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What's Involved in Training Employees to Recognize Signs of Human Trafficking

Human Resources & Employment

[As we wrote about in a previous HR Law Blog post](#), as of June 1, 2020, employees who have “recurring interactions with the public, including, but not limited to, an employee who works in a reception area, performs housekeeping duties, helps customers in moving their possessions, or transports by vehicle customers of the lodging establishment” will have to be trained within six months of hire and every two years thereafter. Current employees will need to be trained within six months.

The new law defines lodging establishments as those classified as hotels or motels in the 2017 NAICS and those listed as casino hotels in the same federal system. Any employee who has “is covered. The training must take place within six months of hire, and every two years thereafter. Training must cover topics including the definition of human trafficking, how to identify individuals who are most at risk for human trafficking, the difference between human trafficking for purposes of labor and for purposes of sex as the trafficking relates to lodging establishments, and the role of lodging establishment employees in reporting and responding to instances of human trafficking.

To better understand the subject matter, Emily Wessel Farr, a partner in Gould & Ratner's Human Resources & Employment Law Practice, spoke to Laura Ng, the Human Trafficking Specialist at [Chicago Children's Advocacy Center](#) and former Executive Director of [Traffick Free](#), an organization that works to increase people's understanding of human trafficking in their own communities of Chicago. Below is an excerpt from the conversation:

Emily: *Where are the Chicago victims from?*

Laura: Most of the victims and survivors of sex trafficking I have worked with are local, meaning they are native-born Chicagoans. Labor trafficking victims, are more often foreign-born and may not have documentation or, if they do, may not have access to them because their traffickers are hiding it from them. Sex trafficking victims are typically recruited in their early teens to early 20's. As with any other type of violence, vulnerability increases with lower income levels, unemployment, identifying with a marginalized community, and other factors. Familial trafficking as well as gang-involved trafficking do exist.

Emily: *Employees must be trained on knowing the signs. What are common signs that trafficking is present?*

Laura: There are several indicators that hospitality staff can look for. For example, one person has everyone's ID at check in; there is less luggage than you would expect for the period of time they are staying; when cleaning the room, there are a lot of condoms, sex-related items such as lingerie and magazines, and not much more. Polaris, a national anti-human trafficking organization, has specific resources on their website for hotel staff. In at least one case I know of, a trafficker had several young people stay in one room, and an adjacent room was set up for single dates.

Emily: *The new law requires training regarding the definition of human trafficking. Do you think the Illinois Criminal Code's definition goes far enough?*

Laura: The Criminal Code is not broad enough. That definition relies on force or threat, but a lot of trafficking begins with psychological grooming that takes place over time. Young people are increasingly sharing selfies on social media with less and less clothing for “likes” and for “followers” and perpetrators use these photos to engage in conversation, offering money for more photos, and eventually luring them to meet in person. In these instances, there is still stigma and a misperception that a young person chose

to engage in these actions. Once the victimization begins, Individuals may even be able to have some freedom of movement when they aren't forced to work. Manipulation should be included in the definition.

Emily: *I note that [Illinois's Trafficking Victims Protection Act](#) (passed in 2019) defines "sex trade" as an activity that may involve adults and youth of all genders and sexual orientations. How important is that expansive definition?*

Laura: This is important. If you come out and you are estranged from your family, you can be isolated and preyed upon. This is why LGBTQ youth are at increased risk for trafficking. Sometimes we call trafficking "survival sex" because these individuals have no other resources. In fact, the victims themselves can push back [against those trying to help] because they want to maintain their sense of autonomy. As advocates, it is important to incorporate survival sex into the understanding of trafficking and it is important for adults to identify when a young person is in need of services.

Emily: *What are some resources for hotels and other lodging establishments?*

Laura: [The Polaris Project](#) is a great resource for hotels, and [Chicago Children's Advocacy Center](#) is a great resource for helping trafficked minors in particular. The [Heartland Alliance](#) can take referrals for labor trafficking victims, particularly those who are foreign-born. Hotels with a national presence need to identify who the local trafficking resource is. Additionally, there is a national trafficking hotline (888) 373-7888 that is open 24 hours. They will walk through the process, and may direct them to call law enforcement. If you don't think it's an emergency, we recommend calling the local advocate first to see if they can send somebody out. You want an advocate to be there as well law enforcement.