

16.09.2022

Witkoppen Clinic's Anti-Trafficking Compliance Plan

1. Background and Purpose:

Witkoppen Clinic has developed this Compliance Plan (plan) in accordance with the U.S Government's zero-tolerance policy regarding the trafficking of humans and child-safeguarding by government contractors and award recipients, as set out in FAR Subpart 22.17 and 52.222-50(h), and in the USAID Mandatory Standard Provision M6 and M15 for Non-US nongovernmental organisations.

The purpose of this plan is to set out Witkoppen policies, procedures, and guidelines to create and increase awareness amongst employees, patients, volunteers, suppliers, and contractors regarding anti-human trafficking practices and to inform on the potential consequences should the provisions be violated. The policies, procedures and guidelines will be communicated with employees from time to time at monthly staff meetings as well as operational and functionaries' meetings for dissemination to all relevant staff.

2. Applicability

This plan sets out Witkoppen's baseline provisions, guidelines, and activities for all its vendors to comply with the provisions and applies to all US Government contracts, sub-contracts, cooperative agreements, awards, and sub-awards.

3. Employee Awareness Programme and Reporting

Witkoppen has taken a position on briefing employees on combatting human trafficking and has encapsulated anti-trafficking principles in relevant internal policies and procedures and has embarked on a journey to create and increase awareness amongst Witkoppen employees in the following ways:

- 3.1 Briefed staff on what human trafficking is.
- 3.2 Briefed staff on the reporting requirements of human trafficking.
- 3.3 Displayed the reporting contact numbers on notice boards.
- 3.4 A section on human trafficking is included in the Witkoppen Induction programme.
- 3.5 Included sections on human trafficking in the employment contracts.
- 3.6 All employees are trained on and must sign acknowledgement of understanding of related policies such as the recruitment policy and the company code of conduct.

4. Recruitment and Wage Plan

Witkoppen prohibits the use of any misleading or fraudulent recruitment practices during the recruitment of employees or offering of employment to employees. Witkoppen must fully and accurately disclose, in a format and language accessible to the employee, all key terms and conditions of employment, including wages and benefits, work location, living conditions, housing and associated costs (where provided or arranged by Witkoppen), significant costs to be charged to the employee, and, if applicable, the hazardous nature of the work.

Witkoppen further prohibits the use of recruiters that do not have trained employees, or that do not comply with all labour laws of the country where the recruitment takes place.

Witkoppen also prohibits the charging of recruitment fees to any employee.

Witkoppen will pay to all employees' wages that meet applicable host country legal requirements or will explain any variance.

Where required by law, Witkoppen will provide to every employee an employment contract, written in a language to employee understands, containing all required information about the terms and conditions of employment, which may include, by way of example, the work (job) description, wages, work location, living accommodations and associated costs, if applicable, time off, transportation arrangements, disciplinary and grievance procedure, the content of applicable laws, and regulations prohibiting trafficking in persons, and the prohibition on recruitment fees.

Witkoppen prohibits the destroying, concealing, confiscating, or otherwise denying any employee access to his or her identity or immigration documents.

Witkoppen will provide or pay the cost of return transportation at the end of employment for any employee who is not a national of the country where the work took place and was brought into that country by Witkoppen for purposes of working on a US Government contract or award.

Witkoppen will further provide or pay the cost of return transportation at the end of employment for any employee who is not a South African national and was brought into South Africa for purposes of working on a covered US Government contract or award if payment of such costs is required under existing temporary work programs or pursuant to a written agreement with the employee for portions of contracts and awards performed outside South Africa.

5. Procurement and Supplier Compliance

All Witkoppen contractors, consultants, vendors, suppliers, sub-contractors, and sub-recipients must agree to Witkoppen policies and guidelines on human trafficking. A declaration will be included in such service level agreements/ contracts which exceed R250 000 per annum stating that such contractors, consultants, vendors, suppliers, sub-contractors, and sub-recipients will comply with applicable anti-trafficking provisions as described in FAR52.222-50, FAR 52.222-56.

Where suppliers/vendors fail to comply with the anti-human trafficking guidelines, Witkoppen will take appropriate action to remediate the violation and to prevent future violations, including, but not limited to:

- 5.1 Requiring the vendor to remove the employee or agent from a project.
- 5.2 Requiring the vendor to terminate its relationship with any supplier who violates the guidelines.
- 5.3 Terminating the contract with the vendor.

6. Housing

Witkoppen does not provide housing or housing benefits but supports South African housing and safety standards.

7. Standard Operating Procedures

Witkoppen is committed to introducing and/or changing existing policies and procedures to comply with the anti-human trafficking requirements. The following policies and procedures and other relevant documentation have been, or are in the process of being amended:

- 7.1 Code of Conduct
- 7.2 Recruitment Policy
- 7.3 Interview Questionnaires
- 7.4 Screening of new potential employees
- 7.5 Employment Contracts
- 7.6 Induction programme
- 7.7 Confidentiality Policy
- 7.8 Disciplinary Code

Witkoppen further subscribes to the requirements of the Department of Social Development regarding the completion and submission of the Form 29 to the Department. Form 29 is a statutory form to be completed by all employees who are, or have the potential, to work with children.

8. Reporting Requirements

If Witkoppen receives any credible information from any source that alleges that its employees, contractor, sub awardee, or agent has engaged in any of the prohibited activities identified in this plan, Witkoppen must immediately notify the cognizant Agreement Officer and the USAID Office of the Inspector General. Any actual or suspected violations of trafficking in persons must be reported to an Executive Manager within 36 hours and may be anonymously reported by phoning the Global Human Trafficking Hotline: 1-844-888-FREE, or e-mail to help@befree.org

9. Confidentiality

Witkoppen's Code of Conduct and Confidentiality state that the reporting of any human trafficking, child abuse or misconduct are excluded from any confidentiality agreements and that whistleblowing on such matters is strongly encouraged and all stakeholders are assured of non-victimisation.

Internal reported cases of human trafficking will be investigated by the Chief Operations Officer and charged in line with the company's Disciplinary Code. The company will cooperate with any formal external investigation performed by a legitimate institution, such as USAID, SAPS, etc.

The company further strictly prohibits retaliation against any employee or patient who reports alleged violation of human trafficking policies and/or guidelines and employees and patients must report such violations without fear of reprisal. Employees who make themselves guilty of retaliation against other employees or patients, who reported such incidents, will be subject to provisions of the Witkoppen Disciplinary Code.

Witkoppen will further protect any employee or patient who is suspected of being a victim/ or a witness of human trafficking violations by providing reasonable access to documentation and/or facilities and will not prevent these employees or patients from cooperating fully with the relevant authorities.

10. Legislation

Witkoppen fully supports and complies with all relevant legislation and the South African Constitution prohibiting any form of, or involvement in human trafficking.

11. Mandatory Disclosures

Any employee or vendor must report to Witkoppen within 5 days after being found guilty of violation of human trafficking

12. Posting

Witkoppen will post this plan on its official website www.witkoppen.co.za and will further make this plan available to all employees via workplace postings on notice boards.

United Nations Office on Drugs and Crime

<https://www.unodc.org/unodc/en/human-trafficking/what-is-human-trafficking.html>

Prevention and Combating of Trafficking in Persons Act, 2013

<http://www.justice.gov.za/legislation/acts/2013-007.pdf>

FAR - Federal Acquisition Regulations

[FAR](https://www.acquisition.gov/far/52.222-50) 52.222-50 Combating Trafficking in Persons. <https://www.acquisition.gov/far/52.222-50>