



Agricultural and Seasonal Workforce Services Advisory Committee

Meeting details

Date: Wednesday, September 18, 2024

Time: 1:00 p.m. – 5:00 p.m.

Location: In-person

Physical address: **Union Gap WorkSource:** 1205 Ahtanum Ridge Drive, Union Gap, WA 98903

Committee members present

- Jon DeVaney (In-person)
- Edgar Franks (Virtual)
- Jeff Perrault (Virtual)

Non-voting agency representatives

- Ignacio Marquez (In-person)
- Uriel Iniguez (In-person)
- Juan Gamez (Virtual)

Committee members absent

- Delia Peña (excused)
- Michael Gempler (excused)
- Michele Besso (excused)
- Elizabeth Strater (proxy for Victoria Ruddy)
- Rosalinda Guillen (excused)

ESD staff

- Joy Adams
- Bertha J. Clayton
- Vickie Carlson
- Petra Meraz
- Carlos Sandoval-Larios
- Ismaila Maidadi (Virtual)
- Alberto Isiordia
- Craig Carroll
- Maria Maravilla
- Jerry Caird (Proxy for Juan Gamez DOH)
- Caitlyn Jekel (Virtual)

Summary

Meeting Recorded

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

Welcome and Agenda Review

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

Roll Call – Vickie Carlson, Management Analyst, ASWS Office, ESD

Recording timestamp **00:03:58**

Joy Adams asked Vickie Carlson to take roll. Two voting members were present at the time of roll call. (Did not have a Quorum). Motion to approve the August meeting minutes were deferred to next month.

ASWS Office Update (Addendum II.)

Recording timestamp **00:05:39**

- Bertha J. Clayton, Director, ASWS Office, ESD
- Petra Meraz, Supervisor, Foreign Labor Certification Program, ASWS Office, ESD
- Carlos Sandoval-Larios, Temporary Supervisor, Compliance Team, ASWS Office, ESD

Workforce Services Division Update (Addendum III.)

Recording timestamp **00:49:21**

*formerly known as **Employment Connections***

- Ismaila Maidadi, Director, Workforce Services, ESD
- Alberto Isiordia, Assistant Director of Operations, Workforce Services, ESD

AG Decision Package Discussion – Joy Adams

Recording timestamp **01:07:41**

- Agricultural Workforce Services

2024 ASWS Legislative Report Update – Bertha J. Clayton

Recording timestamp **01:16:34**

- Review & Next Steps

Good of the Order – Joy Adams

Recording timestamp **01:24:04**

Uriel Iniguez (LNI) & Jerry Caird (DOH) (Proxy for Juan Gomez) both spoke to the August 2024 public comment regarding housing.

Public Comment

Recording timestamp **01:27:08**

None

Adjourned

Joy Adams thanked everyone for their continued active participation and for their commitment to this work. Public meeting adjourned: 2:33 PM.

2024 Meetings

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

- **October 16, 2024, 1 pm – 3 pm, – Zoom, 212 Maple Park Ave SE, Olympia, WA 98501**

Addendums

ADDENDUM I.



AGENDA

Agricultural and Seasonal Workforce Services (ASWS) Advisory Committee
 Wednesday, September 18, 2024 | 1:00 pm – 5:00 pm | In-Person | Union Gap WorkSource: 1205 Altatum
 Ridge Drive, Union Gap, WA 98903

TIME	TOPIC
1:00 pm	Joy Adams, Policy Director, Employment System Policy & Integrity Division, ESD <ul style="list-style-type: none"> • Agenda review – Joy Adams • Roll call – Vickie Carlson, Management Analyst, ASWS Office, ESD • Approval of the August 2024 Meeting Minutes
1:20 pm	ASWS Office Update <ul style="list-style-type: none"> • Bertha J. Clayton, Director, ASWS Office, ESD • Petra Meraz, Supervisor, Foreign Labor Certification Program, ASWS Office, ESD • Carlos Sandoval-Larios, Temporary Supervisor, Compliance Team, ASWS Office, ESD Workforce Services Division Update (formerly known as Employment Connections) <ul style="list-style-type: none"> • Ismaila Maidadi, Director, Workforce Services, ESD • Alberto Isiordia, Assistant Director of Operations, Workforce Services, ESD
1:40 pm	2024 ASWS Legislative Report – Bertha J. Clayton <ul style="list-style-type: none"> • Review & next steps
2:10 pm	AG Decision Package Discussion – Joy Adams
2:55 pm	Public Comment
3:00 pm	Adjournment of the public meeting. Next meeting: Wednesday, October 16, 2024, 1-3 pm on Zoom
Committee Work Session	
3:15 pm	Facilitated Group Exercise – Maria Maravilla, Program Support, Wagner Peysen/MSI W, Workforce Services, ESD <ul style="list-style-type: none"> • Looking back (plus/delta)/accomplishments/loose ends • Looking forward – what does committee want to accomplish; what other areas should we look at? • Recap
4:50 pm	Good of the Order
5:00 pm	Committee Work Session Adjourn

GROUND RULES

No side conversations | Phones on silent | Let people speak without interruption | Respect the expertise 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 |

Agenda

ADDENDUM II.

ASWS Office Update - September 2024



Bertha J. Clayton, ASWS Director, ESD

Change in H-2A TWH Inspections – 9 or fewer occupants



Effective November 1, 2024

1. DOH will be the primary inspection agency for H-2A TWH (L&I maintains jurisdiction, but will generally no longer be the primary inspection agency);

2. All H-2A TWH (inc. 9 or fewer occupants) will require a Dept. of Health application and license;

3. All TWH must comply with the construction standards at WAC 246-359. DOH will work to accommodate owners/operators during this transition by modifying requirements for H-2A TWH units with 9 or fewer occupants until a full transition is made.

Inter-agency MOU Updates



Field Check Coordination (ESD-L&I-DOH-WSDA)

- In final drafting.

H-2A TWH Inspections (ESD-L&I-DOH)

- Statement of work in draft review.
- Agencies are aligned about roles & responsibilities.

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OFLC Region 6 Training Briefing



Key Takeaways



1. H-2A worker protection rule (and all FLC changes) are **ACTIVE** for Washington
2. FLAG System updates & processing orientation
3. Standard Occupation Code (SOC) analysis and exercises
4. SWA Obligations as to housing, emergency filings, herders, etc.
5. Inter-state job order posting obligations
6. Post-certification **compliance issues**
7. Networking & sharing best practices



ASWS: Looking ahead to FY 2025



ASWS

- Domestic recruitment coordination with Work Force Services Division
- ASWS Personnel Updates: 
- PS-5, Compliance Supervisor (Permanent) 
- State Monitor Advocate
- Re-classification of compliance staff from PS-3 to PS-4
- Addition of PS-4 staff in Central Washington

FLC Team

- More automated processes
- Greater regional SWA communication
- Continued regular engagement with OFLC
- Focus: consistent and accurate application reviews

Compliance Team

- Refining scope of work
- Discontinuation of Services training
- Internal safety plan and protocols
- Leveraging technology in the field
- Continually updating processes
- Updating inter-agency data sharing agreements

Preview of October 2024 Meeting



ASWS Presentation of:

- HB 2226 Quarterly Data
- FY 2024 FLC Data Summary
- FY 2024 Compliance Data Summary



TWH informational presentation from Juan Gamez, ASWS Agency Committee Member (DOH)

Administering Discontinuation of Services per 20 CFR 658, Subpart F *Reporting period: 10/1/2023-9/1/2024*



Initiated by ESD	1*
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*Final debarment determination made by USDOL WHD. ESD must initiate per 20 CFR 658.501(a)(4).

Processing and Adjudicating Foreign Labor Certification Applications



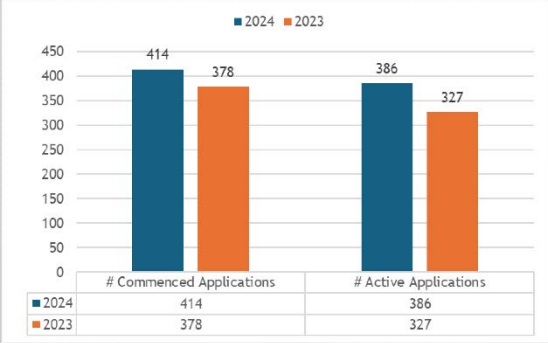
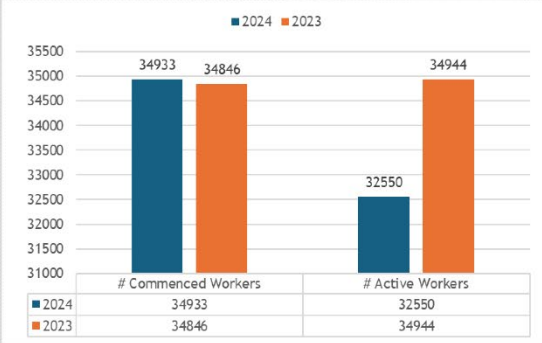
Petra Meraz, Foreign Labor Certification Program Supervisor, ASWS, ESD

Year to Date Comparison

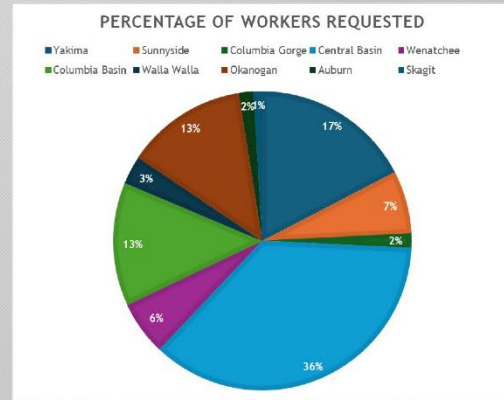
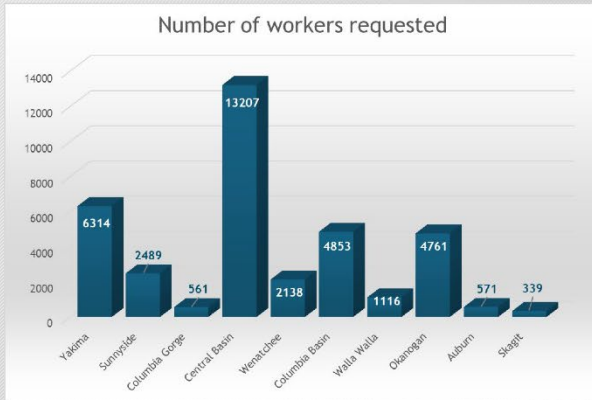


	2024	2023	% YoY Increase or Decrease
# Applications	443	425	+4 %
# Workers Requested	36349	38635	-6 %
# Withdrawn Applications	19	24	-21 %
# Withdrawn Workers	418	2611	-84 %
# DOL Denied Applications	2	6	-67 %
# DOL Denied Workers	20	132	-85 %
# Commenced Applications	414	378	+10 %
# Commenced Workers	34933	34846	--
# Impossibilities Applications	4	0	--
# Impossibilities Workers	217	0	--
# Active Applications	386	327	+18 %
# Active Workers	32550	34944	-7 %

Commenced & Active YTD Comparison



Number & Percentage of workers requested by AHO to date

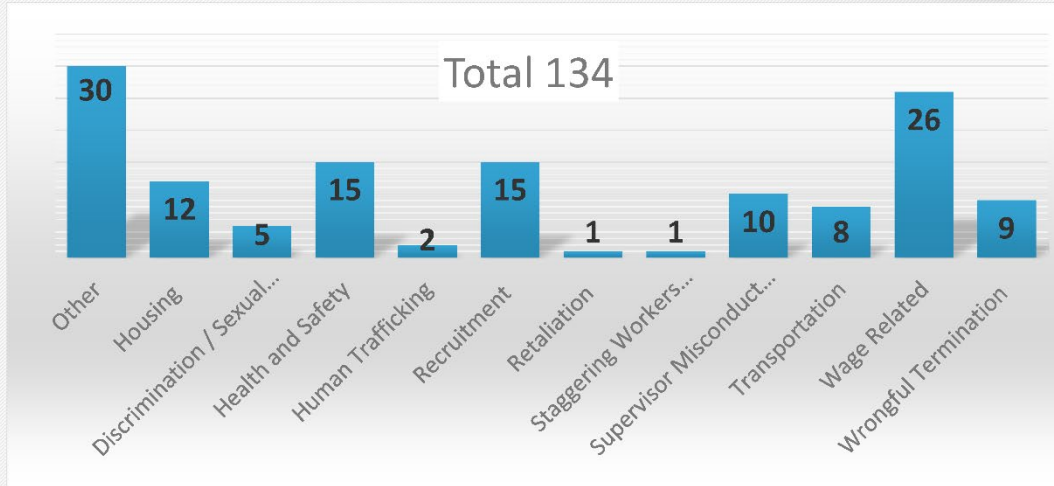


Completing site visits (field visits) and Field Checks



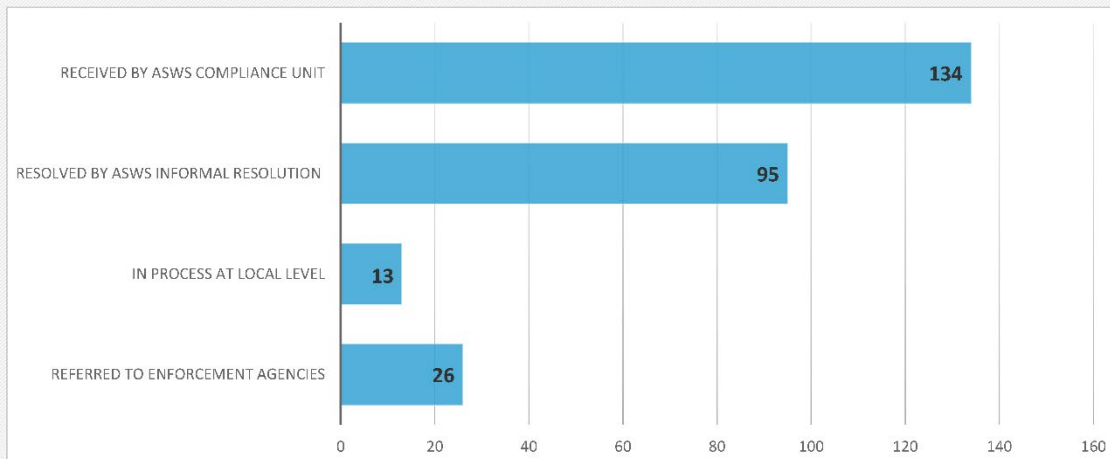
Carlos Sandoval-Larios, Temporary Compliance Team Supervisor, ASWS, ESD

Processing complaints consistent with 20 CFR 658, Subpart E *Reporting Period: 10/01/23 - 09/01/24*



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Complaints / Apparent Violations Received *Reporting Period: 10/01/23 - 09/01/24*



Conducting Field Visits (Site Visits)

Review period: 10/01/23 - 09/01/24



Site Visits: The ASWS **compliance team** conducts site visits (aka field visits) to H-2A workers to **inform workers** of their **rights** and **contract assurances** under the H-2A regulations. Additionally, **employers** are provided with **education** regarding program requirements and given **compliance resources** and **technical support**.

Site Visit Goal:	100% of job orders
Number of Site Visits Performed by ASWS Compliance Staff	425
Approximate number of workers who attended Site Visits and received information	29,274

Conducting Field Checks

Review period: 10/01/23 - 09/01/24



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 by ESD to job order and started working)</i>	24
Number of Field Checks Performed by ASWS	12

ADDENDUM III.

Workforce Services - September 2024

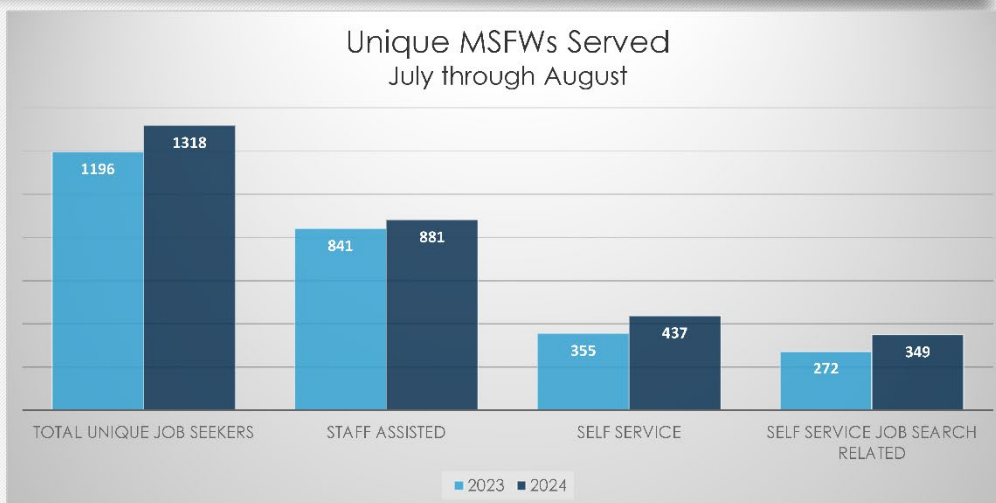


Ismaila Maidadi, Director, Workforce Services, ESD
Alberto Isiordia, Assistant Director of Operations, Workforce Services, ESD

MSFWs Served with Touchpoints Recorded in ETO



Unique MSFWs Served
July through August



MSFW Outreach Performance



Workforce Services Division (WSD)

July through August Outreach Performance Data

	2023	2024
Total FTEs	9	11
Total Outreach Days	305	275
Total Number of MSFWs Contacted	6,599	7,364

Highlights of Outreach to Farmworkers



Central Basin

Community Event

- Back to School – Quincy • 502 attendees
- Backpacks were distributed
- Community resource services were offered

Yakima

Community Event

- Mattawa Slops Resource Fair
- 250 workers were offered received resources and services

Sunnyside

Community Event

- Campesino Advocacy Group
- Distributed 20 gallons of aguas frescas and resources to 405 MSFWS workers and H2A workers in the lower valley

Sunnyside

Community Event

- Washington Growers League Annual Resource Fair
- Offered resources to 277 MSFWs and H2A workers

2024 ASWS Legislative Report



Bertha J. Clayton, ASWS Director, ESD

AG Decision Package Discussion



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

AG Decision Package Discussion



- Review / Discussion

[Agricultural Workforce Services - Decision Package - Final](#)

Good of the Order



- Future Agenda Items
- Adjourn public meeting
- 15min break & reconvene for Committee Work Session at 3:15 p.m.



Agricultural and Seasonal Workforce Services ADVISORY COMMITTEE



Employment Security Department
WASHINGTON STATE

ASWS Advisory Committee Meeting

Wednesday, October 16, 2024

1:00 p.m. – 3:00 p.m.

Zoom

Contact information

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

Employment Security Department • Employment System Policy & Integrity