring, enticing, and obtaining

**Means** How was the person kept in the situation?
- Force – physically/sexually, bodily harm
- Fraud – lies, false promises, fake contracts
- Coercion – threats of violence, shame, threats of deportation or notifying authorities

**Purpose** What purpose/goal?
- Involuntary servitude
- Debt bondage
- Slavery
- Sex Trade
Breaking down the definition

Involuntary Servitude

• When a person is held in a condition of compulsory service or labor against his or her will.

• A climate of fear is created so the victim is unable to escape
Breaking down the definition

**Slavery**

- When a person is forced to work, without pay, under threat of violence, who cannot walk away
Breaking down the definition

Peonage/debt bondage/bonded labor

• When a worker accepts a loan and engages in work with the lender to pay off the loan.
• Repayment of the loan becomes impossible as more and more fees and expense are added onto the debt.
• The worker cannot escape the situation and is forced into a situation of involuntary servitude or forced work.
Breaking down the definition

**Domestic servitude**

- Household help, often nannies or domestic help who receive little or no pay, often kept under physically, sexually and emotionally abusive conditions and cannot leave the household
Where does human trafficking occur?

- Domestic Service
- Commercial Sex
- Factories
- Peddling/Door to Door Sales
- Agriculture/Farms
- Criminal Activity (stealing, drug transport,)
- Restaurant Work
- Construction
- Hotel/Motel Housekeeping
- Nail Salons
- Carnivals
- Food Processing /Canneries/Agricultural Facilities
• FBI began investigating after a tip from an NGO who was helping victim sort through immigration relief options
• Criminally prosecuted under Forced Labor statute (18 USC 1589).
• First federal Forced Labor case in the District of Minnesota.
Minnesota Cases

Domestic servants recruited from other countries to provide housekeeping and child care in homes.
Minnesota Cases
Dance, Choral, Drumming
performers who are recruited to travel U.S. and provide performances to paying audiences
Minnesota Cases
Carnival Workers: Set up/tear down of equipment, ride operation, highly mobile/traveling state to state
Minnesota Cases
Agricultural Processing Facilities: High need for large number of temporary workers to manage seasonal production
Red Flags

- Lives and works on the premises
- Fearful of discussing work or work conditions
- Not free to leave or come and go as he/she wishes
- Unpaid, paid very little, or paid only tips
- Works excessively long and/or unusual hours
- Not allowed breaks or suffers under unusual work restrictions
- Owes large debt to recruiter/employer
- Recruited through false promises about nature and conditions of his/her work
- High security measures exist in work or living locations (opaque, boarded up, or barred windows, barbed wire, security cameras, etc.)
- Person under constant surveillance, never left alone
Are you seeing labor trafficking?

- Has anyone asked you not to talk to others about your job?
- Is your boss involved in your housing, food, or other needs?
- Has anyone lied to you about your job, pay, or benefits?
- Did someone tell you about the rules where you are working? Who told you?
- Do you owe money to your boss or anyone at your job?
- What do you believe will happen if you stop working?
- Who brought you to your job?
- Who is your boss?
IIMN Anti-Trafficking Services

Direct comprehensive case management services to foreign-born minor and adult survivors of sex and labor trafficking.

Direct client funds available for stabilization needs

Twin Cities and Surrounding Metro Area

Part of larger network through USCRI that provides services to survivors in 32 states throughout the country

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• Report released March 2014

• Based on 2 years of research, over 200 interviews, and 25 conversations with nearly 500 people
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Labor Exploitation

- Wage theft
- Contracting
- Trafficking
- Safety Violations

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Minn. Stat. 609.281 defines “Labor trafficking” as:

(1) the recruitment, transportation, transfer, harboring, enticement, provision, obtaining, or receipt of a person by any means, for the purpose of:

(i) debt bondage or forced labor or services;
(ii) slavery or practices similar to slavery; or
(iii) the removal of organs through the use of coercion or intimidation; or

(2) receiving profit or anything of value, knowing or having reason to know it is derived from an act described in clause (1).
Lack of Knowledge

- Workers don’t know their rights or what to do when they are violated

Fear of retaliation

- Employers threaten deportation or physical harm
- Workers don’t want to lose their job

Lack of Access

- Workers don’t know where to go or what agency can help and don’t have the time to wait for case to settle

Worker Protection Project
More Information

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