



## **Combating Trafficking in Persons Compliance Plan**

### **Sonoran Technology and Professional Services Technical Support Contract**

**Contract Number: W9128Z-15-C-0005**

**Period of Performance: 1 August 2015 - 31 July 2019**

Sonoran Technology is opposed to human trafficking and forced labor in any form. We are committed to working to mitigate the risk of human trafficking and forced labor in all aspects of our business. The US Government has a zero-tolerance policy regarding any Government employees and contractor personnel and their agents engaging in any severe form of trafficking in persons, defined to mean the recruitment, harboring, transportation, provision or obtaining of a person for labor or services, through the use of force, fraud, or coercion for the purpose of subjection to involuntary servitude, peonage, debt bondage or slavery and sex trafficking.

Sonoran Technology Personnel are required to comply with the provisions contained in the Federal Acquisition Regulation; Ending Trafficking in Persons (48 CFR Parts 1, 2, 9, 12, 22, 42, and 52) (the "FARs") and Defense Federal Acquisition Regulation Supplement: Further Implementation of Trafficking in Persons Policy (48 CFR Parts 203, 204, 212, 222, and 252) (the "DFARS") Executive Order 13627, "*Strengthening Protections Against Trafficking in Persons in Federal Contracts*," (the "Executive Order") as well as Sonoran Technology Policy Letter, *Combating Trafficking in Persons*:

<http://www.sonorantechnology.com>

To the extent these provisions differ in their requirements, the stricter requirements must be followed.

The following sets forth Sonoran Technology's compliance plan for the above referenced contract, as required by FAR 52.222-50(h), based upon on the size and complexity of the contract and the nature and scope of the activities.

Additional awareness information about trafficking in persons may be found at the U.S. Department of State's Office to Monitor and Combat Trafficking in Persons website at:

<http://www.state.gov/j/tip>.



## **AWARENESS PROGRAM**

Pursuant to the FARs, contractors, contractor employees and their agents are prohibited from:

- Engaging in severe forms (i.e., using force, fraud or coercion) of trafficking in persons during the period of performance of a contract;
- Procuring commercial sex acts during the period of performance of a contract
- Using forced labor in the performance of a contract;
- Destroying, concealing, confiscating, or otherwise denying access by an employee to the employee's identity or immigration documents, such as passports or drivers' licenses, regardless of issuing authority;
- Using misleading or fraudulent recruiting practices during the recruitment of employees or offering of employment, such as failing to disclose, in a format and language accessible to the worker, basic information or making material misrepresentations during the recruitment of employees regarding the key terms and conditions of employment, including wages and fringe benefits, the location of work, the living conditions, housing and associated costs (if employer or agent provided or arranged), any significant costs to be charged to the employee, and, if applicable, the hazardous nature of the work;
- Using recruiters that do not comply with the local labor laws of the country in which the recruiting takes place;
- Charging employees recruitment fees;
- Failing to provide return transportation or pay for the cost of return transportation upon the end of employment, for an employee who was not a national of the country in which the work is taking place and who was brought into that country for the purposes of working on a U.S. Government contract, subcontract or portion(s) of contracts or subcontracts performed outside the United States;
- Failing to provide return transportation or pay for the costs of return transportation upon the end of employment, for an employee who is not a United States national and who was brought into the United States for the purpose of working on a U.S. Government contract or subcontract, if the payment of such costs is required under existing temporary worker programs or pursuant to a written agreement with the employee for portions of contracts and subcontracts performed inside the United States;
- Providing or arranging housing that fails to meet the host country housing and safety standards; and
- If required by law or contract, failing to provide an employment contract, recruitment agreement or other required work document in writing in a language the employee understands. If the employee must relocate to perform the work, the work document shall be provided to the employee at least five days prior to the employee relocating.

Any violation of the FARs, the DFARS, The Executive Order and/or Sonoran's Policies could result in disciplinary action which may include but is not limited to, an employee's removal from a contract, reduction in benefits or termination of employment. For subcontractors and subcontractor employees, failure to comply with the requirements of the FARs, the DFARS, and the Executive Order is grounds for Sonoran Technology to take any and all appropriate actions, up to and including immediate termination of employment.

## **EMPLOYEES**

On an annual basis, Sonoran Technology requires all employees to complete Compliance Training and certify that they have read and understand the Sonoran Technology Employee Handbook and agree to comply with the policies, procedures and principles of Sonoran Technology's Policies, and report any violations of which they are aware. The Sonoran Technology Policy both of which are publicly posted on its website:



<http://www.sonorantechnology.com>

Sonoran Technology conducts compliance training as needed throughout the year. Such compliance training is targeted and customized for various business units and appropriate to the nature and scope of the activities to be performed.

Communication was sent to all Sonoran Technology employees which included training on combating human trafficking, the Sonoran Technology Policy, the Sonoran Technology Code of Conduct and this compliance plan.

#### **Subcontractors/Suppliers**

Applicable FAR and DFARS clauses are “flowed down” to any current or future subcontractors. Subcontractors are also provided links to the Sonoran Technology Code of Conduct and the Sonoran Technology Policy and asked to certify that they have read and understood those documents. A copy of current or future subcontractor certifications are maintained on file with Sonoran Technology.

All suppliers, current or future, are sent a communication from Sonoran Technology informing them of the finalization of the rules, Sonoran Technology’s expectations of their compliance with those rules, as applicable, and providing the additional information and resources set forth in the comments to the revised rules. This communication is posted on the Sonoran Technology and the supplier’s websites.

As new subcontractors and suppliers are brought on as part of the Sonoran Technology Team, all pertinent certifications and trainings to this policy are included as part of the new supplier setup.

#### **CONTINGENT WORKERS**

Contingent workers are provided copies of Sonoran Technology’s Code of Conduct and the Sonoran Technology Policy and asked to certify that they have read and understand the policy and code. They are also provided written training on combating human trafficking and asked to certify that they have read and understand the training material.

#### **QUESTIONS**

Questions regarding Sonoran Technology’s policy and actions to combat trafficking in persons can be directed at the following link:

<http://www.sonorantechnology.com>

#### **REPORTING PROCESS**

Employees should consult their site manager or the Law Department if they are uncertain whether a specific action would be in violation of the FARs, the DFARS, the Executive Order or the Sonoran Technology Policy.

Employees are required to report, without fear of retaliation and reprisal, subject to protection under 10 U.S.C. 2409, as implemented in DFARS subpart 203.9, for whistleblowing on trafficking in persons violations or any activity that violates the FARs, the DFARS, the Executive Order or the Sonoran Technology Policy to their management, or the Law Department. In addition, employees may contact the Global Human Trafficking Hotline at 1-844-888-FREE or via its email address at [help@befree.org](mailto:help@befree.org) or the Department of Defense at [www.dodig.mil/hotline/](http://www.dodig.mil/hotline/) or toll free at 800-424-9098, or United States Forces Korea (USFK) Prostitution and Human Trafficking Hotline DSN: 315-736-9333 for commercial dial 0505-336-9333.



## **RECRUITMENT AND WAGE PLAN**

To the extent Sonoran may use recruitment companies, only recruitment companies with trained employees may be used, no recruitment fees may be charged to the employee and all wages must meet applicable host-country legal requirements or explain any variance.

## **HOUSING PLAN**

The US Government does not offer in-country housing arrangements for the Korea Transformation/Yongsan Relocation Project/Land Partnership Project (KT/YRP/LPP) Project. Our personnel are mainly in a TDY status and reside in commercial off-post housing (ex: Marriott, Hilton) at appropriate per-diem rates as authorized by the Joint Transportation Regulation (JTR).

## **PROCEDURES TO PREVENT AGENTS AND SUBCONTRACTORS FROM ENGAGING IN TRAFFICKING IN PERSONS AND TO MONITOR, DETECT AND TERMINATE**

### **SUBCONTRACTORS**

Sonoran Technology requires all future subcontractors to certify:

- Its policies and practices prohibit engaging in the trafficking of persons, the use of forced labor, or the procuring of commercial sex acts in the country or countries in which it conducts business; and if applicable, it has implemented a compliance plan to prevent any prohibited activities identified at FAR 52.222-50 (b) and to monitor, detect, and terminate any agent, subcontract or subcontractor employee engaging in prohibited activities and after conducting due diligence:
  - to the best of the subcontractor's knowledge and belief, neither it nor any of its agents, subcontractors, or their agents is engaged in any such activities
  - to the best of the subcontractor's knowledge and belief, abuses relating to any of the prohibited activities identified in FAR 52.222-50(b) have been found, the subcontractor has taken the appropriate remedial and referral actions

It has reviewed and understands Sonoran Technology Policy Letter, Combating Trafficking in Persons Policy.

As required by the FARs, Sonoran Technology shall flow down all applicable clauses to its subcontractors and agents.

Failure to comply with the requirements of the FARs is grounds for Sonoran Technology to take any and all appropriate actions, up to and including immediate termination of that subcontractor's or agent's contract with Sonoran Technology.

### **SUPPLIERS**

Sonoran Technology will make available to future suppliers through e-mail, written training and information on combating human trafficking.

Sonoran Technology requires a review of future suppliers that could reasonably fall within the requirements of the FARs, to determine what steps the supply base is taking or has taken to comply with the requirements. All suppliers included in the review are provided with training and information on combating human trafficking. All due diligence gathered from suppliers relating to their efforts to comply with the FARs is maintained in a central repository.



## **CONTINGENT WORKERS**

As part of the onboarding process, Sonoran Technology provides each future contingent worker, through their employer, a copy of Sonoran Technology's Policy Letter, Combating Trafficking in Persons and other required certifying:

- They have received all of those documents, they have read and understood all required documents and they agree to abide by them
- They acknowledged the principles of legal and ethical business behavior set forth in these documents and conduct themselves accordingly

They are expected to report any concerns or possible violations, without fear of retaliation and subject to employee protection, if applicable, under U.S.C. 2409 as implemented in DFARS subpart 203.9, to the Sonoran's Hotline 1-844-677-3030, or the Global Human Trafficking Hotline at 1-844-888-FREE or via its email address [help@befree.org](mailto:help@befree.org); and

They acknowledge awareness of the U.S. Department of State's Office to Monitor and Combat Trafficking in Persons website at <http://www.state.gov/j/tip> which contains further awareness information.

## **NOTIFICATION**

Sonoran Technology is required, upon receipt of credible information alleging a violation of FAR 52.222-50 to take the following actions:

- The Contractor shall inform the Contracting Officer and the agency Inspector General immediately of:
  - Any credible information it receives from any source (including host country law enforcement) that alleges a Contractor employee, subcontractor, subcontractor employee, or their agent has engaged in conduct that violates the policy in paragraph (b) of this clause (see also 18 U.S.C. 1351, Fraud in Foreign Labor Contracting, and 52.203-13(b)(3)(i)(A), if that clause is included in the solicitation or contract, which requires disclosure to the agency Office of the Inspector General when the Contractor has credible evidence of fraud)
  - Any actions taken against a Contractor employee, subcontractor, subcontractor employee, or their agent pursuant to this clause
  - If the allegation is associated with more than one contract, the Contractor shall inform the contracting officer for the contract with the highest dollar value.
- Remedies. In addition to other remedies available to the Government, the Contractor's failure to comply with the requirements of paragraphs (c)(d)(g)(h) or (i) of this clause may result in:
  - Requiring the Contractor to remove a Contractor employee or employees from the performance of the contract;
  - Requiring the Contractor to terminate a subcontract;
  - Suspension of contract payments until the Contractor has taken appropriate remedial action;
  - Loss of award fee, consistent with the award fee plan, for the performance period in which the Government determined Contractor non-compliance;
  - Declining to exercise available options under the contract;
  - Termination of the contract for default or cause, in accordance with the termination clause of this contract; or
  - Suspension or debarment.
- Mitigating and aggravating factors. When determining remedies, the Contracting Officer may consider the following:
  - Mitigating factors. The Contractor had a Trafficking in Persons compliance plan or an



- awareness program at the time of the violation, was in compliance with the plan, and has taken appropriate remedial actions for the violation, that may include reparation to victims for such violations.
- Aggravating factors. The Contractor failed to abate an alleged violation or enforce the requirements of a compliance plan, when directed by the Contracting Officer to do so.
  - Full cooperation.

As described above, employees may, in good faith, report, without fear of retaliation and with employee protection under 10 U.S.C. 2409, as implemented in DFARS subpart 203.9, any activity that violates the FARs, the DFARS, the Executive Order or Sonoran's Policy Letter to their management. Reports can also be made to Global Human Trafficking Hotline at [help@befree.org](mailto:help@befree.org). Anyone, including subcontractors, agents, and contingent workers, can use the hotlines or websites to report any issues relating to human trafficking.

#### **POSTING**

Sonoran Technology shall post its compliance plan during contract performance, at the Sonoran Technology's website.

Sonoran Technology shall provide its compliance plan to the Contracting Officer upon request.

#### **CERTIFICATIONS**

Prior to contract award and annually after receiving an award, Sonoran Technology provides certifications to the contracting officer as required by the FARs.

Prior to award of a subcontract, and annually during performance of the contract, Sonoran Technology shall obtain from each subcontractor with subcontracts for supplies, other than COTS items, to be acquired outside the United States, or services to be performed outside the United States, a certification as required by the FARs.

In addition, for individual contracts that are for supplies, other than commercially available off-the-shelf items, acquired outside the United States or services to be performed outside the United States, and has an estimated value exceeding \$500,000, before entering into a subcontract, Sonoran Technology will obtain from each subcontractor whose subcontract meets the above requirements, a certification as required in FAR 1703(c)(3)(i) and (ii).



## COMBATING TRAFFICKING IN PERSONS

### OBJECTIVE:

To establish Sonoran's policy on forced labor and human trafficking and the requirements of Executive Order 13627 issued 9/25/2012, "*Strengthening Protections Against Trafficking in Persons in Federal Contracts*" as well as the Federal Acquisition Regulation; Ending Trafficking in Persons (48 CFR Parts 1, 2, 9, 12, 22, 42, and 52) (the "FARs") and Defense Federal Acquisition Regulation Supplement: Further Implementation of Trafficking in Persons Policy (48 CFR Parts 203, 204, 212, 222, and 252) (the "DFARs") all of which are an effort to address the crime of human trafficking by setting forth the government's zero tolerance policy regarding trafficking in persons and require affected employees to comply with it.

### DEFINED TERMS:

- All forms of trafficking in person's means: the recruitment, harboring, transportation, provision or obtaining of a person for labor or services, through the use of force, fraud, or coercion for the purpose of subjection to involuntary servitude, peonage, debt bondage or slavery and sex trafficking. Source; Section 103 of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7102).
- A "commercial sex act" means: any sex act on account of which anything of value is given to or received by any person. FAR 22.1702 Terms not specifically defined herein shall have the meanings prescribed in the above referenced FARs and DFARs.

### Policy Statements:

Sonoran Technology is opposed to human trafficking and forced labor in any form. We are committed to mitigating the risk of human trafficking and forced labor in all aspects of our business. The US Government has a zero-tolerance policy regarding any Government employees, contractor personnel and their agents engaging in any form of trafficking in persons. Sonoran employees and our agents are required to comply with the applicable provisions contained in the FARs and DFARs and Executive Order 13627. In the event of a conflict between the FAR, DFAR, the Executive Order, and this policy, the stricter requirements must be followed.

Pursuant to the FAR, government contractors, contractor employees, subcontractors, subcontractor employees, and their agents are prohibited from:

- Engaging in all forms (i.e., using force, fraud or coercion) of trafficking in persons during the period of performance of a contract
- Soliciting commercial sex acts during the period of performance of a contract
- Using forced labor in the performance of a contract
- Destroying, concealing, confiscating, or otherwise denying access of an employee's



identity or immigration documents, such as passports or drivers' licenses, regardless of issuing authority

- Using misleading or fraudulent recruiting practices during the recruitment of employees or offering of employment, such as failing to disclose, in a format and language accessible to the worker, basic information or making material misrepresentations during the recruitment of employees regarding the key terms and conditions of employment, including wages and fringe benefits, the location of work, the living conditions, housing and associated costs (if employer or agent provided or arranged), any significant costs to be charged to the employee, and, if applicable, the hazardous nature of the work
- Using recruiters not in compliance with local labor laws of the country in which the recruiting takes place
- Charging employees recruitment fees
- Failing to provide return transportation or pay for the cost of return transportation upon the end of employment for an employee who was not a national of the country in which the work is taking place and who was brought into that country for the purposes of working on a U.S. Government contract, subcontract or portion(s) of contracts or subcontracts performed outside the United States
- Providing or arranging housing that fails to meet the host country housing and safety standards
- If required by law or contract, failing to provide an employment contract, recruitment agreement or other required work document in writing in a language the employee understands. If the employee must relocate to perform the work, the work document shall be provided to the employee at least five days prior to the employee relocating

Any violations of the FARs, the DFARs, the Executive Order and/or this policy could result in disciplinary action which may include but are not limited to, an employee's removal from the contract, reduction in benefits or termination of employment.

Additional information about Trafficking in Persons can be found at the website for the Department of State's Office to Monitor and Combat Trafficking in Persons at <http://www.state.gov/j/tip/>.

## ROLES AND RESPONSIBILITIES:

Employees are responsible for reading, understanding and complying with this policy.

Employees should consult their Compliance Officer if they are uncertain whether a specific action would be in violation of the FAR, the DFARs, the Executive Order and/or this policy.

Employees have a responsibility to report, without fear of retaliation under Title 10, U.S.C.2409, from reprisal for whistleblowing on individuals or groups trafficking in person. Employee should report any activity that violates the FAR, the DFARs, the Executive Order or this policy to their management or by contacting the Sonoran's hotline at 1-844-677-3030 or to the Global Human Trafficking Hotline at 1-844-888-FREE or at [help@befree.org](mailto:help@befree.org) or the Department of Defense at [www.dodig.mil/hotline/](http://www.dodig.mil/hotline/) or toll free at 800- 424-9098.