



Agricultural and Seasonal Workforce Services Advisory Committee

Meeting details

Date: Thursday, December 16, 2021

Time: 8:30 a.m. – 11:30 a.m.

Location: Virtual meeting due to COVID-19

Committee members present

- Jonathan DeVaney
- Jeff Perrault
- Victoria Ruddy
- Michele Besso
- Rosalinda Guillen
- Delia Peña
- Michael Gempler
- Edgar Franks

Non-voting agency representatives

- Todd Phillips
- Uriel Iniguez
- Ignacio Marquez

Committee members absent

ESD staff

- Gustavo Aviles
- Olga Kondratjeva
- Dan Zeitlin
- Alberto Isiordia
- Rene Maldonado
- Oscar Cerda
- Ana Alcala-Rodriguez
- Petra Meraz
- Tamara Johnson
- Craig Carroll
- Juan Martinez

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 Tamara Johnson to take roll. All voting members were present.

Agenda

Recording timestamp **00:04:00**

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

Introduction of Bertha Clayton New ASWS Director

Recording timestamp **00:06:20**

Dan introduced Bertha to the Advisory Committee. Bertha provided her background, emphasized how excited she is to join as the new director and laid out her vision for the office. Committee members introduced themselves with an opportunity to express their priorities for the office.

Meeting MinutesRecording timestamp **00:28:30**

Dan Zeitlin requested that everyone review the meeting minutes for November 18, 2021 and provide their feedback. Jon DeVaney made a motion to approve the November 18, 2021 minutes. Jeff Perault seconded the motion. The November 18, 2021 meeting minutes were approved.

H-2A Application Data ReportRecording timestamp **00:29:35**

Petra Meraz reported on H-2A application data. (See addendum II.)

Rosalinda Guillen (CTC): requested more detailed information regarding the location and activities of workers in the state, as well as any overlap of contracts so we can get more accurate number of workers in the state at any given time.

ASWS Office Update – Craig CarrollRecording timestamp **00:19:25**

Six of the seven compliance positions have been hired to date and we have made an offer for the Yakima position. We will next work to fill the supervisor position early next year. To date we have conducted 37 field visits. There have been zero referrals to date so there have been no field checks done this year.

Report Recommendations Updates – (See Addendum III.)

Recommendation #1 – Ana/Alberto – Faster connection of workers to employers. Recording timestamp **01:04:10**

Recommendation #4 – Gustavo/Olga - Customer Experience Study

Recording timestamp **01:55:30**

- *Program Evaluation, Research & Analysis (PERA) Team Updates* (See Addendum IV.)

Closing Discussion:

- We will move meetings to Zoom platform.
- We will continue to meet 3rd Thursday of each month and possibly schedule additional meetings during the less busy time so we can complete the biennial report due in 2022.

Future Agenda Items

- 2020 Report Recommendations Updates continued
- 2022 Committee Planning

Public Comments

None

Adjourned

Dan Zeitlin thanked everyone for their continued active participation and for their commitment to this work, then ended the meeting at 11:30 a.m.

2021 Meetings

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

- **January 20, 2022 – 8:30 a.m. to 11:30 a.m. – Zoom Meeting**

Addendums

ADDENDUM I.



AGENDA

Agricultural and Seasonal Workforce Services (ASWS) Advisory Committee

Thursday, December 16, 2021 | 8:30 am – 11:30 am | WebEx

TIME	TOPIC
8:30 am	Welcome – Dan Zeitlin, Director, ESD Employment System Policy & Integrity Division <ul style="list-style-type: none"> • Roll Call – Tamara Johnson • Agenda Review – Dan Zeitlin
8:40 am	ASWS Office Update – Dan Zeitlin <ul style="list-style-type: none"> • New ASWS Director Bertha Clayton Introduction
9:00 am	Approval of Meeting Minutes – Dan Zeitlin <ul style="list-style-type: none"> • November 18, 2021
9:05 am	FLC Applications Update – Petra Meraz
9:10 am	ASWS Compliance Update – Craig Carroll
9:20 am	Break
9:30 am	2022 Report – Dan Zeitlin <ul style="list-style-type: none"> • Update on current recommendations • Next steps
10:30 am	Closing Discussion <ul style="list-style-type: none"> • Platform (Zoom or WebEx) • 2022 Meeting Schedule
10:45 am	Public Comments
11:00 am	Adjourn

GROUND RULES

No side 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 be 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.

FLC Application Data Report



H-2A Program Data	10/1/2021-12/15/2021		10/1/2020-12/15/2020	
	Applications	Workers Requested	Applications	Workers Requested
Total Applications Received/Processed:	78	7,574	49	5,464
Number of Applications Withdrawn/Not Processed by DOL:	3	240	2	26
Contract Impossibility:	0	0	0	0
Total Number of Contracts Commenced:	12	320	3	91

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

ADDENDUM III.

Report Recommendations Update



ASWS Advisory Committee Presentation

December 16, 2021

Dan Zeitlin, Employment System Policy Director

Recommendation #1



Faster connection of workers and employers through process changes, including more direct and ongoing engagement with domestic job applicants. (Ana/Alberto)

STATUS: In progress

- The committee recommends that ESD help facilitate a faster connection of workers and employers through process changes including more direct and ongoing engagement with domestic job applicants.
- The committee recommends using texting or apps commonly used by the farmworker community for recruiting and job matching, including using text alerts to notify farmworker applicants of new job openings.

Recommendation #2



The committee recommends ESD directly inform employers of applicants for H-2A job openings. (Dan)

STATUS: In progress

- The committee recommends ESD directly inform employers of applicants for H-2A job openings, request a waiver from the U.S. Department of Labor (USDOL) to allow H-2A employers to manage and access their own recruitments through ESD's recruitment system, and establish measures to determine the impact and success of the change.
- The waiver recommendation was re-approved at the October meeting and will go to Governor.

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Recommendation #3



The committee recommends that ESD track job referral outcomes more consistently. (Ana)

STATUS: In progress

- More thorough referral tracking and follow-up could be achieved through more proactive engagement with both employers and workers to obtain information regarding referral outcomes, to include outreach by phone or text to farmworker applicants who have been referred using an app to communicate with farmworker applicants.
- The committee recommends it work with ESD to develop a Request for Information (RFI) to further scope and identify costs for text and/or app-based outreach to farmworkers.

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Recommendation #4



Complete a customer experience study to better understand the experience of farmworkers and employers in the ESD application and referral process. (Gustavo/Olga)

STATUS: In progress

- The study should focus on hearing the farmworker and employer perspectives on barriers to accessing jobs, usability of ESD systems, and the disconnect between the number of available jobs compared to the number of successful referrals.

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Recommendation #5



Create enhanced resources and best practices for employers to access in order to increase employer compliance with H-2A laws and rules, streamline hiring. (Craig)

STATUS: In progress

- Activities would include providing template forms and letters, compliance tips, interview best practices, and sample interview questions.
- Best practices would focus on educating employers on common mistakes that have been made in the past and how to prevent those mistakes from happening.
- It is recommended that resources are provided once to all existing employers, provided to new H-2A employers in the future, and provided to employers by email at the time they set up new recruitments.

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Recommendation #6



The Committee recommends enhancing employer training. (Craig)

STATUS: In progress

- Training may include formal training sessions, communication about employer resources, making sure employers understand the resources available to them, creating designated points of contact for employers with questions, and building relationships for ongoing conversations and education.

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Recommendation #7



Improve ESD's tracking and monitoring of quarterly domestic worker placements to ensure it is then conducting field checks as federally required. (Ana)

STATUS: Complete (on-going process)

- The committee believes ESD needs to improve its tracking and monitoring of quarterly domestic worker placements to ensure it is then conducting field checks as federally required (federal statute requires placement of a domestic worker to conduct a field check at an H-2A site).

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Recommendation #8



Measure the impacts of implementing recommendations regarding employer resources and training. (Dan)

STATUS: Not started yet

- The committee intends to measure and track the impact of implementing these recommendations.

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Recommendation #9



The committee will work with ESD to examine the allocation of the funding sources for the H-2A administrative functions and identify gaps in funding and needed resources to address those gaps if they exist. (Juan)

STATUS: Complete (on-going process)

- ESD will evaluate the existing charging structure to determine how to more accurately track and report costs associated with H-2A activities.

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Recommendation #10



Develop mechanisms to strengthen and align coordination with other agencies to effectively and efficiently improve health, safety and working conditions in agriculture. (Dan)

STATUS: In progress

- ESD-LNI-DOH have coordinated during COVID-19 to improve health, safety and working conditions through, for example, testing, vaccination and mask distribution initiatives.

ADDENDUM IV.

Program Evaluation, Research & Analysis (PERA) Team Updates



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Customer Experience Study



▪ **Key updates:**

- Following up on the previous meeting, connected with three research centers to get itemized cost estimates for their proposals:
 - Western Washington University (Center for Economic & Business Research)
 - University of Washington (Survey Research Division)
 - Washington State University (Social & Economic Sciences Research Center)

▪ **Caveats:**

- Cost estimates provided in this presentation are not official.
- Assumptions and proposals differ by universities and may change in the future.

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Western Washington University



Main proposal:

- *Employers:* One-on-one in-depth qualitative interviews and focus groups (in-person or virtual, with incentives) with **180 employers**.
- *Agricultural workers:* Survey-like instruments to guide the discussion (1 hr, in-person, with incentives) with **517 workers**.
- Total estimated cost is \$325,238.

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Western Washington University



Alternative proposal #1:

- *Employers:* One-on-one in-depth qualitative interviews and focus groups (in-person or virtual, with incentives) with **100 employers**.
- *Agricultural workers:* Unchanged
- Total estimated cost is \$293,243.

Alternative proposal #2:

- Same as above, but the study would include **50 employers**.
- *Agricultural workers:* Unchanged
- 4 ▪ Total estimated cost is \$275,429.

University of Washington



Main proposal:

- *Employers:* 10-15 minute online survey followed by one-on-one qualitative interviews (in-person, with incentives) with **50 employers**.
- *Agricultural workers:* 10-15 minute online survey followed by one-on-one qualitative interviews (in-person, with incentives) with **50 workers**.
- Total estimated cost is \$214,022.

Alternative proposal:

- Same as above, but the study would include **100 employers** and **100 agricultural workers**.
- 5 ▪ Total estimated cost is \$242,232.

Washington State University



Main proposal:

- *Employers:* One-on-one qualitative interviews (1 hr, virtual, with incentives) with **40 employers**.
- *Agricultural workers:* One-on-one qualitative interviews (1 hr, in-person, with incentives) with **60 workers**.
- Total estimated cost is \$283,364.

Alternative proposal:

- Same as above, but the study would include **100 employers** and **100 agricultural workers**.
- 6 ▪ Total estimated cost is \$578,950.

Suggested Research Proposal



- Approximately **50 qualitative interviews with employers** (in-person or virtual, with incentives)
- Approximately **50 qualitative interviews with agricultural workers** (in-person, with incentives)
 - Cost estimates for focus groups may be cheaper.
 - Cost estimates can vary based on the number of interviews.
- Focus on three main crops/activities: apple and pear harvesting (August-November) and cherry harvesting (June-August).
- These crops/activities are based on the review of job orders – we'll review the job orders more closely prior to the study

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Suggested Budget



- Submitted cost estimates varied:
 - WWU: between \$275,429 and \$325,238.
 - UW: between \$214,022 and \$242,232.
 - Does not include instrument development and analysis.
 - ESD to design the questionnaire and analyze the data: 0.5 ORS FTE (\$110,000) and 0.2 IT Data Administration (\$50,000).
 - WSU: between \$283,364 and \$578,950.
- Suggested budget proposal:
 - Request funding in the amount of \$400,000.
 - Potential funding sources: Washington State Department of Agriculture upcoming grant proposal

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Recap



- **Caveats:**

- Cost estimates provided in this presentation are not official.
- Assumptions and proposals differ by universities and may change in the future.

- **Outstanding questions:**

- Is conducting ~50 interviews with employers and ~50 interviews with agricultural workers sufficient from the Committee's point of view?
- What are the additional funding sources we may consider for this work?

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Contact information

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Employment Security Department • Policy, Data, Performance and Integrity
