

# Identifying and Responding to Child Labor Trafficking



## What is 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 considered a victim. 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.

## How can you identify child labor trafficking?

Early identification is key to establishing a local response and connecting children and families to services. Many children experience labor trafficking at the same time as other forms of child abuse or neglect. Child labor exploitation or trafficking is a serious crime and can be very dangerous for children. When labor trafficking is identified consider immediate safety risks and cross report to law enforcement.

## 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 the following:

- ✚ Can't move freely, not allowed to come and go at will
- ✚ Living with or accompanied by people who are not their parents or guardians or whom their relationship is unclear
- ✚ Someone else speaks for them.
- ✚ Not permitted to use phone or other communications, especially if restricted from contacting family
- ✚ Someone may control their transportation
- ✚ Unsure of day, month or year as developmentally appropriate
- ✚ Frequent moves or uncertainty of address
- ✚ Unusual living/work space (i.e. tinted windows, security cameras, barbed wire, sleeping/living at worksite)
- ✚ Wears the same clothes daily, or routinely wears clothes not in season
- ✚ Not in control of personal identification
- ✚ Someone else controls their money or collects their earnings from work
- ✚ Explanation of work situation doesn't make sense; seems scripted
- ✚ Seems afraid to answer questions
- ✚ Fearful of employer (may be formal employer or "family member or boyfriend/girlfriend, etc.")
- ✚ Long work hours; exhausted; hungry
- ✚ Missing school because has to "work"
- ✚ Owes a debt to employer (may be family member)
- ✚ Shows other signs of abuse or neglect
- ✚ Arrested or criminal history for crimes such as stealing 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](http://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 [www.cfpic.org/projects/pact/specialized-services](http://www.cfpic.org/projects/pact/specialized-services) for a list of local 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 trafficking or identity theft.
- ✦ The alleged victim provides informal services for the benefit of the alleged trafficker, such as babysitting, housework, home health care, 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 their personal documents.
- ✦ The alleged victim is physically confined, monitored or isolated to keep them working.

- ✦ The alleged victim owes money to their boss, the person who hired them, 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 services. 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 other civil actions.
- ✦ The alleged victim is providing labor or services as a result of a 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).