

Identifying and responding to labor trafficking of children

What is labor trafficking?

Labor trafficking is when a person is compelled to work for the benefit of another person by use of force, threats, intimidation, blackmail or debt bondage [[Minn. Stat. 609.281, subd. 5](#); [22 U.S.C. 7102\(9\)\(B\)](#).] Work includes formal employment and informal services including illegal activities.

How can child welfare staff identify labor trafficking?

Early identification of sex and labor trafficking is the key to establishing the local child welfare agency response, and connecting children and families to services. Many children experience labor trafficking at the same time as sex trafficking or other maltreatment. The indicators on the right are common signs that a child may be experiencing labor trafficking. The screening tool provided on the back of this document should be completed whenever indicators of labor trafficking are present.

What is the child welfare system response to labor trafficking?

Labor trafficking is not a mandated report in Minnesota. However, labor 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. All victims of labor trafficking should be offered voluntary child welfare services. Visit www.mn.gov/dhs/safe-harbor for more guidance on the child welfare system response.

Indicators of a child at risk for labor trafficking

Victims may be any gender or race/ethnicity, or have any immigration status. They may be experiencing any of the following:

- Can't move freely or not allowed to come and go at will
- Accompanied by a person who speaks for them
- Not permitted to use phone or other communications, especially if restricted from contacting family
- Someone controls their transportation
- Unsure of day, date, month or year
- Frequent moves or doesn't know where they live
- Unusual living/work space (may include tinted windows, security cameras, barbed wire, people sleeping/living at worksite)
- Wears the same clothes over and over, 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
- Long work hours; exhausted; hungry
- Owes a debt to employer
- Foreign national children who are living with people who are not their parents or guardians, and their relationship is unclear

See signs? Continue to the labor trafficking screening tool on the other side of this page.

Labor trafficking screening tool

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. Document responses to both questions in the Social Service Information System (SSIS).

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, panhandling, 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 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 is physically confined, monitored or isolated to keep them working.
- 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.
- 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).

For accessible formats of this information or assistance with additional equal access to human services, write to dhs.info@state.mn.us, call 651-431-4670, or use your preferred relay service. ADA1 (2-18)