



# Agricultural and Seasonal Workforce Services Advisory Committee

## Meeting details

**Date:** Thursday, November 17, 2022

**Time:** 8:30 a.m. – 11:30 a.m.

**Location:** ZOOM Meeting

### Committee members present

- Jon DeVaney
- Victoria Ruddy
- Edgar Franks
- Michele Besso
- Jeff Perrault
- Michael Gempler

### Non-voting agency representatives

- Ignacio Marquez
- Todd Phillips
- Carmen Rivera for Uriel Iñiguez

### Committee members absent

- Rosalinda Guillen
- Delia Peña

### ESD staff

- Dan Zeitlin
- Bertha Clayton
- Vickie Carlson
- Petra Meraz
- Margarito Cabrera
- Olga Kondratjeva
- Rene Maldonado

## 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 October 20th meeting minutes- Jon DeVaney, 2nd from Michele Besso. Motion carries.

### Agenda

Recording timestamp **00:03:24**

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

### ASWS Office – Bertha Clayton, Director, ASWS Office, ESD (See Addendum II.)

ASWS Office Update – Bertha Clayton, Director

Recording timestamp **00:06:17**

FLC Applications – Petra Meraz, Lead FLC Program Coordinator

Recording timestamp **00:19:08**

ASWS Compliance Team Update – Margarito Cabrera, Compliance Supervisor

Recording timestamp **00:28:47**

**Complaint Q&A/October Meeting Wrap-up** (See Addendum III.)Recording timestamp **00:36:42**

- Rene Maldonado, SMA, ESD
- Bertha Clayton, ASWS, ESD
- Margarito Cabrera, Compliance, ESD
- Juan Gamez, DOH
- Tom Silva & Stephen Yim, US DOL WHD
- Harmony Fleming, DOSH- LNI

**Customer Experience Study Update** (See Addendum IV.)Recording timestamp **01:05:50**

- Olga Kondratjeva, Interim Program Evaluation Research and Analysis Manager
- Christopher Cabrall, User Experience Researcher, Anthro-Tech, Inc.

**ESD Strategic Plan – Dan Zeitlin** (See Addendum V.)Recording timestamp **01:21:30****ASWS Report Update & Reflection – Dan Zeitlin** (See Addendum VI.)Recording timestamp **01:29:57****Disaster Preparedness Sub-Committee – Bertha Clayton** (See Addendum VII.)Recording timestamp **01:48:26****2023 Advisory Committee Meeting Survey Results** (See Addendum VIII.)Recording timestamp **02:05:53**

- Bertha Clayton, ASWS Director, ESD
- Dan Zeitlin, Policy Director, ESD

**Future Agenda Items**

None

**Public Comments**Recording timestamp **02:37:33**

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.

**2022 Meetings**

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

- **January 19, 2023 – 8:30 a.m. to 11:30 a.m. – Zoom Meeting**

**Addendums**

ADDENDUM I.

Agenda



AGENDA

Agricultural and Seasonal Workforce Services (ASWS) Advisory Committee  
 Thursday, November 17, 2022 | 8:30 am – 11:30 am | Zoom | 212 Maple Park  
 Ave SE Olympia WA 98501

TIME	TOPIC
8:30 am	Welcome – Dan Zeitlin, Director, ESD Employment System Policy & Integrity Division <ul style="list-style-type: none"> <li>• Roll Call – Vickie Carlson</li> <li>• Agenda Review – Dan Zeitlin</li> </ul>
8:40 am	Approval of Meeting Minutes – Dan Zeitlin <ul style="list-style-type: none"> <li>• October 20, 2022</li> </ul>
8:45 am	ASWS Office Update – Bertha Clayton, Director, ASWS Office, ESD <ul style="list-style-type: none"> <li>• ASWS Office – Bertha Clayton</li> <li>• FLC Applications – Petra Meraz, FLC Lead Program Coordinator</li> <li>• ASWS Compliance Update – Margarito Cabrera, Compliance Unit Supervisor</li> </ul>
9:00 am	Enforcement Agency Q&A/October Meeting Wrap-up <ul style="list-style-type: none"> <li>• Juan Gamez, Lodging Section Manager, DOH</li> <li>• Tom Silva, District Director, US DOL WHD</li> <li>• Stephen Yin, Community Outreach &amp; Resource Planning Specialist, US DOL WHD</li> </ul>
9:40 am	Update Customer Experience Study <ul style="list-style-type: none"> <li>• Olga Kondratjeva, Interim Program Evaluation Research and Analysis Manager</li> <li>• Chris Cabral, User Experience Researcher, Anthro-Tech, Inc.</li> </ul>
10:00 am	Break
10:10 am	ESD Strategic Plan – Dan Zeitlin
10:20 am	ASWS Report Update – Reflection – Dan Zeitlin
10:30 am	Disaster Preparedness Sub-Committee Update – Bertha Clayton
10:40 am	2023 Advisory Committee Meeting Survey Results – Bertha Clayton & Dan Zeitlin <ul style="list-style-type: none"> <li>• Committee discussion time</li> </ul>
11:15 am	Closing Discussion
11:25 am	Public Comment
11:30 am	Adjourn

\*\*As a reminder, there will not be a committee meeting in the month of December\*\*

GROUND RULES

No side conversations | Phones on silent | Let people speak without interruption | Respect the opinion of others | Strive for understanding | Speak your mind | Write 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.

## ASWS Office update



Bertha Clayton, ASWS Director, ESD

## Office update – November 2022

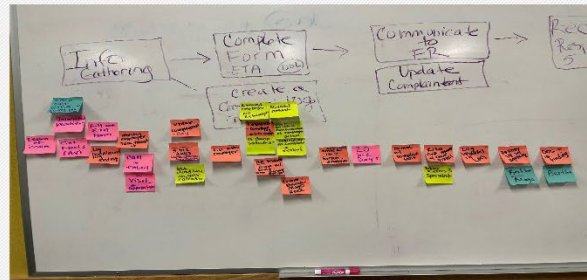


### Compliance site visits winding down, FLC team revving up

#### Creation of two (2) Developmental Job Assignment Positions (DJAs)

- DJA Period: November 1, 2022, to March 1, 2023
  
- Two Compliance team members began opportunity on Nov. 1, 2022
  - Received in person training from FLC team on Nov. 2-3
  - Receiving training virtually from FLC team
  - Impacts experienced to date: More eyes on cases, FLC staff can focus on substantive issues while DJA positions use learned knowledge to perform routine processing and data keeping tasks. More capacity for comprehensive review, communication, and follow-up.

## ASWS all-staff training conference WorkSource Yakima



## All-Staff Training Conference in Yakima WA November 2<sup>nd</sup> & 3<sup>rd</sup>, 2022



### **\*\*Highlights \*\***

- Improved data keeping tools
- Discussed common issues and developed standard approaches
- ASWS Complaint System process improvement project
- Created employer and worker resource videos
- Received training re: new H-2A rules
- Special Guests!
- Developed list of project ideas
  - Next Steps: Prioritize, delegate, create test, and evaluate.
    - Compliance team will work next few months to develop “quick guides”, standard operating procedures, and employer & worker tools and resources that address most common issues seen this year.
    - DJA staff members will support FLC operations.

# FLC applications update



Petra Meraz, Lead FLC Program Coordinator, ESD

# FLC Applications Update



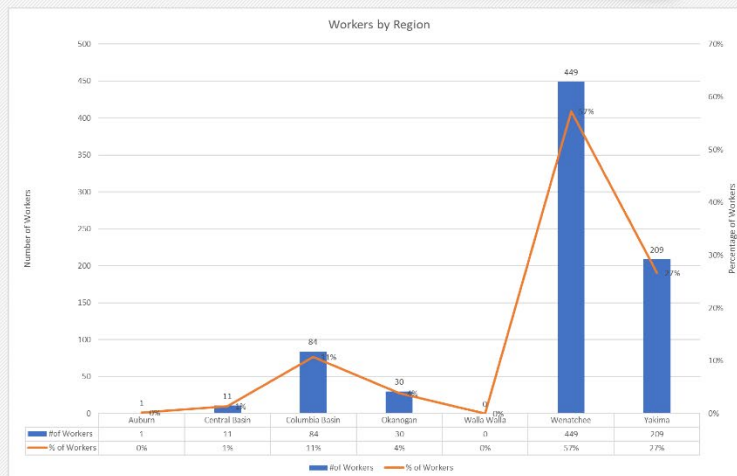
H-2A Applications & Workers Report				
	PY 2023 H-2A Data		PY 2022 H-2A Data	
	10/1/2022	11/10/2022	10/1/2021	11/10/2021
	Applications	Workers requested	Applications	Workers requested
Total processed to date	19	784	11	1201
Withdrawn/Denied	3	14	2	-170
Contracts Commenced	0	0	0	0
Contract Impossibility	0	0	0	0
Active Cases	18	193	19	273

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

# Workers by Region



Counties served	# of workers
<b>Yakima - 1</b> Yakima, Kittitas, Klickitat, Skamania, Clark, Grant, Wauwatu, Pacific, Lewis	209
<b>Central Basin - 2</b> Grant, Lincoln, Adams, Spokane, Whitman	11
<b>Wenatchee - 3</b> Chelan, Douglas	449
<b>Columbia Basin - 4</b> Benton, Franklin	84
<b>Walla Walla - 5</b> Walla Walla, Columbia, Garfield	0
<b>Okanogan - 6</b> Okanogan, Ferry, Stevens, Pano, Okello	30
<b>Auburn - 7</b> Pierce, King, Snohomish, Skagit, Whatcom, Thurston, Mason, Kitsap, Grays Harbor, Jefferson, Cilliam, San Juan, Maricopa	1

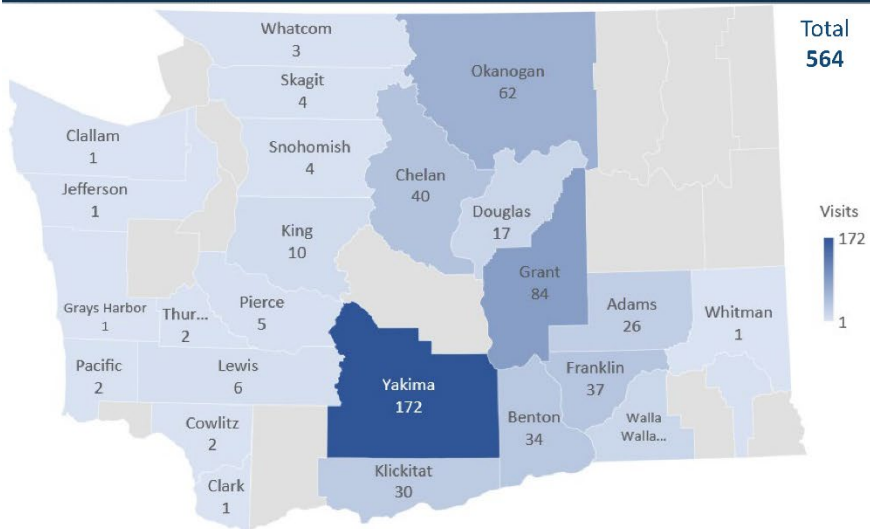


# Compliance team update

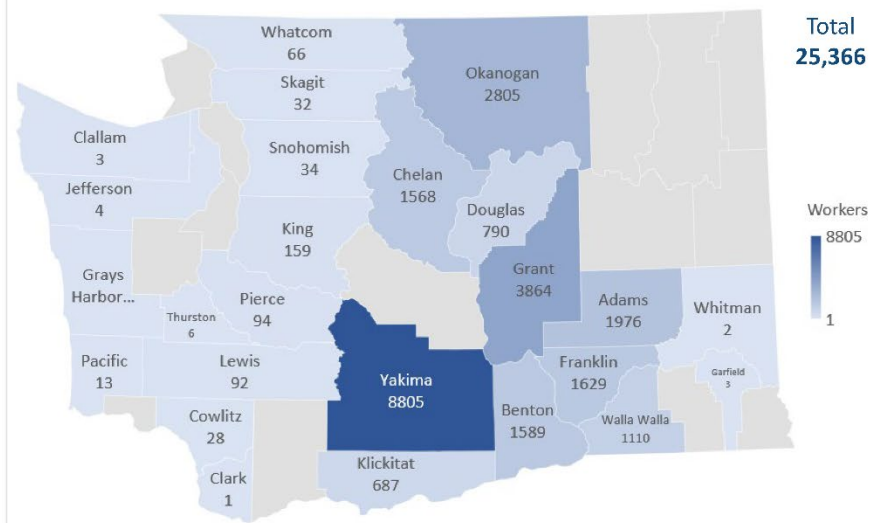


Margarito Cabrera, ASWS Compliance Unit Supervisor, ESD

## Site Visits by County: January 1, 2022 – November 10, 2022



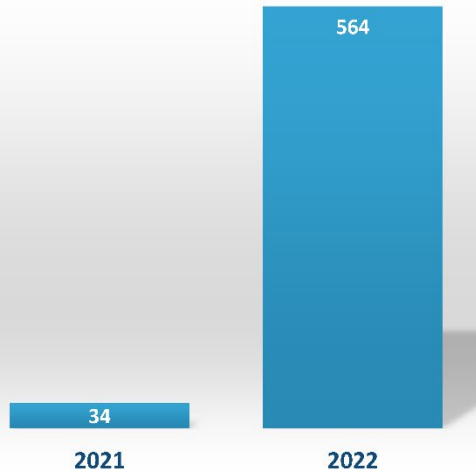
## ASWS Workers Contacted by County: January 1, 2022 – November 10, 2022



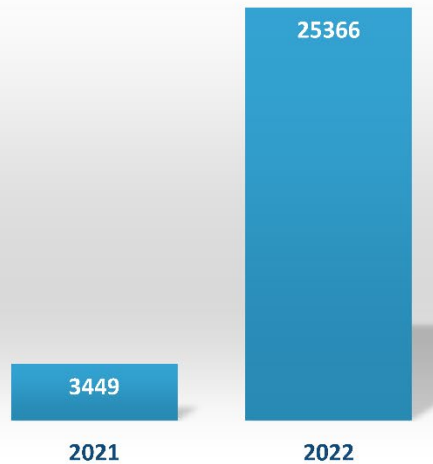
## Site Visits and Workers Contacted: 2021 vs 2022



Site Visits



Workers Contacted



## Field Checks – 2022



### 20 CFR 653.503 Field Checks

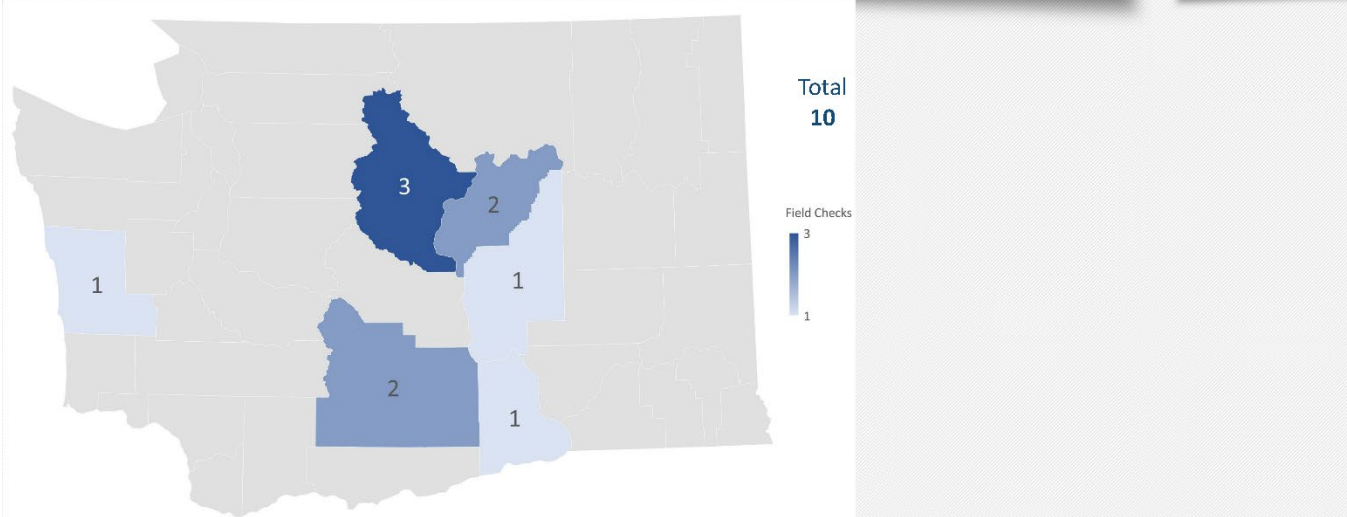
(a) If a worker is placed on a clearance order, the SWA must notify the employer in writing that the SWA, through its ES offices, and/or Federal staff, must conduct random, unannounced field checks to determine and document whether wages, hours, and working and housing conditions are being provided as 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>	11
Number of Field Checks Performed by ASWS	10
Number of Field Checks currently scheduled	0



## ASWS Field Checks by County: January 1, 2022 – November 10, 2022



### ADDENDUM III.

## Complaint Panel Q&A *Carried over from October 2022*



**Employment  
Security  
Department**  
WASHINGTON STATE

Rene Maldonado, SMA, ESD  
Bertha Clayton, ASWS, ESD  
Margarito Cabrera, Compliance, ESD  
Tom Silva and Stephen Yim, USDOL WHD  
Juan Gamez, DOH

ADDENDUM IV.

## Customer Experience Study Update



### Advisory Committee Presentation

November 17, 2022

Gustavo Aviles, Chief Analytics Officer, Data Architecture, Transformation & Analytics, ESD  
Olga Kondratjeva, Acting Program Evaluation, Research, and Analysis Manager, ESD  
Christopher Cabrall, User Experience Researcher, Anthro-Tech

## Customer Experience Study



### Contract was executed on October 5, 2022

- Between Anthro-Tech, Inc (A-T) and WA Employment Security Department (ESD)
- In response to a request for proposal (RFP) that was inspired, informed, and adapted from ASWS committee recommendations (2020 report)
  - Our study goals should and will be aligned to your collective visions, but our mileage may vary

### Who is Anthro-Tech?

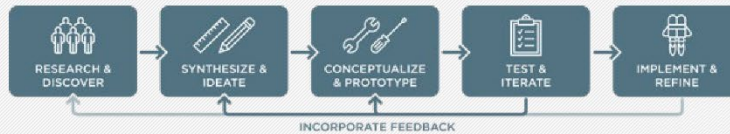
- An HCD consultancy focused on gov. agencies, nonprofits, and enterprises for social-impact
- Led by our founder/CEO Suzanne Boyd, an Assistant Affiliate Professor in Human-Centered Design & Engineering at the University of Washington
- With 20 years of experience serving 80+ diverse clients, with examples like
  - Washington State Departments of Health, Labor & Industries, Licensing, Transportation, Information Services, Parks and Recreation, Energy, Commerce, Personnel, Revenue, etc.
  - City of Seattle, Secretary of State, Work Safe BC, Governor's Plain Talk Committee, etc.
  - Bill & Melinda Gates Foundation, Los Angeles Philharmonic, Seattle Times, Amazon, Facebook, HBO, etc.

# Customer Experience Study



## What does Anthro-Tech do?

- We follow a full-scale HCD framework that focuses on people first, and then throughout, up until implementation, launch and beyond into continual improvements



- Agricultural Recruitment Customer Experience (ARCX) study is scoped for foundational research
  - Help develop a deeper understanding and empathy with the people the WS-ARS is serving or not
  - It will not include any full-scale website re-design or efforts involving other workstreams our consultancy is accustomed with: design, content strategy, usability testing, launch, analytics, QA
  - Our **qualitative** study will help to underscore and support motivations and focus towards later **quantitative** methods to more fairly and accurately count, assess and inform improved decisions

# Customer Experience Study



## What are the high-level phases of the ARCX study? (talking to about 72 people)

- **(1) Discovery** = of the relevant players, situations and esp. resources to leverage for effective networking and community partner relationships for deep-dive recruiting
- **(2) Deep-dive** = into interviews and focus groups with agriculture grower/employers and agricultural farmworkers (esp. Domestic Migrant and Seasonal Farm Workers) as applicable to the H-2A jobs through the WS ARS
- **(3) Data-driven scenarios** = in the form of Journey Map visualizations of how the players go through tasks to accomplish their recruitment goals (including actions and emotions)
- **(4) Reporting** = culmination in a comprehensive reference document detailing all parts of our study and to include suggestions towards key improvement areas

N = up to 12  
 • 4 ESD staff  
 • 4 grower reps  
 • 4 worker reps

N = 54  
 • 18 interviews (6 per 3 regions)  
 • growers & workers  
 • 36 focus group participants  
 • (2 groups of 6 per 3 regions)  
 • growers & workers

N = 6 testers of serval persona journey maps  
 • 3 growers  
 • 3 workers

## Customer Experience Study



### Where are we now?

- **(1) Discovery = of the relevant players, situations and esp. resources to leverage for effective networking** | and community partner relationships for deep-dive recruiting
- **(2) Deep-dive** = into interviews and focus groups with agriculture grower/employers and agricultural farmworkers (esp. Domestic Migrant and Seasonal Farm Workers) as applicable to the H-2A jobs through the WS ARS
- **(3) Data-driven scenarios** = in the form of Journey Map visualizations of how the players go through tasks to accomplish their recruitment goals (including actions and emotions)
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## Customer Experience Study



### What has been done?

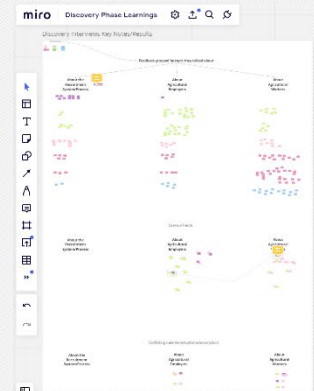
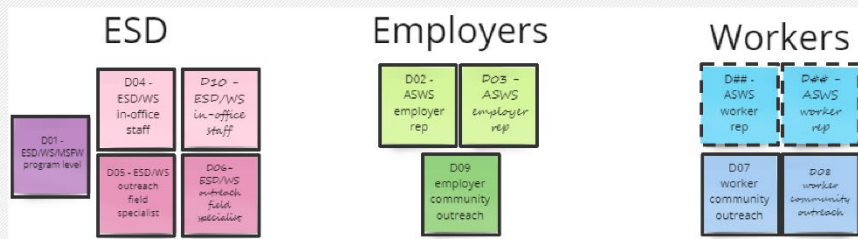
- (10/05/22) - Contract executed
- (10/10/22) - Began literature/web materials review (e.g., 2020 ASWS advisory committee report)
- (10/24/22) - Hosted a project kickoff meeting between ESD and A-T
- (10/31/22 - 11/11/22) - Scheduled discovery interviews from ESD contacts and A-T web-outreach
- (11/16/22) - Literature review summary document delivered
- (11/3/22 - 11/17/22) - Completed 9 of 10 scheduled discovery interviews
  - Targeting for up to 12 by the end of this week
- (currently) Collecting and compiling our notes

## Customer Experience Study



### What does our discovery interview synthesis process look like?

- Large virtual white board collaborative spaces (e.g., Miro) for clustering and comparing



## Customer Experience Study



### What are the next immediate steps?

- (11/18/22) - Interviews analysis "party" meeting
  - with discovery phase learnings debrief, assignments towards any additional reviews, and plans and assignments for compiling discovery phase slides report
- (11/30/22 est.) - Deliver discovery phase slides report
- (12/5/22) - Regroup to reset and redefine a "mutually agreeable schedule"
  - Esp. regarding deep-dive regional research "trips" depending on
    - Discovery phase learnings
    - Community partner relationships
    - WSIRB research review exempt determination request progress
    - Agricultural season

## Customer Experience Study



### Questions?

- ...



### Agricultural and Seasonal Workforce Services ADVISORY COMMITTEE



Employment Security Department  
WASHINGTON STATE

**On Break until 10:30am**

ADDENDUM V.

# ESD Strategic Plan



Dan Zeitlin, Employment System Policy Director, ESD

# ESD Strategic Plan



2022-26

## FOUR YEAR STRATEGIC PLAN

Employee engagement strategies

**Goal: A culture of belonging, learning and growth where we are all valued, everyone matters and each of us can lead.**

- Enhance our culture of equity, diversity and inclusion by developing cultural competency for every employee.
- Increase diverse representation in our leadership by improving retention and embedding our goals and values into hiring and promotional processes.
- Improve the experience of team members from historically marginalized communities by using employee engagement data and direct input from employees.

Organizational excellence strategies

**Goal: Our most complex processes are made simple and easy for our staff and customers.**

- Get more of the right things done by doing fewer things at once.
- Use consistent technology and data platforms across our agency.
- Create empowered cross-functional teams with the capacity to deliver our prioritized work.

Customer service strategies

**Goal: People receive accessible, safe and equitable services at the right time, in the way they need it.**

- Create an integrated experience for customers when interacting with ESD.
- Help connect more people to our services through a network of community partners.
- Improve equitable outcomes for customers by listening to and learning from people who face barriers to receiving our services.



ADDENDUM VI.

# ASWS Report Update & Reflection



Dan Zeitlin, Employment System Policy Director, ESD

ADDENDUM VII.

# Disaster Preparedness Sub-Committee Update



Bertha Clayton, ASWS Director, ESD

## ASWS Disaster Preparedness Sub-committee impacts



### Committee has identified and discussed disaster related needs

1. Workers: education and communication needed for H-2A workers regarding proactive actions to prepare for potential lay offs (saving money/etc.)
2. Employers: education & technical assistance re: obligations under 3/4 guarantee, etc.).

### Committee has made recommendations implemented by ASWS

1. FAQ for employers re: contract impossibility
2. ASWS "rapid response" to employers that applied for contract impossibility
3. Communication with agents re: potential contract transfers for impacted workers.



## Disaster Preparedness ASWS Sub-Committee



**Last Meeting: October 6, 2022**

**Revisited sub-committee objectives and reviewed progress made**

**Current Committee Membership:  
Jon Devaney, Uriel Iniguez, Ignacio Marquez, Galen Hunt**

- **No labor representatives**

### Conclusions & Recommendations

- **Similar work being done in other spaces addressing the same issues.**
- **Two Options for discussion:**
  - **1. Table sub-committee until further notice;**
  - **2. Continue the sub-committee and develop disaster preparedness ideas without labor perspective.**

## ASWS Sub-Committee Framework Established: 07/2022



Role of the Committee	Action Items	Outside of Scope
<ul style="list-style-type: none"> <li>• Be informed of work disruption events.</li> <li>• Assess mechanisms for quickly connecting workers to other jobs.</li> <li>• Mobilize ESD outreach staff to affected workers to provide resources and support to workers; connect workers to other jobs within workforce system</li> <li>• Assess ESD's proactiveness in educating workers about what to do in a job disruption (i.e., applying to H2A positions)</li> <li>• Utilize Customer Experience Study to obtain feedback from workers about how rapid response system can be most effective.</li> </ul>	<ul style="list-style-type: none"> <li>• Prioritizing coordination with the agencies that know of the potential disruption to production in various labor intensive ag. commodities that affect ag. labor market</li> <li>• Prioritizing ESD staff responding to help move workers quickly toward alternative job opportunities available Provide communication about where resources are.</li> </ul>	<ul style="list-style-type: none"> <li>• Assessing overall workforce needs; Predicting effects on labor market</li> <li>• Making "blanket" assessments/predictions of weather impacts</li> <li>• Inflation/economic conditions outside of scope. (variables other than weather outside of scope)</li> </ul>

ADDENDUM VIII.

## Advisory Committee Meeting Survey Results



Bertha J. Clayton, ASWS Director  
Dan Zeitlin, Employment System Policy Director, ESD

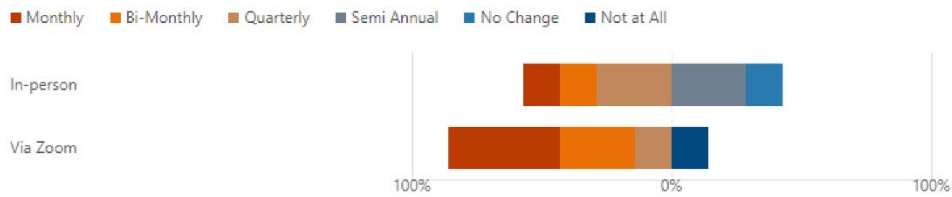
## ASWS Advisory Committee Survey



- 70% response rate as of 11/14/22
- Sent to voting and non-voting committee members
- Responses reported to ASWS anonymously
  
- Main Themes:
  1. 2023 ASWS Advisory Committee meeting schedule and format
  2. Preferences for frequency of receiving information from ESD
  3. Topics to discuss in 2023



1. What would you like the 2023 ASWS Advisory Committee Meeting schedule to look like?



1. In-Person Meetings: 14.3% monthly; 14.3% bi-monthly; 28.6% quarterly; 28.6% semi-annual; 14.3% no change
2. Zoom Meetings: 42.9% monthly; 28.6% bi-monthly; 14.3% quarterly, 14.3% no change

- **More than half of committee members prefer to meet in person at least twice per year.**
- **The majority of committee members prefer to have zoom meetings monthly.**

## Comments re: responses to meeting format



- *Change the recurring meeting day from the 3<sup>rd</sup> Thursday each month to something else*
- *Quarterly meetings should suffice*
- *Six total meetings per year – 3 via zoom, 3 in person.*
- *Hold quarterly meetings in person and the remainder via zoom*
- *Keep Zoom/virtual meetings, but hold quarterly, or semi-annual meetings in person.*

3. How much open forum/discussion time would you like to see the 2023 Advisory Committee Meeting agenda regularly allow for?

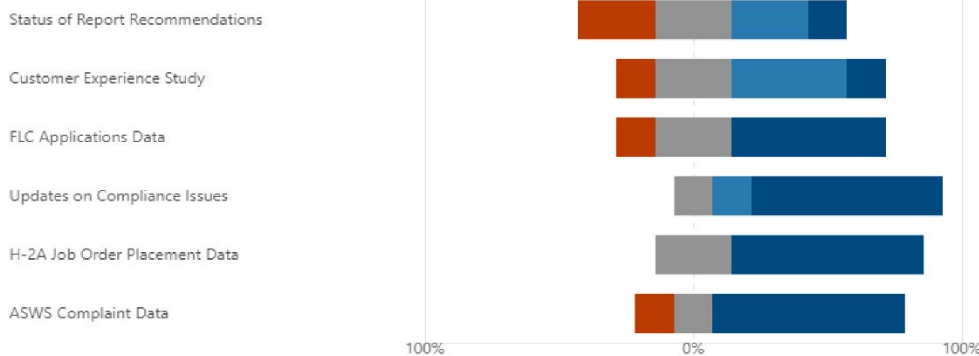
● Less than 15 minutes	2
● 15 to 30 Minutes	4
● Less than 30 Minutes	0
● 30 to 45 Minutes	1



1. The majority of committee members prefer to have **between 15-30 minutes** of open forum/discussion time during ASWS Advisory Committee meetings.

4. Of what frequency would you like to hear the following topics:

■ By Request/Pertinent to Discuss ■ Semi-Annually ■ Quarterly ■ Bi-monthly ■ During Every Meeting



1. The majority of committee members prefer updates regarding compliance issues, H-2A job order placement data, FLC application data, and ASWS complaint data **at every meeting**.
2. The majority of committee members prefer to hear about the CE Study and status of ASWS report recommendations at a lesser frequency.

## Additional topics that committee members would like a recurring report of:



- *Temporary worker housing – new licenses, revoked licenses, and any pending rule changes.*
- *Outside of H-2A job orders – what is ESD doing to recruit local workers to non H-2A jobs?*
- *Compliance issues and [inter agency] action*
- *“Hot topics” or emerging/important issues to discuss.*

## Committee members believe these additional topics should be discussed in 2023



- *Local worker recruitment (3 responses)*
- *The customer experience study is a topic brought up regularly and would probably benefit from further discussion. It would also be beneficial to discuss any changes DOL has made to the program for the 2023 season.*
- *Progress on existing committee recommendations takes overall priority. Within that, we should identify topics for employer training and outreach that address observed issues from site visits/field checks.*
- *Oversight of H-2A housing in motels, H-2A worker access to medical care*
- *“Hot Topics”/Emergency issues*

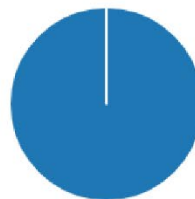
## How can ESD enhance your engagement in this committee?



- *In person meetings (three responses)*
- *The agenda frequently lists general topics for updates, and we may ask questions of the staff. But areas where staff want committee feedback or input are not always clear in advance, and so there are awkward pauses as committee members start thinking about their responses. Give us maximum opportunity to give meaningful responses.*
- *Surveys (like this) and finding other ways to engage members to keep the momentum going.*

8. Do you have an objection to not having an Advisory Committee meeting in the month of December?

● No	7
● Yes	0



**NO ADVISORY COMMITTEE MEETING WILL BE HELD IN DECEMBER 2022**

OUR NEXT REGULARLY SCHEDULED MEETING IS IN JANUARY 2023 BY ZOOM.

THIS DISCUSSION WILL DETERMINE THE 2023 MEETING SCHEDULE.



## 2023 Meeting Schedule Suggestions



### Option 1

- In Person: Quarterly for ½ day
- Zoom: 6-8 times per year for one hour
- Location: Rotating hosts  
Olympia, Yakima, Bellingham

### Option 2

- In Person: Semi-Annual for a full day
- Zoom: 4 times per year for three hours
- Location:  
Fixed or rotating hosts

### Recommended by Committee Member

- In Person: Three per year (half/full day?)
- Zoom: 3 times per year for three hours
- Location:  
Fixed or rotating hosts

### To Consider:

1. Another day of the week for recurring meetings (other than Thursday)
2. How to best accommodate worker representation when designing schedule

## Closing Discussion



- Public Comment



Agricultural and Seasonal Workforce Services  
ADVISORY COMMITTEE



## Next ASWS Advisory Committee Meeting

Thursday, January 19, 2023

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*