

# Anti-Trafficking Efforts:

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## Fair Labor, Supply Chains, Corporate Social Responsibility & Worker Driven Social Responsibility

**Suzanne Tomatore, Esq.**  
**Co-Director, Immigrant Justice Project**  
**City Bar Justice Center**  
**New York, NY**

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# City Bar Justice Center

- The City Bar Justice Center (CBJC) increases access to justice for low income and disadvantaged New Yorkers by leveraging the volunteered time and expertise of the New York City legal community through an effective pro bono model
- Leveraged \$16 million in pro bono and matched over 1,200 cases from 2016-17



# Immigrant Justice Project (IJP)

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- Immigrant Justice Project at CBJC secures access to safety, stability, and self-sufficiency for immigrant survivors of violent crimes and individuals seeking asylum in the U.S.
- Last year IJP 168 applications for legal status for immigrants, benefiting 306 people

# Scope of IJP's Work

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- Asylum
- Crime victims
- Child abuse
- Domestic Violence
- Hate crimes
- Trafficking survivors
  - Civil litigation

# Labor Trafficking

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- **Labor trafficking** is a form of modern-day slavery in which individuals perform **labor** or services through the use of force, fraud, or coercion. **Labor trafficking** includes situations of debt bondage, forced **labor**, and involuntary child **labor**.

# What can the business community do to combat labor trafficking?

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- Supply Chain examination
- Corporate Social Responsibility
- Worker-Driven Social Responsibility
- Auditing and evaluation

# Supply Chain

- The **California Transparency in Supply Chains Act**, which became effective on January 1, 2012, empowers **California** consumers to join the fight against human trafficking by giving them access to information about retailers' and manufacturers' efforts to eradicate such labor practices from their **supply chains**.

# Labor Trafficking Case Study: Hotel Worker from the Philippines

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Worker recruited (debt v. employment):

- Apply for the job & pay a fee
- Pay for a medical exam
- Pay more recruitment fees
- Buy a plane ticket
- Borrow money to pay the above and go into debt (lien on house, sketchy money lenders)



# Hotel Worker Case Study con't.

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## **Worker's Expectations:**

- Contract will be full-time work and will be renewed

## **Reality:**

- Taxes and other legal deductions from salary
- Work is seasonal, hours are not guaranteed
- Must live in agent supplied housing and pay 3-4x market rent
- Meal deductions taken out of pay regardless of consumption
- Slow weeks 5-10 hours of work
- Paycheck=<\$10 for 2 weeks of work

# Corporate social responsibility

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- a form of corporate self-regulation, integrated into a business model. Purpose is to further the social good and should go beyond the law. However, the goals are sometimes unclear. It is difficult to see how the rights of workers are protected.

# Worker-Driven Social Responsibility (WSR)

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- Human rights protections in corporate supply chains must be worker-driven, enforcement-focused, and based on legally binding commitments that assign responsibility for improving working conditions to the global corporations at the top of those supply chains
- Worker-Driven Social Responsibility Network
- Coalition of Immokalee Workers' Fair Food Program (Florida, USA)

# What can lawyers do to combat labor trafficking?

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- Advise business clients on labor trafficking
- Get to know your local NGOs
- Create trusted partners
- Take on a pro bono labor trafficking case
  - Immigration
  - Strategic litigation
  - Civil litigation

# Pro Bono Labor Trafficking

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- Strategic litigation
  - Benefit to individuals involved
  - Ability to shape public policy
  - Ability to influence lawmakers through media
- Civil litigation
  - Benefits primarily the individual involved
  - Out of court settlements
- Immigration relief
  - Varies by country, special visas or work permits may be available

# Thank You!

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Suzanne Tomatore, Esq.  
Co-Director, Immigrant Justice Project  
(212) 382-6717  
[stomatore@nycbar.org](mailto:stomatore@nycbar.org)