



ESA HEADQUARTERS

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1. SCOPE AND APPLICABILITY

To establish requirements for compliance with the United States Government's policy prohibiting trafficking in persons and trafficking-related activities.

All directors, officers, employees and agents or representatives (collectively referred to as "employees" in this policy) of ESA, at any location worldwide, are required to conduct ESA's business in accordance with this policy. ESA, and its operating subsidiaries, divisions and facility sites (each a "Site" and collectively, "Sites") are collectively referred to herein as "ESA." For the purposes of this policy, Elbit Systems of America, LLC is referred to individually as "Elbit Systems of America."

2. DEFINITIONS

1. The terms **debt bondage, employee, forced labor, individual, involuntary servitude, sex trafficking, subcontract, subcontractor**, and **United States** are as defined in FAR 52.222-50 Combating Trafficking in Persons.
2. **Commercial Sex Act** - Any sex act on account of which anything of value is given to or received by any person.
3. **Severe Forms of Trafficking in Persons** - Sex trafficking in which a commercial sex act is induced by force, fraud, or coercion, or in which the person induced to perform such act has not attained 18 years of age; or the recruitment, harboring, transportation, provision, or obtaining of a person for labor or services, through the use of force, fraud, or coercion for the purpose of subjection to involuntary servitude, peonage, debt bondage, or slavery.

3. REFERENCES

1. [Combating Trafficking in Persons Compliance Plan](#)
2. [ESA-P-04-01](#) – Employee Corrective Action
3. FAR 52.203-13 – Contractor Code of Business Ethics and Conduct
4. FAR 52.222-50 – Combatting Trafficking in Persons.
5. Global Human Trafficking Hotline (1-844-888-FREE; help@befree.org)

4. POLICY

- 4.1 The United States Government has published FAR 52.222-50, Combating Trafficking in Persons, which states in part:

The United States Government has adopted a policy prohibiting trafficking in persons, including the trafficking-related activities of this clause. Contractors, contractor employees, and their agents shall not—

- (1) Engage in severe forms of trafficking in persons during the period of performance of the contract;



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- (2) Procure commercial sex acts during the period of performance of the contract;
- (3) Use forced labor in the performance of the contract;
- (4) Destroy, conceal, confiscate, or otherwise deny access by an employee to the employee's identity or immigration documents, such as passports or drivers' licenses, regardless of issuing authority;
- (5) Use misleading or fraudulent practices during the recruitment of employees or offering of employment, such as failing to disclose, in a format and language accessible to the worker, basic information or making material misrepresentations during the recruitment of employees regarding the key terms and conditions of employment, including wages and fringe benefits, the location of work, the living conditions, housing and associated costs (if employer or agent provided or arranged), any significant cost to be charged to the employee, and, if applicable, the hazardous nature of the work, or;
- (6) Charge employees recruitment fees;
- (7) Fail to provide return transportation or pay for the cost of return transportation upon the end of employment in specified circumstances;
- (8) Provide or arrange housing that fails to meet the host country housing and safety standards; or
- (9) If required by law or contract, fail to provide an employment contract, recruitment agreement, or other required work document in writing. Such written work document shall be in a language the employee understands. If the employee must relocate to perform the work, the work document shall be provided to the employee at least five days prior to the employee relocating. The employee's work document shall include, but is not limited to, details about work description, wages, prohibition on charging recruitment fees, work location(s), living accommodations and associated costs, time off, roundtrip transportation arrangements, grievance process, and the content of applicable laws and regulations that prohibit trafficking in persons.

4.2 FAR 52.222-50 has the full force and effect of law.

4.3 Employees must comply with FAR 52.222-50 as required by contract. Violations may result in disciplinary action, up to and including termination of employment.

5. PROCESS

5.1 Any credible information received from any source (including host country law enforcement) that an employee, subcontractor, subcontractor employee, or their agent has violated FAR 52.222-50 must be reported immediately to Legal Counsel, who will further notify element Contracts, Human Resources, and, if the matter involves subcontractors, Supply Chain Management of the report. Contracts, in consultation with Legal Counsel and Supply Chain Management, will inform the

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Contracting Officer and Inspector General of the allegation. Legal Counsel will make any other disclosures required under FAR 52.203-13. Employees may also report, without fear of retaliation, activity inconsistent with the policy prohibiting trafficking in persons to Ethics, Legal Counsel, and the Global Human Trafficking Hotline (1-844-888-FREE; help@befree.org)

5.2 If a violation of FAR 52.222-50 is substantiated:

- Human Resources, in consultation with Legal Counsel, will ensure that the appropriate disciplinary action is taken in accordance with [ESA-P-04-01](#), Employee Corrective Action;
- Supply Chain Management, in consultation with Legal Counsel, will impose suitable remedies, up to and including termination, on subcontractors and agents who fail to comply with FAR 52.222-50; and
- Contracts, in consultation with Legal Counsel and Supply Chain Management, will inform the Contracting Officer of any actions taken against an employee, a subcontractor, or a subcontractor employee pursuant to FAR 52.222-50.

Compliance Plans

5.3 ESA will maintain a [compliance plan](#) for combating trafficking in persons for any portion of a contract that is subject to FAR 52.222-50 (March 2015 or later) that:

- Is for supplies, other than commercially available off-the-shelf items, acquired outside the United States, or services to be performed outside the United States; and
- Has an estimated value that exceeds \$500,000.

Note: See [Combating Trafficking in Persons Compliance Plan](#), for the Corporation's primary compliance plan.

Responsibilities

5.4 Human Resources will maintain [ESA's primary compliance plan](#), except for the portion pertaining to subcontractors and agents, which will be maintained by Supply Chain Management.

5.5 Contracts will conduct a preliminary assessment of business opportunities that require a compliance plan to determine whether the [Combating Trafficking in Persons Compliance Plan](#) is sufficient for the particular business opportunity or whether to request further assessment by Human Resources and, for the portion pertaining to subcontractors, Supply Chain Management to determine whether the plan requires supplementation based on the following criteria:

- The size and complexity of the contract or subcontract; and
- The nature and scope of the activities to be performed for the Government, including the number of non-United States citizens expected to be employed and the risk that the contract or subcontract will involve services or supplies susceptible to trafficking in persons.

5.6 When Human Resources or Supply Chain Management determines the [Combating Trafficking in Persons Compliance Plan](#) requires additional measures to address the risk of trafficking for a particular business opportunity, each shall prepare and provide to Contracts a supplement to describe any additional measures that will be undertaken to enhance the primary compliance plan.



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6. RECORDS

IDENTIFICATION <i>Record Name</i>	FILE <i>Physical area and media in which records are filed (short-term filing)</i>	STORAGE <i>Physical area and media in which records are stored (long-term storage)</i>	PROTECTION <i>How records are protected from damage or loss</i>	RETRIEVAL <i>Responsibility & authority for maintenance & controlling access</i>	RETENTION <i>Minimum time records kept in long-term storage.</i>	DISPOSITION <i>What is done after retention time expires & who has authority?</i>
N/A						

7. REVISION HISTORY

Revision	Date	Summary
New	10/13/2015	Document created to be compliant with FAR 52.222-50.