

Identifying and Responding to Child Labor Trafficking



About Child Labor Trafficking

Child labor trafficking is the use of force, fraud, or coercion, leading a child or youth to perform labor or services. Work may include formal employment or informal services such as babysitting or even illegal activities.

Sex trafficking and labor trafficking often co-occur, and victims experience similar forms of control. Yet an important legal distinction is that force, fraud, and/or coercion must be present in labor trafficking, while any minor involved in a commercial sex act is automatically considered a victim by law. Children and youth who have experienced any form of human trafficking suffer from severe and complex trauma that impacts their physical, emotional, and mental health, leading to challenges in achieving stability and well-being.

Why is Child Labor Trafficking Relevant to Child Welfare & Probation?

- ✓ Youth with experience in foster care or the juvenile justice system are at high risk of labor trafficking or labor exploitation.
- ✓ Child labor trafficking frequently intersects with commercial sexual exploitation.
- ✓ Child labor trafficking may involve the failure or inability of the parent or guardian to adequately supervise or protect the child [WIC 300(b) (1)]. This includes but is not limited to children who were labor trafficked by a parent or guardian.

Identification

Early identification is key to establishing a local response and connecting children and families to support. Many children experience labor trafficking at the same time as other forms of maltreatment. When concerns are present, consider the safety risks and plan to address immediate needs that focus on the well-being of the child or youth. Due to fear victims rarely self-disclose and rapport building is critical.

Red Flags and Indicators

Victims may be of any gender or race/ethnicity, be U.S. citizens or have any immigration status. They may experience one or more of the following indicators.

- ✚ Cannot move freely, monitored, or not allowed to come and go at will.
- ✚ Not permitted to use phone or other communication, restricted from contacting family/friends.
- ✚ Someone else may speak for them.
- ✚ Someone may control their transportation.
- ✚ Unsure of day, month, year, as developmentally appropriate.
- ✚ Frequent moves or uncertainty of address.
- ✚ Unusual living/workspace (i.e. tinted windows, security cameras, barbed wire, sleeping/living at worksite).
- ✚ Wears' same clothes daily, or routinely not in season.
- ✚ Not in control of personal identification.
- ✚ Someone else controls money or collects most or all of work earnings.
- ✚ Explanation of work situation does not make sense or is scripted.
- ✚ Seems afraid to answer questions.
- ✚ Fearful of employer or another person who makes them work.
- ✚ Living with or accompanied by people who are not parents/guardians, and/or their relationship is unclear.
- ✚ Long work hours; exhausted and/or hungry.
- ✚ Missing school because must "work."
- ✚ Owes a debt to someone they are "working for."
- ✚ Shows other signs of abuse and/or neglect.
- ✚ Arrested or criminal history for crimes such as stealing, peer recruitment or drug sales; money goes to third party.

See the Signs? Continue to the Child Labor Trafficking Quick Screening

Labor Trafficking Quick Screening

The screening tool consists of two questions. The first question is about whether the child is working for someone else and the second is about whether the child has been compelled to work. If the answer to both questions is yes, the child in question may be a victim of labor trafficking. The screening tool is intended for the screener, screening team, assigned worker or supervisor to use in reviewing information known about a child who shows signs of labor trafficking. **It should not be used** to conduct an interview of a child or family, nor is it intended as a self-assessment. Visit www.cfpic.org/projects/pact/screening-tools for a complete list of available validated screening tools and further assessments if initial red flags are present. Additionally, consider a partnership with a local service provider who has expertise in providing supportive services to child victims of labor trafficking. Visit <https://pact.cfpic.org/resources/> for an online directory of California Providers.

1. Is the alleged victim providing labor or services for another person?

Yes No Unsure

Examples:

- ✦ The alleged victim is formally employed by the alleged trafficker.
- ✦ The alleged victim is formally employed by another person and the alleged trafficker is benefiting.
- ✦ The alleged victim is engaged in illegal activities for the benefit of the alleged trafficker, such as theft, drug cultivation/smuggling, peer recruitment, identify theft.
- ✦ The alleged victim provides informal services for the benefit of the alleged trafficker, such as babysitting, housework, healthcare, day labor or working “off the books.”

2. Does the alleged victim appear to be compelled in any way to provide the labor or services?

Yes No Unsure

Examples:

- ✦ The alleged victim cannot access personal documents.
- ✦ The alleged victim is physically confined, monitored, or isolated to keep them working.
- ✦ The alleged victim owes money to their boss/employer, the person who is housing them or the person who helped them find the job and are unable to reduce their debt through reasonable work. For instance, when money is taken directly from their pay to cover a debt or for travel and the amount, they owe increases or does not decrease.
- ✦ The alleged victim is afraid something bad will happen to them or someone else if they stop providing the labor or service. This includes actual or threatened physical harm or death, loss of housing and blackmail.
- ✦ The alleged victim has been threatened with legal consequences, such as arrest, immigration, enforcement actions, reports to child protection or civil actions.
- ✦ The alleged victim is providing labor or services due to false promise of a benefit such as pay, education, immigration status or a better life.
- ✦ The alleged victim is missing school because someone is requiring them to work.
- ✦ A close emotional or familial relationship is being used to manipulate the alleged victim into providing labor or services (beyond standard family relationships and expectations).



Child & Family Policy Institute of California