



Agricultural and Seasonal Workforce Services Advisory Committee

Meeting details

Date: Friday, May 23, 2025

Time: 9:00 a.m. – 1:00 p.m.

Location: Hybrid meeting via Zoom

Physical address: **Employment Security Department**, 212 Maple Park Ave SE, Olympia, WA 98501

Committee members present

- Jon DeVaney
- Michael Gempler
- Michele Besso
- Rosalinda Guillen
- Edgar Franks
- Jeff Perrault

Non-voting agency representatives

- Ignacio Marquez (WSDA)
- Uriel Iñiguez (LNI)
- Juan Gamez Briceno (DOH)

Committee members absent

- Elizabeth Strater
- Delia Peña

ESD presenting staff

- Joy Adams
- Vickie Carlson
- Commissioner Feek
- Dan Zeitlin
- Joshua Dye
- Bertha J. Clayton
- Petra Meraz
- Susana Rodriguez
- Craig Carroll
- Arturo Espinoza
- Josh Moll

Summary

Meeting Recorded

This meeting was recorded and is available on [Agricultural and Seasonal Workforce Services Advisory Committee meetings](#)

Welcome and Agenda Review

Employment Security Department (ESD) Director, Joy Adams, welcomed everyone, reviewed the meeting agenda and asked if anyone had any questions. (See Addendum I.)

Commissioner Feek Remarks (Addendum II.)

- Commissioner Cami Feek, Employment Security Department (ESD)

Recording timestamp **00:01:41**

Roundtable IntroductionsRecording timestamp 00:015:35**Brief history of ASWS Advisory Committee (Addendum III.)**Recording timestamp 00:18:32**Scope & function of Committee, Member expectations**

- Dan Zeitlin, Chief of Staff, Executive Services, ESD

Legislative Update/ESD Budget (Addendum IV.)Recording timestamp 00:34:04

- Dan Zeitlin, Chief of Staff, Executive Services, ESD
- Josh Dye, Director, Government Relations, ESD

Quorum EstablishedRecording timestamp 00:35:52

6 voting members were present at the time of roll call. (Quorum)

ASWS Office Update (Addendum V.)Recording timestamp 01:47:52

- Bertha J. Clayton, Director, ASWS Office, ESD

FLC (Addendum VI.)Recording timestamp 01:58:38**Slides will stand on their own**

- Petra Meraz, Supervisor, Foreign Labor Certification Program, ASWS Office, ESD

Compliance (Addendum VII.)Recording timestamp 01:58:38**Slides will stand on their own**

- Susana Rodriguez, Supervisor, Compliance Unit, ASWS Office, ESD

Workforce Services Division Update (Addendum VIII.)Recording timestamp 01:59:14

Craig Carroll, Business Operations Manager, Workforce Services, ESD

Monitor Advocate IntroductionRecording timestamp 02:10:19

- Dan Zeitlin, Chief of Staff, Executive Services, ESD

H-2A Temporary Worker Housing Inspection Changes (Addendum IX.)Recording timestamp 02:30:00

- Bertha J. Clayton, Director, ASWS Office, ESD
- Juan Gamez, Supervisor, Lodging Program, Washington State Department of Health (DOH)

Updates - Prevailing Wage & Hand Harvester Survey (Addendum X.)Recording timestamp 03:22:06

- Josh Moll, Labor Economics and Econometric Analysis Manager, DATA Team, ESD

Chairs Remarks (Addendum XI.)Recording timestamp 03:27:14

- Joy Adams, Director, Employment System Policy & Integrity (ESPI) Division, ESD

Potentially adding additional voices (exificio members) to the ASWS Advisory Committee:

1. ESD Monitor Advocate
2. Commission for Hispanic Affairs
3. Executive Director from the local WorkSource Development Boards (LWDB's)

Meeting Schedule:

1. Adding Special virtual meeting – in a month to discuss the items we reviewed very quickly or items Committee members have additional questions on.
2. Add a morning session on July 17th

Good of the Order – Joy Adams

Recording timestamp **01:53:54**

Joy committed to sending out an email to Committee members with a list of actional items from the report that have drawn the attention of the Legislature.

Future Agenda Items

Perspectives on the state of the Ag economy – push this topic to our next meeting as per Joy Adams.

Public Comment

Recording timestamp **03:48:34**

None

Adjourned

Joy Adams thanked everyone for their continued active participation and for their commitment to this work, reviewed the next meeting date/time. Joy also alerted the committee this time/date may change based on inaguration events. Public meeting adjourned: 2:56 PM.

2024 Meetings

- The next Agricultural and Seasonal Workforce Services Advisory Committee meeting: Thursday, July 17th, 2025 from 5:00 PM – 7:00 PM, Zoom

Addendums

ADDENDUM I.

Agenda Review & Roundtable Introductions



AGENDA

Agricultural and Seasonal Workforce Services (ASWS) Advisory Committee
Friday, May 23, 2025 | 9:00 am – 1:00 pm | Zoom | 212 Maple Park Ave SE Olympia, WA 98501

TIME	TOPIC	SPEAKER
9:00 am	Call to Order; Welcome to Maple Park	Joy Adams, Director, Employment System Policy & Integrity Division, ESD
9:10 am	Roll Call of Committee Members – Establish a quorum	Vickie Carlson, Management Analyst, ASWS Office, ESD
9:15 am	Agenda review	Joy Adams, Director, Employment System Policy & Integrity (ESPI) Division, ESD
9:30 am	Commissioner Feek Remarks	Joy Adams, Director, ESPI Division, ESD
9:45 am	Brief history of ASWS Advisory Committee Scope & function of Committee Member expectations	Dan Zeitlin, Chief of Staff, Executive Services, ESD
10:00 am	Legislative Update/ESD Budget	Dan Zeitlin, Chief of Staff, Executive Services, ESD
10:15 am	ASWS Office Update	Bertha J. Clayton, Director, ASWS Office, ESD Petra Meraz, Supervisor, Foreign Labor Certification Program, ASWS Office, ESD Susana Rodriguez, Supervisor, Compliance Team, ASWS Office, ESD
10:45 am	Workforce Services Division Update	Craig Carroll, Business Operations Manager, Workforce Services Division (WSD), ESD
11:00 am	15 Minute Break	11:00 am
11:15 am	Chairs Vision	Joy Adams, Director, ESPI Division, ESD
11:30 am	H-2A TVH Inspection Changes	Juan Gamez, Supervisor, Lodging Program, Department of Health (DOH) Bertha J. Clayton, Director, ASWS Office, ESD
12:00 pm	Arturo Espinoza – New SMA Introduction	Dan Zeitlin, Chief of Staff, Executive Services, ESD
12:10 pm	Updates on Prevailing Wage & Hand Harvester Survey	Josh Moll, Labor Economics and Econometric Analysis Manager, DATA Team, ESD
12:20 pm	Perspectives on the state of the Ag economy	ASWS Committee Members
Closing		
12:45 am	Public Comment	Joy Adams, Director, ESPI Division, ESD
	Good of the Order	
	Adjournment	
1:00 pm	Next meeting: Thursday, July 17 th , 2025, Virtual-Evening, 5 pm – 7 pm	

GROUND RULES

No side conversations | Phones on silent | Let people speak without interruption | Respect the opinion of others | Strive for understanding | Seek 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 content | Ask for what you need

ADDENDUM II.

Commissioner Feek Remarks

Commissioner Cami Feek, Employment Security Department



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ASWS Committee history, scope and function

Dan Zeitlin, Chief of Staff, Executive Services, ESD



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ADDENDUM III.

Legislative/Budget Update

Dan Zeitlin, Chief of Staff, ESD
Josh Dye, Government Relations Director, ESD
May 23, 2025



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Agenda



- I. ESD-Related Bills
- II. Federal and State Fund Source Overview
- III. ESD Revenues (Federal) and Expenditures
- IV. ESD 25-27 Biennium Budget/ASWS Decision Package
- V. State Fund Balances

ESD-Related Bills



Notable employment and unemployment related bill:

- Employment Loss Due Closure Or Mass Layoff (ESSB 5525): **Passed**
- Unemployment Benefits For Striking Workers (ESSB 5041): **Passed**
- Wage Replacement For Undocumented Workers (HB 1772/SB 5626): **Did Not Pass**

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Federal Funding



Unemployment Insurance (UI) Program

- **UI Administration:** Used to administer UI program. The Federal Unemployment Tax Act (FUTA) is a 0.6% employer tax on the first \$7,000 of each worker's earnings per year. These funds are paid to the federal government and distributed to states based on an allocation methodology for UI administrative costs.

Workforce Programs

- **Wagner-Peyser:** Used for ESD staff to provide employment services at WorkSource centers throughout the state. In WA, 90% of funds are allocated for general services and 10% are allocated to Migrant and Seasonal Farmworker (MSFW) outreach.
- **Workforce Innovation and Opportunity Act (WIOA) Administration:** Funds provided to ESD to oversee Adult, Dislocated Worker, and Youth employment and training services provided by staff in local workforce areas.
- **Other:** Foreign Labor Certification (FLC), Jobs for Veterans State Grants (JVSG), Reemployment Services and Eligibility Assessment (RESEA), and Trade Adjustment Assistance (TAA)

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Federal Funding



Labor Market Information (LMI) Programs

- **Bureau of Labor Statistics (BLS):** Used for statistical data gathering, analysis and dissemination to include current employment statistics, local area unemployment statistics, occupational employment statistics, quarterly census of employment and wages, and mass layoff statistics.
- **Workforce Information Grants:** Used to develop and disseminate essential workforce and labor market information, including employment trends, local labor market trends and other data.

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State Funding

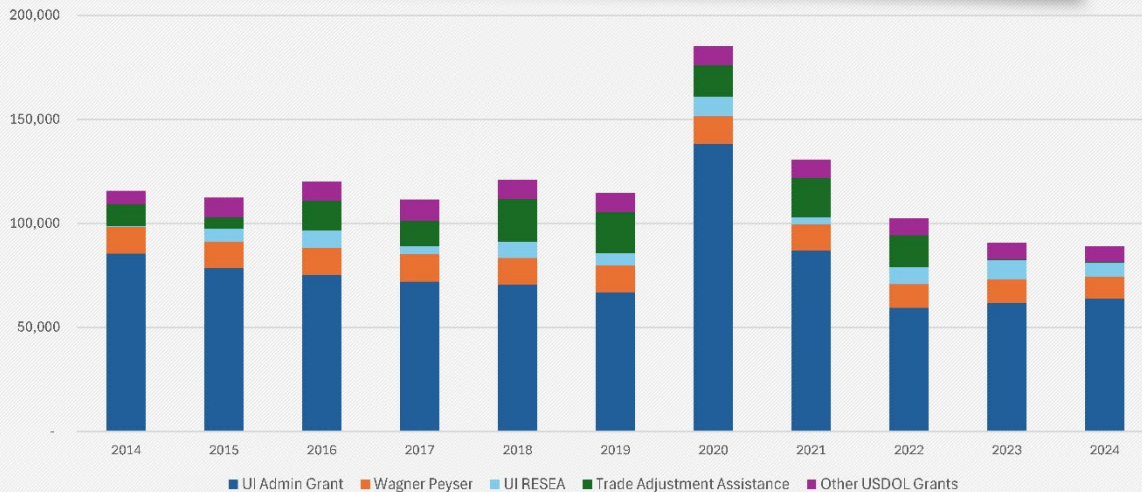


Two State Funding Sources

- **Claimant Placement Program (CPP):** Funding from the Employment Services Administrative Account (Fund 134). CPP receives its revenue from an employer surcharge on UI taxable wages. This funding source was established in 1985 to augment federal funds to support employment programs. These funds have been increasingly necessary to provide basic employment program activities.
- **Penalties and Interest (P&I):** Funding from the Administrative Contingency Account (Fund 120). P&I receives revenues from penalties and interest employers pay for late or incorrect unemployment taxes. P&I revenue also comes from interest paid by UI recipients who must repay benefits to which they were not entitled.

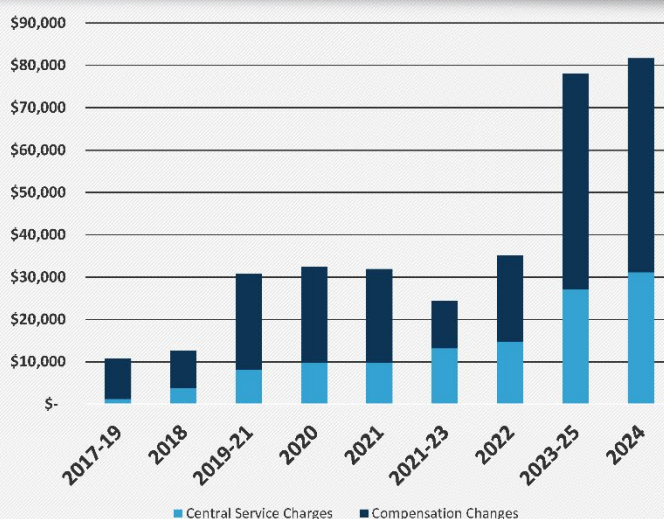
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Federal Revenue Decreasing Adjusted for Inflation



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Changes in Central Services and Compensation Base ESD Budget



Central service and compensation increases have put additional pressure on ESD resources

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25-27 Biennium Budget: ESD Base Funding



The conference budget reduces ESD's "base" funding:

- One-time funding ends
- Reductions in number of management and administrative positions
- Federal revenue has declined, and the availability of CPP and P&I to cover shortfalls has increasingly become less of an option.

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25-27 Biennium Budget: ESD Initiative/Program Funding



ESD initiatives/programs were funded with CPP or P&I funds:

- Federal Funding Shortfall: \$22.3M
- UI Customer Improvement Plan: \$11.2M
- UI Customer Compliance (UI Fraud): \$1.66M (SFY26)
- UI Navigators: \$1M (SFY26)
- Workforce Integration Technology (WIT): \$9.2M
- Website Modernization: \$.2M
- ASWS: \$.6M

ESD fund "swaps":

- Economic Security for All (EcSA): \$12.3M (previously GF-S)
- Career Connect Washington (CCW): \$4.7M (previously WEIA)
- WorkFirst: \$4.0M (previously DSHS GF-S)

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25-27 Biennium Budget: ASWS



The conference budget provides roughly \$3.83 million over the biennium for the ASWS Office, a roughly \$600,000 increase from current level to:

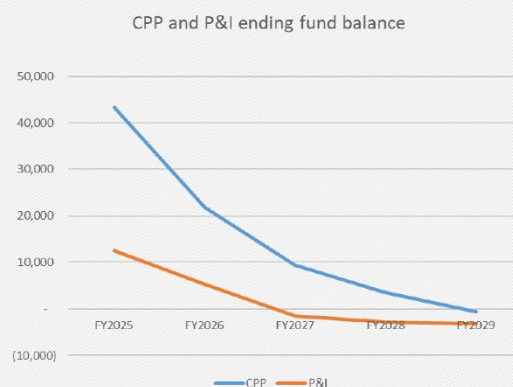
- Re-classify compliance staff from Program Specialist 3s to 4s.
- Fund a position to create a central point for oversight of domestic farmworker recruitment, referral and placement.

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ESD State Funding: CPP and P&I



Conference Budget: Employment Service Administrative Account-Fund 134 (CPP) and Administrative Contingency Account-Fund 120 (P&I)



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ADDENDUM IV.

ASWS Office Update – May 2025



Bertha J. Clayton, ASWS Director, ESD

What we've been up to



- Introduction of New Staff
- Federal Partnerships
- Coordination with SWAs in Region 6
- H-2A Litigation – how we've responded
- Discontinuation of Services
- Operations update on RCW 50.75.060 "HB 2226 data collection" (2024)
- Inter-agency coordination
- ASWS "in the news"
- H-2A Temporary Worker Housing changes (in a later segment)
- Update on old business items

ASWS Staffing



- Welcome Susana Rodriguez, ASWS Compliance team supervisor, started 2/3/25!
- Hello Arturo Espinoza, MSFW Services Monitor (AKA State Monitor Advocate), started 5/1/25!
 - PS-3 compliance specialist position vacated (Tri-Cities region)
- Biennium 2026-2028
 - Ag. Decision package **approved** by WA State legislature
 - Re-classification of (7) ASWS Compliance Specialist positions from PS-3s to PS-4s. Will take place 7/1/25.
 - Additional funding for compliance team travel

Federal Partnerships



- USDOL Office of Foreign Labor Certification
 - "Business as usual"
 - Communication is regular, timely and responsive
- USDOL Wage and Hour Division
 - Enforcement priorities from 5 to 2 (agricultural and construction)
 - Hiring freeze, minimal inspectors
 - Retirements, separations in regional leadership
 - No training regarding H-2A Worker Protection Rule enforcement
- USDOL Employment Training Administration (ETA)
 - Staffing changes: Regional Monitor Advocate (RMA), Federal Project Officers (FPOs)
 - No conferences/trainings planned (State Monitor Advocate, Region 6 Farmworker Conference (with NFJP grantees).

Coordination with Region 6 State Workforce Agencies (SWAs)



Cohort formed in early 2025. Facilitated by ESD's Foreign Labor Certification team. Washington, Oregon, California, Idaho

- Monthly standing meeting.
- Share updates, technical assistance and case specific information
- Monthly educational presentations
- Has been a good resource for navigating change together and sharing/learning best practices.

H-2A Litigation



Regularly communicating with USDOL. **Following USDOL instructions and directives.**

1. March 2025 – FUJ Injunction
 1. Per USDOL instructions – did not change case status or issue Notices of Acceptances or Notices of Denial. (USDOL carried out internal procedures to categorize impacted filings, many employers re-filed as an “emergency”)
 2. May 2025 – FUJ Injunction
 1. Posted prevailing wages on ESD's farmworker page
- ESD is not a party to the *Barton* lawsuit
 - ESD was recently dismissed from *Familias Unidas por la Justicia*, and that case is in active litigation
 - **ESD is refraining from commenting on the ongoing litigation;** the parties to those lawsuits would be in the best position to talk about the litigation and interpreting the Court's orders
 - ESD relies on guidance from USDOL on job order contents; USDOL is the final adjudicator of ETA-790s.

Discontinuation of Services



Discontinuation of Services – 20 CFR 658, Subpart F, initiated from 10/1/24-5/1/25	2
Final Determinations	1
Determinations pending	1

RCW 50.75.060 “HB 2226 data collection” (2024)



- Started collection 6/6/2024
- Using standard form developed by ESD ASWS and Communications Dept.
- Quarterly reporting obligation to ASWS Committee (later segment)

Interagency Coordination



Inter-agency agreement	Agencies	Status
ESD & National Farmworker Jobs Program Grantee	ESD SMA, ESD WSD – Opportunities Industrialization Center of WA (OIC)	COMPLETE (03/2025)
Field Check Coordination	ESD-LNI-DOH-WSDA	IN FINAL REVIEW
H-2A Temporary Worker Housing Inspections, Licensing & Certification	ESD-DOH-LNI	IN DEVELOPMENT (WILL DISCUSS IN LATER SEGMENT)
H-2A Complaint Data Sharing Agreement (Statement of Work)	ESD-LNI	ESD SOW is COMPLETE (04/2025)

In the news



"For the first time in decades, tree fruit growers in the Northwest are finding it easier to hire domestic workers."

"We're seeing we have more local labor, local help," said Cesar Ortiz, an orchard manager for White Alpha Orchard in Ephrata, Washington. He estimated an increase of roughly 40 percent for local applicants in 2024 and was seeing the same as of March this year."

"Employers and regulators have improved their practices in regard to balancing guestworker and domestic recruitment, said Bertha Clayton, director of the ESD's Agricultural and Seasonal Workforce Service – an office created by the state Legislature in 2019 to help keep up with the rising H-2A demand. Growers are better at offering those jobs, while the state agency is better at policing the program."

[Less work, more workers for agriculture - Good Fruit Grower](#)

Update on old business



- Outreach staff safety and emergency preparedness
- App-based communication (Whatsapp)
- ASWS webpage presence
- ASWS case management system (CMS)
- Written resources for employers and workers
- Emphasis on domestic recruitment

And most importantly....



- Thank you to ASWS's dedicated, talented and stellar staff.



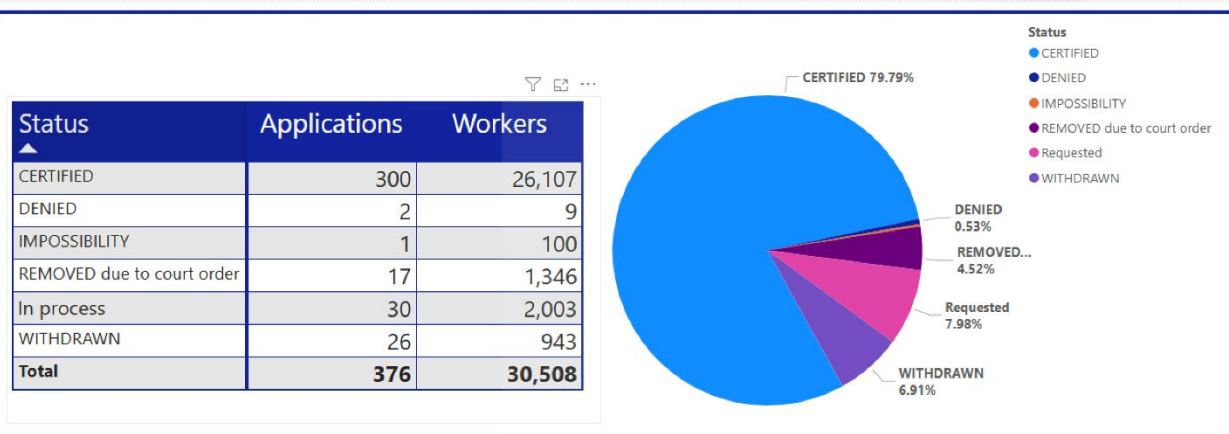
ADDENDUM V.

Processing and Adjudicating Foreign Labor Certification Applications



Petra Meraz, Foreign Labor Certification Program Supervisor, ASWS, ESD

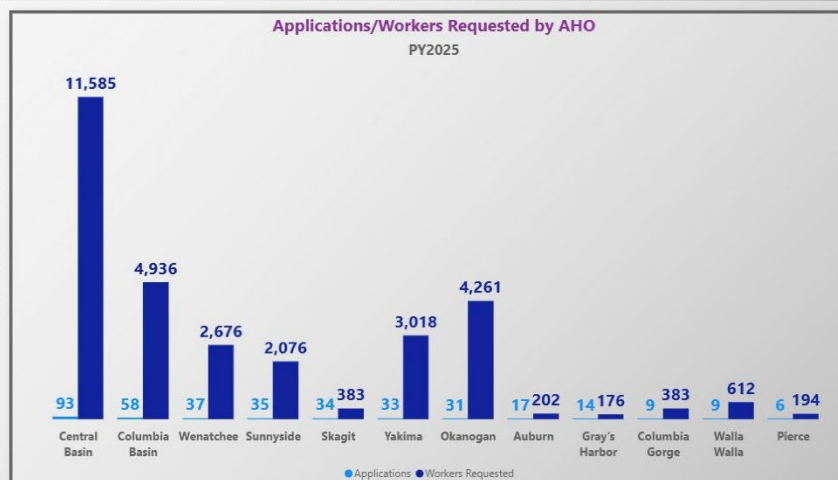
Application status report: October 1, 2024 – April 30, 2025



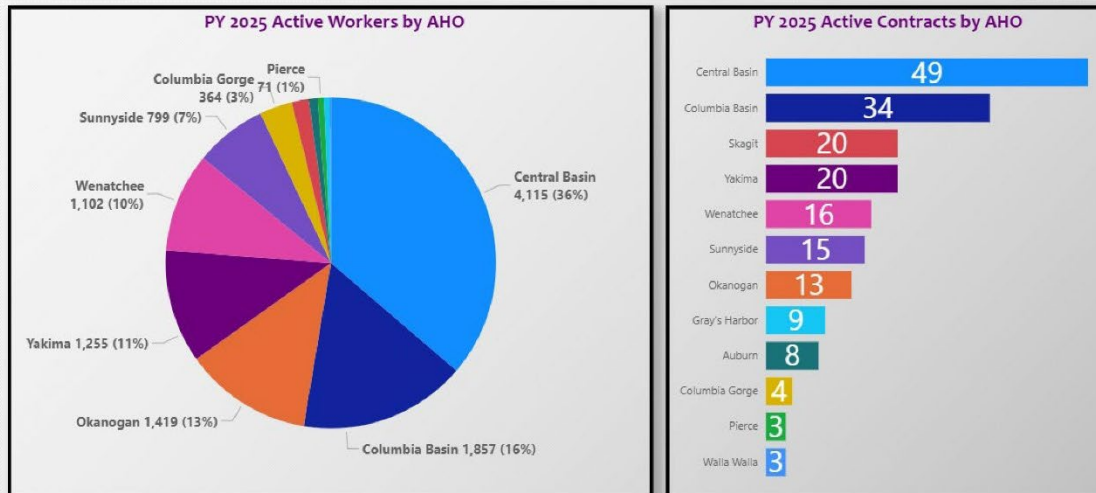
Commenced & Active YTD Comparison



Applications/Workers Requested by AHO



PY25 Active Workers & Contracts by AHO



ADDENDUM VI.

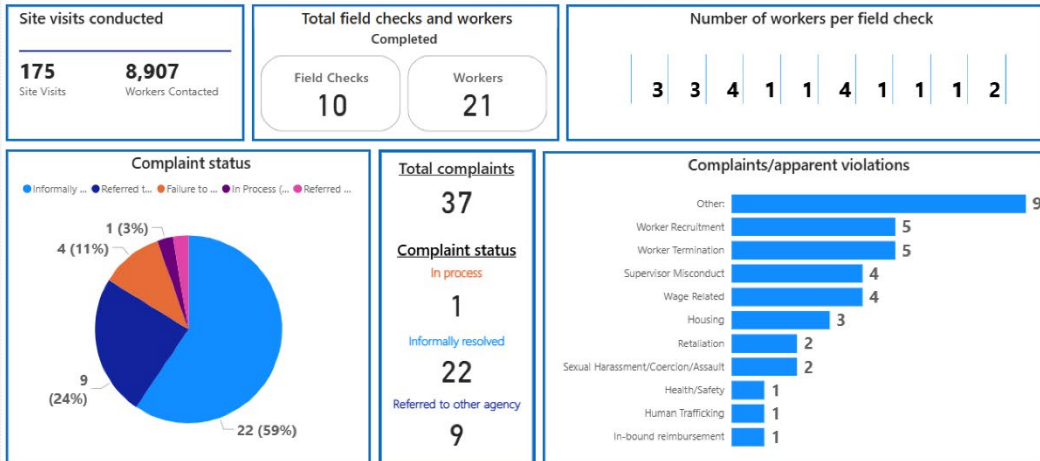
Compliance Reporting:
Site visits (field visits), field checks &
complaints



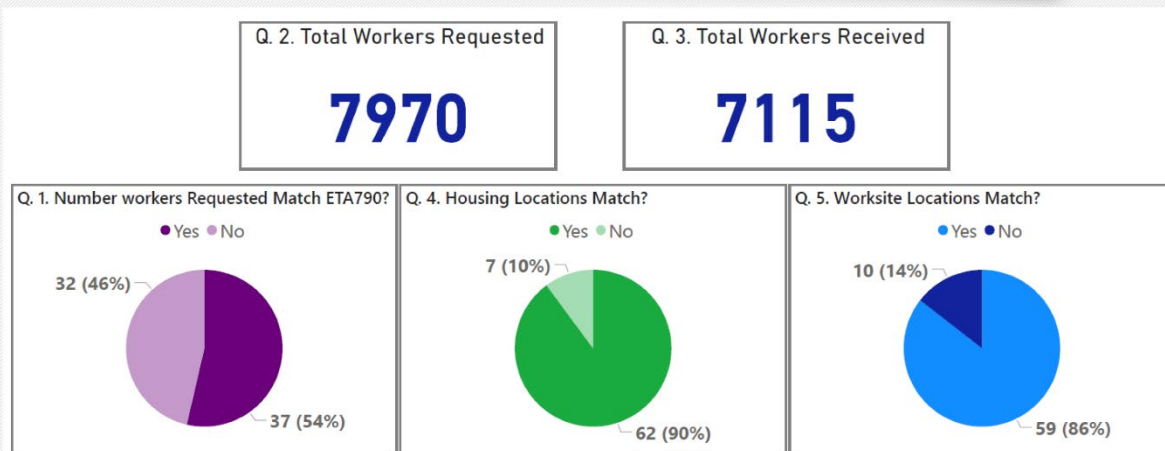
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Susana Rodriguez, Compliance Team Supervisor, ASWS, ESD

ASWS Compliance Updates



Quarterly Report of HB2226 Data: 2nd Qtr. Jan 1, 2025 - March 31, 2025



ADDENDUM VII.

WSD Updates

May 2025



Craig Carroll, Business Operations Manager, ESD

MSFW Outreach Performance



Workforce Services Division (WSD)

October 1 through April 30

Program Year	2023	2024
Total FTEs*	11	11
Total Outreach Days	870	904
Total Number of MSFWs Contacted	12,632	13,565

* 9 dedicated FTEs (MSFW Staff) and 2 FTEs allocated to non-Ag. areas.

Complaints and Apparent Violations



Workforce Services Division (WSD)

October 1, 2024 through April 30, 2025

Total Number of Complaints	22
Total Number of Apparent Violations	2
Total Referred (6 H-2A related)	18
Total Resolved (at local level)	3

Highlights of Outreach to Farmworkers



Digital Navigation Efforts

Moses Lake Area

- **Empowering Farmworkers Through Safety Training**
Partnered with Labor & Industries to bring WISHA-10 training to Washington Fruit, ensuring workers had the knowledge to stay safe on the job.
- **Bridging the Gap to Essential Resources –**
Connected migrant and seasonal farmworkers with ESL and Digital Navigation support, opening doors to education and technology access.

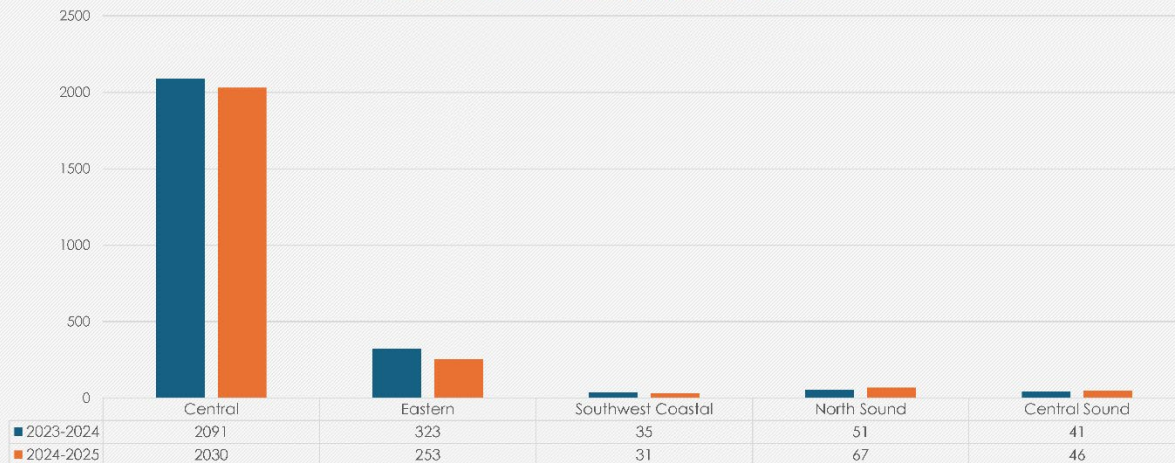
Yakima Area

- **Empowering Farmworkers Through Safety Training**
Coordinated WISHA 10 Training session, engaging over 40 migrant and seasonal farmworkers (MSFWs) in essential workplace safety education.
- **Developed Comprehensive Materials**
Detailing available computer classes and guiding individuals on the registration process for WorkSourceWA.com.

MSFWs Served by Region



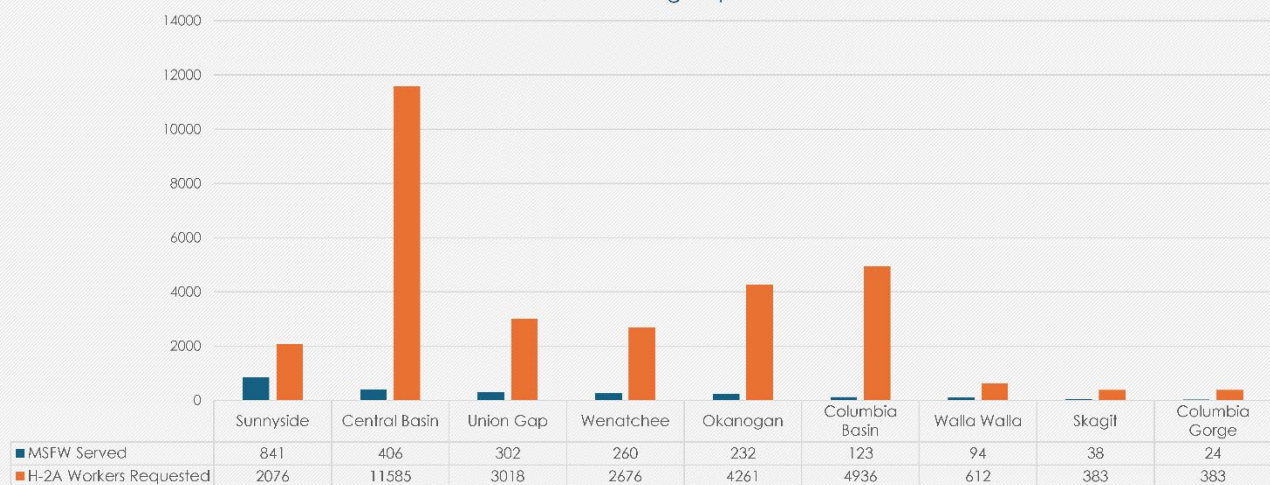
October 1, 2024, through April 30, 2025



MSFWs Served by Significant Office VS H-2A Workers Requested



October 1, 2024 through April 30, 2025



ADDENDUM VIII.

Chairs Vision

Joy Adams, Director, Employment System Policy & Integrity Division, ESD



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Updates on Prevailing Wage &
Hand Harvester Survey

Josh Moll, Labor Economics and Econometric Analysis Manager, DATA, ESD



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2024 Agricultural Employer Survey and RCW 50.38.070 Worker Wage Survey

2024 Agricultural Employer Survey

The 2024 employer surveyed for apple, pear, cherry and berry crops

- Administered via phone, web and paper surveys
- 162 completed surveys
- Data analysis is underway

Task	Description	Time Frame
Survey programming	Development of survey and training interviewers	September 2024
Active data collection	Mailing letters, emails, calls	October 2024 – January 2025
Data management	Producing clean data set	February 2025
Deliverables	Deliver final data and report	March 31, 2025

2024 RCW 50.38.070 Worker Survey

The 2024 worker survey was limited to apple harvesting

- Administered via phone and web surveys
- 701 completed surveys
- Report and dataset delivered to the legislative committee

Task	Description	Time Frame
Active data collection	Active phoning / weekly email reminders	2/1 - 4/4/2025
Data management	Producing clean data set	4/4 - 4/11/2025
Producing Apple Worker Report	Report writing	4/14 - 4/30/2025
Deliverables	Deliver final data and report	4/30/2025

2025 RCW 50.38.070 Worker Survey

The 2025 worker survey will include apple, cherry, blueberry and pear harvesting

- Administered via phone, web and field interviews

Task	Time Frame
Obtain Consent from Farms, Hire and Train Interviewers, Plan Travel Logistics, finalize Instruments, Finalize Communication/Recruitment Material	5/1/2025 – 5/30/2025
Field surveys of Blueberry and Cherry Workers	6/1/2025 – 8/1/2025
Telephone Interviews of Blueberry and Cherry workers, Field Surveys of Pear and Apple Workers	8/1/2025 – 10/31/2025
Telephone Interviews of Pear and Apple Workers, Begin Data Set Preparation	10/1/2025 – 12/1/2025
Finalize Data Sets, Produce Reports	12/1/2025 – 12/31/2025
Submit Final Deliverables to ESD by	12/31/2025 – 1/1/2026

Contact

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Colin Kirkmire

Surveys and Agricultural Analysis Supervisor

Labor Market Information and Research

Washington Employment Security Department

360-791-9036 | colin.kirkmire@esd.wa.gov

ADDENDUM VIII.

Perspectives on the state of the Ag economy



Unguided Committee Roundtable

➤ Comment or Pass

*What are your thoughts on the
state of the Ag economy?*

Closing



- Public Comment
- Good of the Order

Public Comment

**PUBLIC COMMENT:**

If you would like to make public comment, including any suggested future agenda items, please state your name and spell it so we can capture it correctly for the minutes, as well as the organization you represent if any. Your comments are being recorded. However, if you would like your comments to be included in the meeting minutes, please submit them in writing via email to Vickie Carlson at Vickie.Carlson@esd.wa.gov. Please limit your comments to two minutes.

COMENTARIO PUBLICO:

Si desea hacer un comentario público, incluyendo temas ó elementos de seguridad para agendas futuras, por favor indique su nombre y deletreéelo para poder capturarlo correctamente en los apuntes de la junta, también indique la organización a la que representa si hay alguna. Sus comentarios estan siendo grabados. Sin embargo, si desea que sus comentarios sean incluidos en los apuntes de la junta, por favor envíelos por escrito por correo electrónico a Vickie Carlson a vickie.carlson@esd.wa.gov. Por favor limite sus comentarios a dos minutos.



Agricultural and Seasonal Workforce Services
ADVISORY COMMITTEE



Employment Security Department
WASHINGTON STATE

Next ASWS Advisory Committee Meeting

Thursday, July 17, 2025

5:00 p.m. – 7:00 p.m.

Contact information

Joy Adams, Director of Employment System Policy & Integrity Division joy.adams@esd.wa.gov

Employment Security Department • Employment System Policy & Integrity
