

Human Trafficking at Home

Trafficking of Domestic Workers in the United States

In a given year, an estimated two million plus domestic workers are employed in the United States, caring for children, seniors and other loved ones, cleaning homes and in general, making it possible for many busy people and families to juggle the competing needs of their lives. In most cases, these arrangements benefit both the workers and their employers. But isolated working conditions, limited legal protections and vulnerabilities including poverty and immigration status mean that some domestic workers become victims of labor exploitation and labor trafficking. A joint report by Polaris and the National Domestic Workers Alliance examined records from the Polaris-operated U.S. National Human Trafficking Hotline to determine the scope of the problem. The data showed that of the approximately 8,000 labor trafficking cases identified by the National Hotline between December 2007 and December 2017, the highest number - almost 23 percent - involved domestic work. That number likely represents only a small fraction of the problem, as human trafficking in all its forms is severely underreported.

Individuals

Victims
1211

Traffickers
1210

Type of Trafficking

Labor Trafficking
93%

Sex and Labor Trafficking
7%

Trafficker's Primary Relationship to the Victim (Where Known)

1. Employer and/or Recruiter (604)
2. Familial and Intimate Partner (255)
3. Smuggler (128)
4. Landlord (6)

These statistics are from the U.S. National Human Trafficking Hotline data from January 2013 to December 2017.

DEMOGRAPHICS

Victim Gender

Female (525)

Male (53)

Trafficker Gender

Female (318)

Male (281)

Victim Age of Contact with Hotline

Adult (98%)/Minor (2%)

TOP 5 Methods of Control

1. Financial - Takes or Withholds Earning
2. Fraud/Misrepresentation of Job
3. Excessive Working Hours
4. Emotional Abuse - Verbal/Manipulation
5. Needs or Wants Denied/Withheld

TOP 5 Nationalities of Traffickers

1. United States
2. Saudi Arabia
3. Mexico
4. Qatar
5. Philippines

TOP 5 Nationalities of Victims

1. Philippines
2. Mexico
3. United States
4. India
5. Colombia

TOP 5 Visa Categories for Victims

1. B-1
2. A-3 & G-5
3. B-2
4. J-1
5. F-1

These statistics are based on the domestic workers whose traffickers were employers and/or recruiters.

KEY FACTS

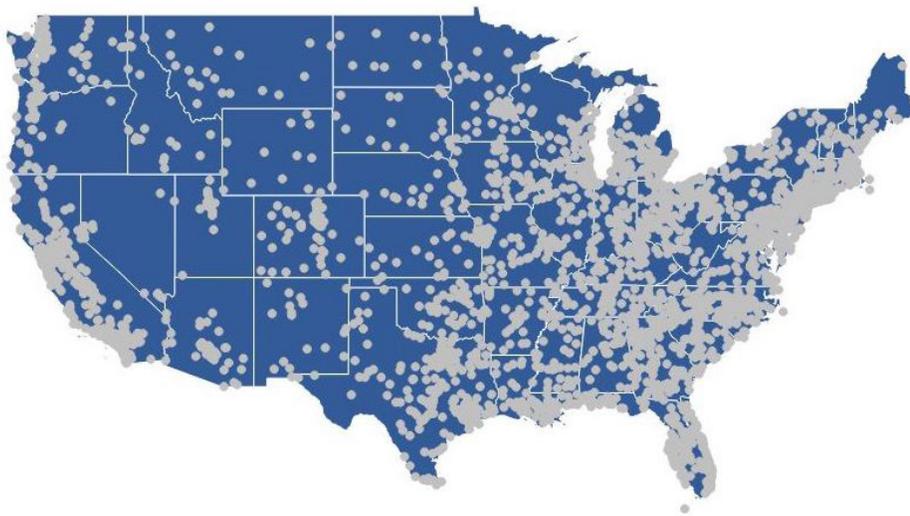
67% of domestic workers indicated their job expectations were only covered during informal conversations with their primary employers; 74% reported that they could not decline taking on additional work when told to do so, and 67% of the workers did not receive any pay for their extra time worked. (2,086 nannies, caregivers, and house cleaners were surveyed between June 2011 and February 2012) (National Domestic Workers Alliance)

33% of active criminal and 44% of civil labor trafficking federal cases in 2017 were domestic worker cases. (Human Trafficking Institute)

31% of all the 299 labor trafficking civil cases filed from 2003 -2018 were filled on behalf of domestic workers. (Human Trafficking Legal Center)

51% of all the 96 civil cases involving domestic servitude from 2003 -2018 were settled in favor of the domestic worker. (Human Trafficking Legal Center)

POTENTIAL HUMAN TRAFFICKING CASES INVOLVING DOMESTIC WORKERS IN THE UNITED STATES



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RECOMMENDATIONS

- 1. Directly Challenge Employers of Domestic Workers:** Foreign national employers should be required to both know and adhere to acceptable U.S. standards and to U.S. law, regardless of whether they are from countries with different cultural norms about the treatment of domestic workers. Two possible interventions to consider are the World Bank's Code of Conduct for their staff, and the government of Singapore's required training for anyone hiring a foreign domestic worker for the first time. Also, governments can create a "Know Your Responsibility" version of the "Know Your Rights" pamphlet for employers.
- 2. Pass a Federal Domestic Worker Bill of Rights:** A proposed bill includes provisions that address overtime and sexual harassment and creates measures such as written agreements to improve working conditions and protects workers from retaliation if they exercise their rights.
- 3. End Tied Visas:** Revamp the regulations governing temporary work visas to create structured process that allows workers the freedom to choose employers within certain limits and removes the threat of deportation or severe financial hardship if the worker chooses to change jobs within the time limits of the visa.
- 4. Create and Fund Targeted Education and Awareness Campaigns:** Knowledge of the red flags of trafficking domestic workers can help prevent and end their trafficking. Campaigns should directly engage faith and cultural communities for their power to influence social norms on acceptable behavior and trust in government institutions.

FACTORS ENABLING THE TRAFFICKING OF DOMESTIC WORKERS

Federal Labor Laws: Laws that explicitly or indirectly exclude domestic workers, such as the National Labor Relations Act, Fair Labor Standard Act, Occupational Safety and Health Act, Title VII of the Civil Rights Act, Age Discrimination in Employment Act, and the Americans with Disability Act.

Limited Protection for Domestic Workers: While nine states and the City of Seattle have passed version of a "domestic workers bill of rights," most states and cities still lack enforceable frameworks to give workers power to negotiate for better wages and working conditions and a pathway to gain retirement security, access to health care and other basic rights.

Tied Visa Policy: Many domestic workers come to the U.S. legally on temporary work visas. Most of these visas are non-transferable from one employer to another. That means a worker is only legally present in the U.S. if they are working for the employer who originally hired them. If the worker leaves the job listed on their visa they are immediately eligible for deportation.

Uneven Burden on Domestic Workers: Immigrant domestic workers receive a "Know Your Rights" brochure before or when arriving for work in the United States which puts the sole responsibility for preventing themselves from becoming labor trafficking victims even though they are in an employer-employee power-imbalance situation in a new territory.