

People Trafficking Information Sheet for Employers

What is people trafficking?

People trafficking is the physical movement of people across borders, through deceptive means, coercion or force, for the purpose of exploitation.

Around the world, men, women and children from all backgrounds are trafficked in a range of industries, including:

- agriculture
- construction
- domestic work
- hospitality
- sex work, and
- factory work.

Any kind of people trafficking is a crime in Australia.

What can employers do to combat people trafficking?

Be aware of the steps you can take to help combat people trafficking and forced labour:

- Be aware of, and educate staff on, practices that might constitute people trafficking or forced labour
- Ensure you have a company policy which sets out the rights and responsibilities of employees under the law, including on minimum wages, working hours, and overtime
- Ensure that all employees have a written contract, and understand the terms or conditions of their employment
- Use only reputable recruitment and employment agencies as a source of contract labour, and make yourself aware of their practices. Carefully monitor agencies that supply your company with contract labour, in particular from migrants
- Treat migrant workers fairly, and ensure they are not subject to different or less favourable working conditions than other employees because they come from overseas
- Check supply chains to ensure slave labour has not been used and ensure that the human rights of workers are upheld in the workplace
- Provide training to managers and human resource personnel on identifying exploitative labour practices, and advice on how to seek appropriate remedies
- Build bridges between government, workers and law enforcement agencies, promoting cooperation in action against exploitative labour practices, and

- Encourage and share best practice in employment conditions: a useful resource is the International Labour Organization's 2008 Combating Forced Labour: A Handbook for Employers and Business, which can be accessed online at: http://www.ilo.org/sapfl/Informationresources/ILOPublications/lang--en/docName--WCMS_101171/index.htm

Laws about people trafficking

- People trafficking, slavery, sexual servitude and debt bondage are offences under the *Criminal Code Act 1995* (Cth)
- It is also an offence to employ or engage a person, or refer a person for work, in contravention of their visa conditions under the *Migration Act 1958* (Cth)
- Employers must comply with Australian workplace laws. All people working in Australia, including foreign workers (workers who are not citizens or permanent residents of Australia) are entitled to basic rights and protections in the workplace. More information about Australian workplace laws can be found on the Fair Work Ombudsman's website (www.fwo.gov.au). Employers engaging foreign workers must ensure that they comply with both Australian workplace laws and immigration laws
- Employers can check with the Department of Immigration and Citizenship whether prospective employees are entitled to work in Australia. This check can be performed online at: http://www.immi.gov.au/e_visa/vevo.htm
- More information on Australia's people trafficking laws can be found at: www.ag.gov.au

What to do if you suspect someone has been trafficked

If you are aware of, or suspect someone has been trafficked, report it to the Australian Federal Police on 1800 813 784.

If you are aware of someone subjected to exploitative working conditions, report it to the Fair Work Ombudsman on 13 13 94.

In an emergency, call 000.