



# Agricultural and Seasonal Workforce Services Advisory Committee

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## Meeting details

**Date:** Thursday, August 18, 2022

**Time:** 8:30 a.m. – 11:30 a.m.

**Location:** ZOOM meeting due to COVID-19

### Committee members present

- Edgar Franks
- Delia Peña
- Victoria Ruddy
- Jeff Perrault
- Michael Gempler
- Rosalinda Guillen

### Non-voting agency representatives

- Todd Phillips
- Ignacio Marquez

### Committee members absent

- Jon DeVaney
- Michele Besso

### ESD staff

- Dan Zeitlin
- Bertha Clayton
- Vickie Carlson
- Petra Meraz
- Tamara Johnson
- Olga Kondratjeva
- Gustavo Aviles
- Rene Maldonado
- Juan Martinez

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## Summary

### Meeting Recorded

This meeting was recorded and is available on <https://esd.wa.gov/newsroom/Ag-committee>

### Welcome and Introductions

Employment Security Department (ESD) Policy Director, Dan Zeitlin, welcomed everyone and asked Vickie Carlson to take roll. Six voting members were present. Motion to approve the July 21<sup>st</sup> meeting minutes- Mike Gempler, 2<sup>nd</sup> from Jeff Perault. Motion carries. Motion to approve the July 28<sup>th</sup> meeting minutes- Mike Gempler, 2<sup>nd</sup> from Jeff Perault. Motion carries.

### Agenda

Dan Zeitlin reviewed the agenda for the meeting and asked if anyone had any questions. (See Addendum I.)

### ASWS Office Update – Bertha Clayton, Director, ASWS Office, ESD

Recording timestamp **00:08:48**

(See Addendum II.)

FLC Applications – Petra Meraz, Lead FLC Coordinator

Recording timestamp **00:06:12**

ASWS FLC Team Update – Bertha Clayton, ASWS Director

Site Visits by Compliance Region

Recording timestamp **00:08:38**

- Workers Contacted, Placements, Field Checks & Field Check Findings

### Customer Experience Study – Olga Kondratjeva, Operation Research Specialist

Recording timestamp **0:20:29**

<b>Review and Approval of the 2022 Report – Daniel Zeitlin</b> (See Addendum III.)	Recording timestamp <b>0:32:08</b>
Employer Perspectives	Recording timestamp <b>0:36:55</b>
Worker Perspectives	Recording timestamp <b>0:47:53</b>
Final Discussion	Recording timestamp <b>0:55:33</b>

**Recorded Vote** (See Addendum IV.) Recording timestamp **1:02:49**  
“Motion to approve the 2022 ASWS Advisory Committee Report but for the employer and worker perspective section” from Jeff Perault, 2<sup>nd</sup> from Rosalinda Gullien. 6 yes votes to approve, motion carries.

### Future Agenda Items

None

### Public Comments

#### Long Term Care H-2A worker exemption – Enrique Gastelum, CEO, wafla

Hoping that the committee will consider this a topic for upcoming agenda items. Asking the committee to keep this upcoming rulemaking in the forefront over this quarter 4 of 2022 and get comments into ESD on the rulemaking.

### Adjourned

Dan Zeitlin thanked everyone for their continued active participation and for their commitment to this work, then ended the meeting at 11:21 a.m.

## 2022 Meetings

The next Agricultural and Seasonal Workforce Services Advisory Committee meeting is on:

- **September 1, 2022 – 9:00 a.m. to 10:00 a.m. – Zoom Meeting**

## Addendums

ADDENDUM I.

Agenda



AGENDA

Agricultural and Seasonal Workforce Services (ASWS)  
Advisory Committee Meeting

Thursday, August 18, 2022, | 8:30 am –11:30 am | Zoom | 212 Maple Park Ave SE Olympia WA 98501

TIME	TOPIC
8:30 am	Welcome – Daniel Zeitlin, Director, ESD Employment System Policy & Integrity Division <ul style="list-style-type: none"> <li>• Roll Call – Vickie Carlson</li> <li>• Agenda Review – Daniel Zeitlin</li> </ul>
8:40 am	Approval of Meeting Minutes – Daniel Zeitlin <ul style="list-style-type: none"> <li>• July 21, 2022</li> <li>• July 28, 2022</li> </ul>
8:45 am	ASWS Office Update – Bertha Clayton, Director, ASWS Office <ul style="list-style-type: none"> <li>• FLC Applications – Petra Meraz, FLC Lead Coordinator</li> <li>• ASWS Office &amp; Compliance – Bertha Clayton</li> </ul>
9:00 am	Customer Experience Study – Olga Kondratjeva, Operation Research Specialist, Data Architecture, Transformation and Analytics <ul style="list-style-type: none"> <li>• CE Update</li> </ul>
9:15 am	Review and Approval of the 2022 ASWS Report – Daniel Zeitlin <ul style="list-style-type: none"> <li>• Worker and Employer Perspectives</li> <li>• Final discussion</li> <li>• Recorded vote</li> </ul>
11:15 am	Closing Discussion-Future Agenda Items
11:25 am	Public Comment
11:30 am	Adjourn

GROUND RULES

No cell conversations | Phones on silent | Let people speak without interruption | Respect the opinion of others | Strive for understanding | Speak your mind | Strive for common ground | Assume good intent | Stay focused on task at hand and are willing to come back to the topic | Make sure everyone understands | Look out for each other | Take care of your own comfort | Ask for what you need

ADDENDUM II.

ASWS Office Update



ASWS Advisory Committee Presentation  
August 18, 2022

Petra Meraz, Lead FLC Program Coordinator, ESD  
Bertha Clayton, ASWS Director, ESD  
Employment Security Department

# FLC Applications Update

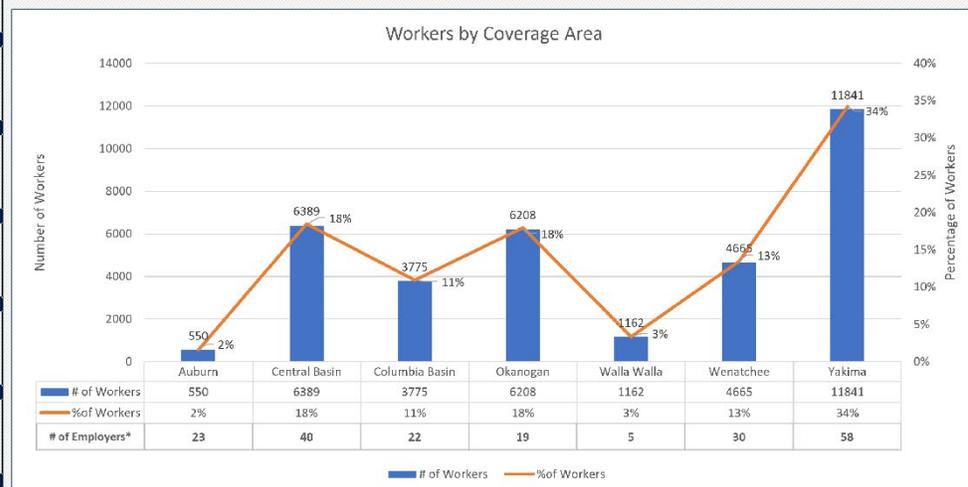


## H-2A Applications & Workers Report

	PY 2022 H-2A Data		PY 2021 H-2A Data	
	10/1/2021	8/16/2022	10/1/2020	8/16/2021
	Applications	Workers requested	Applications	Workers requested
Total to date	391	34666	348	29942
Withdrawn/Denied	30	2682	14	605
Contracts Commenced	327	29381	299	27443
Contract Impossibility	4	406	0	0
Active Cases	294	26907	293	27435

\*The numbers reported are not reflective of the number of foreign workers that actually arrive in Washington State.

Compliance Specialist Counties served	Office # of workers
<b>Caritas Sanchez-Larios</b> Pierce, King, Snohomish, Skagit, Whatcom Thurston, Mason, Kitsap Grays Harbor, Jefferson, Clallam, San Juan Islands	Auburn 550
<b>Galen Hunt</b> Okanogan Ferry Stevens Pend Oreille	Okanogan 6208
<b>Tony Reeves</b> Walla Walla Columbia Garfield Asotin	Walla Walla 1162
<b>Arturo Espinoza</b> Benton Franklin	Columbia Basin 3775
<b>Alejandra Mendoza</b> Okanagan Douglas	Wenatchee 4665
<b>Amador Madero</b> Grant Lincoln Adams Spokane, Whitman	Central Basin 6389
<b>Mireya Prieto</b> Yakima, Kittitas Klickitat, Stromanis Clark, Cowlitz Wahkiakum, Pacific, Lewis	Yakima 11841

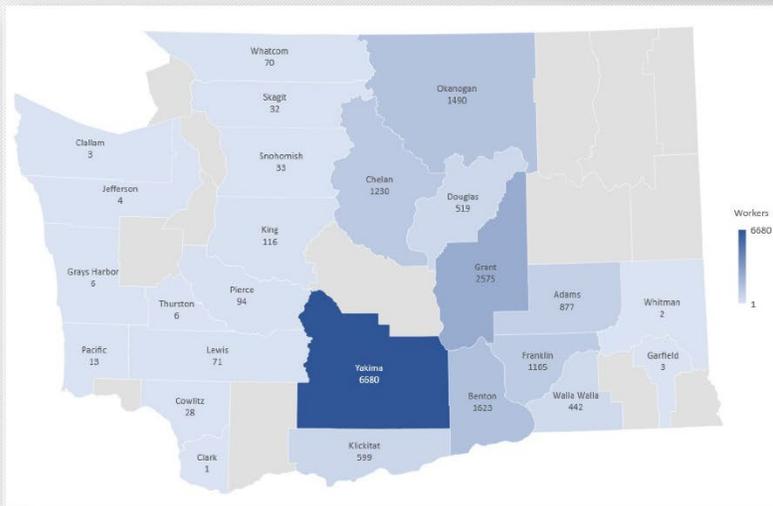


\*Does not include joint employers

# ASWS Compliance Team Update

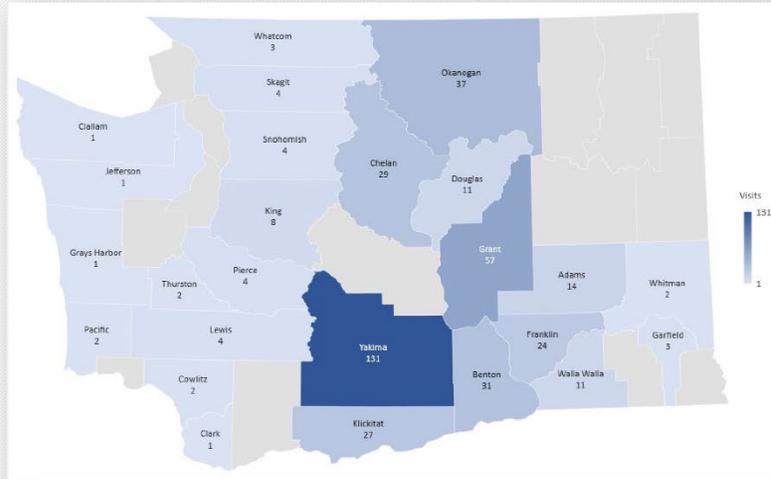


## ASWS Workers Contacted by County (1/1/22-8/16/22)



Total No. of Workers Contacted:  
**17,622**

## ASWS Site Visits by County (1/1/22-8/16/22)



Total No. of Site Visits:  
414

## Field Checks – 2022



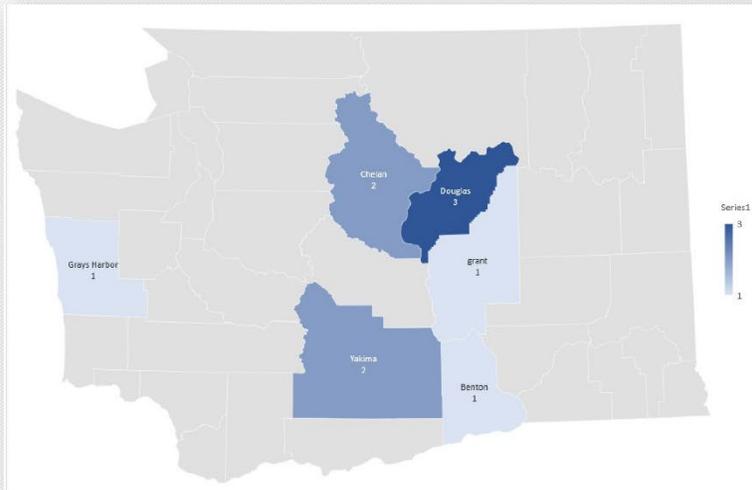
### 20 CFR 653.503 Field Checks

(a) If a worker is placed on a clearance order, the SWA must notify the employer in writing that the SWA, through its ES offices, and/or Federal staff, must conduct random, unannounced field checks to determine and document whether wages, hours, and working and housing conditions are being provided as specified in the clearance order.

(c) Field checks must include visit(s) to the worksite at a time when workers are present. When conducting field checks, ES staff must consult both the employees and the employer to ensure compliance with the full terms and conditions of employment.

Number of Placements <i>(seeker referred and started working)</i>	10
Number of Field Checks Performed by ASWS	9
Number of Field Checks currently scheduled	0

## ASWS Field Checks by County (1/1/22 - 8/16/22)



Total Field Checks Performed:  
9

### ADDENDUM III.

## Customer Experience Study



### Advisory Committee Presentation

August 18, 2022

Gustavo Aviles, Interim Chief Analytics Officer, Data Architecture, Transformation & Analytics, ESD  
Olga Kondratjeva, Interim Program Evaluation, Research, and Analysis Manager, ESD  
Employment Security Department

## Customer Experience Study



### Advisory Committee Presentation

August 18, 2022

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Employment Security Department

## Customer Experience Study Update



### RFP process: Phase I - customer experience study for apple, pear, and grape production

- 07/08/2022: Due date for submission of proposals
- Received a total of 5 RFP submissions (1 bidder pulled out their application before the evaluation)
- Submissions were evaluated by 3 ESD staff members
- Two finalists were invited for an RFP interview process
- RFP interviews took place between Aug 4-9
- ESD has notified the Apparent Successful Bidder and will now prepare the engagement contract. The project is expected to begin by the end of August

ADDENDUM IV.

2022 Agricultural and Seasonal Workforce Services Report



Advisory Committee Presentation

August 18, 2022

Dan Zeitlin, Policy Director, ESD  
Employment Security Department

Worker Perspectives



Employer Perspectives



Final Discussion



**Provided we have a quorum**

“I move that we approve the 2022 ASWS Advisory Committee Report but for the employer and worker perspective section”

- 2<sup>nd</sup>

Perspectives discussion

## Vote to Approve 2022 ASWS Report

### Representing Agricultural Workers

- Michele Besso
- Edgar Franks
- Rosalinda Guillen
- Victoria Ruddy

### Representing Agricultural Employers

- Jon DeVaney
- Mike Gempler
- Delia Pena
- Jeff Perrault



### Agricultural and Seasonal Workforce Services ADVISORY COMMITTEE



Employment Security Department  
WASHINGTON STATE

## Next ASWS Advisory Committee Meeting

Thursday, September 15, 2022

8:30 a.m. – 11:30 a.m.

### Contact information

Dan Zeitlin, Director of Employment System Policy & Integrity Division [DZeitlin@ESD.WA.GOV](mailto:DZeitlin@ESD.WA.GOV)

*Employment Security Department • Policy, Data, Performance and Integrity*