



Legislation Details (With Text)

File #:	21-0095	Version:	0	Name:	Labor Trafficking - Notice Requirements
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File created:	6/8/2021	In control:		In control:	Baltimore City Council
On agenda:		Final action:		Final action:	1/24/2022
Enactment date:		Enactment #:		Enactment #:	22-110
Title:	<p>Labor Trafficking - Notice Requirements For the purpose of requiring certain contractors with the City of Baltimore to place a notice regarding the human-trafficking prevention hotline in certain locations; providing that certain contractors may obtain the required human-trafficking notices from the United States Department of Homeland Security's Blue Campaign website; providing for certain penalties; and generally relating to labor trafficking notice requirements for city contractors.</p>				
Sponsors:	Kristerfer Burnett, Zeke Cohen, Ryan Dorsey, John Bullock				
Indexes:	Labor, Notice, Requirement, Trafficking				
Code sections:					
Attachments:	1. 21-0095~1st Reader, 2. Hearing Agenda - 21-0095, 3. BPD 21-0095, 4. Law 21-0095, 5. Finance 21-0095, 6. BCHD 21-0095, 7. MOHS 21-0095, 8. Hearing Minutes - 21-0095, 9. PSGO - Hearing Notes - 21-0095, 10. Hearing Packet - Bill 21-0095 - Labor Trafficking - Notice Requirements, 11. State's Attorney 21-0095, 12. Hearing Minutes - 21-0095, 13. PSGO - Hearing Notes - 21-0095 (2), 14. Hearing Agenda - 21-0095 (2), 15. 2nd Reader Floor Amendment (Burnett) 21-0095, 16. 21-0095~3rd Reader, 17. Completed Ordinance 21-0095				

Date	Ver.	Action By	Action	Result
2/7/2022	0	Mayor	Signed by Mayor	
11/15/2021	0	Baltimore City Council	Approved and Sent to the Mayor	
11/1/2021	0	Baltimore City Council	3rd Reader, for final passage	
10/27/2021	0	Public Safety and Government Operations	Recommended Favorably	Pass
10/4/2021	0	Public Safety and Government Operations	Worksession	
8/16/2021	0	Public Safety and Government Operations	Scheduled for a Public Hearing	
6/11/2021	0	Baltimore City Council	Refer to Dept. of Health	
6/11/2021	0	Baltimore City Council	Refer to Dept. of Finance	
6/11/2021	0	Baltimore City Council	Refer to Mayor's Office of Neighborhood Safety and Engagement	
6/11/2021	0	Baltimore City Council	Refer to City Solicitor	
6/11/2021	0	Baltimore City Council	Refer to Police Department	
6/11/2021	0	Baltimore City Council	Refer to Mayor's Office of Human Services	
6/11/2021	0	Baltimore City Council	Refer to States' Attorney's Office	
6/8/2021	0	Baltimore City Council	Introduced	
6/8/2021	0	Baltimore City Council	Assigned	

Explanation: Capitals indicate matter added to existing law.
[Brackets] indicate matter deleted from existing law.

* **Warning:** This is an unofficial, introductory copy of the bill.
The official copy considered by the City Council is the first reader copy.

Introductory*
City of Baltimore
Council Bill

Introduced by: Councilmembers Burnett, Cohen, and Dorsey

A Bill Entitled

An Ordinance concerning
Labor Trafficking - Notice Requirements

For the purpose of requiring certain contractors with the City of Baltimore to place a notice regarding the human-trafficking prevention hotline in certain locations; providing that certain contractors may obtain the required human-trafficking notices from the United States Department of Homeland Security's Blue Campaign website; providing for certain penalties; and generally relating to labor trafficking notice requirements for city contractors.

By adding

Article 5 - Finance, Property, and Procurement

Sections 26A-1 through 26A-5, to be under the new subtitle, "Labor Trafficking Notice Requirements"

Baltimore City Code

(Edition 2000)

By repealing and re-ordaining, with amendments,

Article 1 - Mayor, City Council, and Municipal Agencies

Section 40-14(e)(.5)A

Baltimore City Code

(Edition 2000)

Section 1. Be it ordained by the Mayor and City Council of Baltimore, That the Laws of Baltimore City read as follows:

Baltimore City Code

Article 5. Finance, Property, and Procurement

Subtitle 26A. Labor Trafficking Notice Requirements

§ 26A-1. Applicability.

The requirements of this subtitle apply to:

(1) construction contracts, including:

- (i) contracts in excess of \$5,000 made by the Board of Estimates, or on its behalf, with any person, firm, or corporation for the construction, reconstruction, erection, conversion, installation, alteration, repair, maintenance, renovation, razing, demolition, moving, removing, grading, paving, repaving, curbing, filling, excavation, or any other operation or work to be done or performed in,

on, upon, or in connection with any building, bridge, viaduct, tunnel, tower, stack, or other structure, airport, land, highway, pier, wharf, sewer, drain, main, conduit, machinery, or mechanical, electrical, or other equipment;

- (ii) each and every project approved by the Mayor and City Council on or after January 1, 2021, receiving funds from tax increment financing in excess of \$10,000,000 in the aggregate to the extent those funds are used in whole or in part for the construction, reconstruction, erection, conversion, installation, alteration, repair, maintenance, renovation, razing, demolition, moving, removing, grading, paving, repaving, curbing, filling, excavation, or any other operation or work to be done or performed in, on, upon, or in connection with any building, bridge, viaduct, tunnel, tower, stack, or other structure, airport, land, highway, pier, wharf, sewer, drain, main, conduit, machinery, or mechanical, electrical, or other equipment; and

(2) service contracts, as defined in § 26-1(e) of this article.

§ 26A-2. Requirements.

- (1) The prime contractor must post a sign that states the following:

“LABOR TRAFFICKING 101

Labor trafficking includes recruiting, harboring, transporting, providing, or obtaining people for forced or coerced labor.

The coercion could be threats directed at the victim or someone else. Labor trafficking is often linked with exploitation of a worker. To learn more, visit www.mdhumantrafficking.org.

If a worker...

- (1) lacks possession of their own identification and travel documents,
- (2) lives at their place of work and in isolated conditions,
- (3) experiences verbal or physical abuse from their employer or supervisor,
- (4) is made to work in unsafe conditions, prevented from taking adequate breaks, or forced to meet daily quotas

For immediate assistance
call the National Human Trafficking Hotline

+1 (888) 373-7888 or text “BeFree” to 233733”

- (2) The sign must:

- (i) be at least 16 by 20 inches in size;
- (ii) contain the text required under subsection (1) of this section in English, Spanish, and any other languages required by the federal Voting Rights Act for voting materials in Baltimore City; and
- (iii) draw attention to the phone and text numbers of the National Human Trafficking Resource Center

Hotline by showing the phone and text numbers in bold type.

- (3) The prime contractor may meet the requirements of this section by creating their own signs using a font size of not less than 30 points for the hotline and text numbers and a font size of not less than 12 points for the body text, or using copies of the signs created and made available online by the United States Department of Homeland Security's Blue Campaign website.

§ 26A-3. Sign location.

A copy of the labor trafficking sign required by §26A-2 {"Requirements"} of this subtitle shall be posted by the contractor at the site of the work in a clear and conspicuous place where it can be easily seen and read by the workers. Example areas include break rooms, locker rooms, cafeterias, and other similar locations.

§ 26A-4. Penalties for failure to post signage.

(a) *In general.*

(1) *Prerequisite to issuance.*

A citation under this section may only be issued after the issuance of a written warning and a failure to correct the violation within 30 days of the date of the warning.

(2) *Authorization to issue.*

In addition to any other civil or criminal remedy or enforcement procedure, this subtitle may be enforced by issuance of an environmental citation under City Code Article 1, Subtitle 40.

(b) *Process not exclusive.*

The issuance of a citation to enforce this subtitle does not preclude pursuing any other civil or criminal remedy or enforcement action authorized by law.

(c) *Each day a separate offense.*

Each day a violation continues is a separate offense.

§ 26A-5. Additional penalties.

A prime contractor who fails to comply with any provision of this subtitle is subject to withholding of funds under the contract until the prime contractor complies with the requirements of this subtitle.

Article 1. Mayor, City Council, and Municipal Agencies

Subtitle 40. Environmental Control Board

§ 40-14. Violations to which subtitle applies.

(e) *Provisions and penalties enumerated.*

(.5a) *Article 5. Finance, Property, and Procurement*

Subtitle 11. Fair Election Fund

\$500

Subtitle 26A. Labor trafficking Notice Requirements

\$50

Section 2. And be it further ordained, That this Ordinance takes effect on the 30th day after the date it is enacted.