

**DIRECTIVE NUMBER: 400-07-13**

**DATE:** Nov. 1, 2013

**TO:** All KDOL employees

**FROM:** Lana Gordon Secretary of Labor

**SUBJECT:** Human Trafficking

**I. Purpose**

The purpose of this directive is to establish guidelines for Kansas Department of Labor personnel to follow in order to comply with the requirements of Kan. Sess. Law 2013, ch.120, § 7 (to be codified at K.S.A. 2013 Supp. 75-759).

**II. Policy**

The Kansas Department of Labor (KDOL) recognizes that there is a problem of human trafficking in Kansas and that the Secretary is committed to assisting victims of human trafficking by raising awareness among Kansas employers about the problem of human trafficking and about resources that may be available to employers, employees, and potential victims of human trafficking.

**III. Procedures**

A. A notice offering help to victims of human trafficking shall be accessible on the official website of the Kansas Department of Labor, and may be posted in a prominent and accessible location in workplaces.

1. The notice shall provide such information as the attorney general determines appropriate to help and support victims of human trafficking, including, but not limited to, information regarding the national human trafficking resource center (NHTRC) hotline as follows:

“If you or someone you know is being forced to engage in any activity and cannot leave — whether it is commercial sex, housework, farm work or any other activity — call the toll-free National Human Trafficking Resource Center Hotline at 1-888-373-7888 to access help and services.

The toll-free hotline is:

- Available 24 hours a day, 7 days a week
- Operated by a nonprofit, nongovernmental organization
- Anonymous and confidential
- Accessible in 170 languages
- Able to provide help, referral to services, training, and general information.”

2. The notice described in this section shall be made available in English, Spanish, and, if requested by an employer, another language.

B. The Secretary, in consultation with the Attorney General, shall develop and implement an education plan to raise awareness among Kansas employers about the problem of human trafficking, about the hotline described in this policy, and about other resources that may be available to employers, employees, and potential victims of human trafficking.

C. The KDOL Director of Communications shall develop a public relations plan that includes production and distribution of written materials that educates the public about the problem of human trafficking, about the hotline described in this policy, and about other resources that may be available to employers, employees, and potential victims of human trafficking.

D. The KDOL Chief of Investigations shall develop and implement an education plan to raise awareness among KDOL investigators and auditors about the problem of human trafficking, about the hotline described in this policy, and about other resources that may be available to employers, employees, and potential victims of human trafficking.

E. Written complaints received by KDOL about potential human trafficking shall be forwarded to KDOL legal counsel and will be distributed to the special investigators through the KDOL's legal counsel. Incoming complaint telephone calls shall be forwarded to any available special investigator that is certified as a law enforcement officer, who shall brief the KDOL Chief Investigator. The KDOL Chief Investigator may either investigate the case or turn it over to KDOL legal counsel for review.

1. Incidents that on face value point toward possible human trafficking shall be forwarded to the Attorney General's Human Trafficking unit by the KDOL Chief Investigator.
2. KDOL investigators shall cooperate with the Attorney General's Office if the Attorney General's Office requests assistance to investigate the incident.
3. Nothing in this policy shall be read to discourage or prohibit the KDOL Chief Investigator from continuing an investigation after a case has been forwarded to the Attorney General's Office.
4. All human trafficking investigations by KDOL investigators shall be conducted in accordance with KDOL Directive 400-03-13, the KDOL Investigative Guidelines policy.

#### **IV. Action Required**

Information concerning possible human trafficking comes from many sources. Allegations or complaints may be received from law enforcement officers, private citizens, prosecutors and various public officials. Regardless of the source, including unsigned or anonymous assertions, KDOL special investigators will conduct an impartial assessment to determine whether the complaint rises to a potential violation of the law. Additionally, KDOL special investigators shall be trained on how to detect and investigate alleged human trafficking and KDOL special investigators may self-initiate or directly receive and investigate any complaint of human trafficking.

KDOL will develop a public relations plan that includes production and distribution of written materials that educates the public about the problem of human trafficking, about the national hotline described in this policy, and about other resources that may be available to employers, employees, and potential victims of human trafficking.

**V. Definitions**

Attorney General: For the purpose of this policy the term Attorney General means the Kansas Attorney General.

Complaint: For the purpose of this policy the term Complaint shall include the terms assertion, allegation, accusation, contention and other similar meaning terms.

Human trafficking: For the purpose of this policy the term Human Trafficking shall include incidents involving children involved in the sex trade, adults age 18 or over who are coerced or deceived into commercial sex acts, and anyone forced into any form of labor or service against their will or by the use of fraud, deception or coercion whether real or perceived. Human Trafficking may also involve the following actions: recruitment, transportation, transfer, and receipt or harboring of persons.

KDOL: For the purpose of this policy the term KDOL means the Kansas Department of Labor.

KDOL special investigator: For the purpose of this policy the term KDOL special investigator shall include a special investigator designated by the Secretary as a law enforcement officer pursuant to K.S.A. 75-5702 and K.S.A. 74-5602.

Secretary: For the purpose of this policy the term Secretary means the State of Kansas Secretary of Labor.

**Inquiries**

KDOL Chief Attorney - 785-296-5000, Option 0, Ext. 2569

Signature on file

Lana Gordon, Secretary of Labor

Rescissions: None	Expiration Date: Continuous
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