OFFICE OF THE MAYOR

CITY OF CHICAGO

RAHM EMANUEL
MAYOR

September 20, 2018

TO THE HONORABLE, THE CITY COUNCIL OF THE CITY OF CHICAGO

Ladies and Gentlemen:

At the request of the Chief Procurement Officer, I transmit herewith, together with Alderman O'Shea, an ordinance amending Chapter 2-92 of the Municipal Code regarding a prohibition on human trafficking.

Your favorable consideration of this ordinance will be appreciated.

Mayor

Very truly yours,

ORDINANCE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHICAGO:

SECTION 1. Chapter 2-92 of the Municipal Code of Chicago is hereby amended by adding a new Section 2-92-322, as follows:

2-92-322 Prohibition on Human Trafficking and Exploitation.

a) Definitions. For purposes of this section, the following definitions shall apply:

1) "Contract" means any contract or purchase order awarded by the Chief Procurement Officer.

2) "Contractor" means the person to whom a contract is awarded.

3) "Exploitation" means forced labor or services, slavery or practices similar to slavery, servitude, or the removal of organs. Exploitation also means coercing others into prostitution or other forms of sexual exploitation.

4) "Human trafficking" means the recruitment, transportation, transfer, harboring, or receipt of persons for the purpose of exploitation.

b) After the effective date of this section and prior to signing any contract with the City that was advertised after the effective date of this section, a contractor shall complete an affidavit verifying that neither the contractor nor any of its subcontractors shall engage in any human trafficking or exploitation.

c) No contractor may engage in human trafficking or exploitation. Any contractor who has been determined by a City, State, or federal department, agency, or court of competent jurisdiction to have engaged in human trafficking or exploitation shall be subject to default or debarment and may have its current contracts or transactions permanently or temporarily suspended or canceled.

d) No contractor shall subcontract or source supplies from any subcontractor or supplier that engages in human trafficking or exploitation or that subcontracts or sources supplies from a person that, at any point in its supply chain, engages in human trafficking or exploitation within the subcontractor or supplier's reasonable scope of control or knowledge.

e) Any subcontractor who has been determined by a City, State, or federal department, agency, or court of competent jurisdiction to have engaged in human trafficking or exploitation shall be subject to debarment.

f) A contractor who learns that a subcontractor or supplier engages in human trafficking or exploitation, or that sources supplies from parties who engage in human trafficking or exploitation:

1) shall inform the Chief Procurement Officer and assist in any investigation by providing pertinent documents and information within their control. Failure to do so may result in the termination of any and all contracts and transactions the person has with the City.

2) may be required to do one or more of the following:

i) remove the subcontractor employee(s) from the performance of the contract;

ii) suspend payments to the subcontractor until the subcontractor has taken appropriate remedial action;

(iii) terminate the contract with the subcontractor.

g) The Chief Procurement Officer is authorized to promulgate rules for effectuating this section.

h) Violation of this section may result in termination of the contract. It may also result in a fine of up to triple the value of the goods or services produced by human trafficking or exploitation.

SECTION 2. This ordinance shall be in full force and effect thirty days after due passage and publication.

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