

OFFICE OF AGRICULTURAL AND SEASONAL WORKFORCE SERVICES ADVISORY COMMITTEE CHARTER

PURPOSE

The Legislature declared it to be in the public interest to clarify the state's role in the H-2A temporary agricultural program to provide adequate protections for foreign and domestic workers and provide education and outreach opportunities to help growers maintain the stable workforce they need. The Office of Agricultural and Seasonal Workforce Services (ASWS) Advisory Committee (Committee) is established to comply with the intent of the Legislature by advising the Employment Security Department (Department) on ASWS operations and the management of the Foreign Labor Certification program within the Department's purview.

GOALS

On issues and topics of interest related to the work of ASWS, the Committee is directed by the Legislature to:

- Provide comment on Department rule making and policy
- Provide comment on implementation of Chapter 441, Laws of 2019 and initiatives, and
- Study issues the Committee determines require consideration

The primary focus of the Committee's work shall be to advise on the ASWS budget and operations, as well as meeting the requirement to report to the governor and Legislature.

The Committee will advise the Department on the development of the Office of Agricultural and Seasonal Workforce Services, the coordination of all state agencies with regulatory authority over the agricultural workplace, and the ongoing operations of the Foreign Labor Certification program.

The Committee is required to submit a report to the governor and the Legislature by October 31st of even numbered years that:

- Identifies and recommends approaches to increase the effectiveness of the Department's recruitment process as part of the H-2A application. This report may include recommended changes to state law that would increase recruitment and hiring of domestic workers in agriculture in Washington,
- Analyzes the cost incurred by the Department to administer the H-2A and other farmworker programs, and
- Analyzes the amount of funds allocated by the federal government to administer the H-2A program and all other programs within the Department.

MEMBERSHIP

This Committee is made up of twelve members, as follows:

- Four voting members representing agricultural workers' interests, one of whom is a farm worker;
- Four voting members representing agricultural employers, one of whom is an agricultural employer;
- One non-voting ex officio member representing the Employment Security Department who shall serve as chair;
- One non-voting ex officio member from the Department of Labor and Industries;
- One non-voting ex officio member from the Department of Health;
- One non-voting ex officio member from the Department of Agriculture.

For the 2023-2024 term, the following members have been appointed by the Commissioner:

- **Advisory Committee Chair- Employment Security Department:** Dan Zeitlin, Director, Employment System Policy and Integrity Division
- **Agricultural Worker Rep.:** Michele Besso, Attorney, Northwest Justice Project
- **Agricultural Worker Rep.:** Rosalinda Guillen, Executive Director, Community to Community
- **Agricultural Worker Rep.:** Victoria Ruddy, Pacific Northwest Regional Director, United Farm Workers
- **Agricultural Farmworker.:** Edgar Franks, Political Director/Director Politico, Familias Unidas por la Justicia (FUJ)
- **Agricultural Employer Rep.:** Jon DeVaney, President, Washington State Tree Fruit Association
- **Agricultural Employer Rep.:** Michael Gempler, Executive Director, Washington Growers League
- **Agricultural Employer Rep.:** Delia Peña, Director of Orchard HR and H-2A, Zirkle Fruit Company
- **Agricultural Employer:** Jeff Perrault, Owner, Perrault Farms
- **Department of Labor and Industries Rep.:** Uriel Iñiguez, Director, Community Relations
- **Department of Health Rep.:** Juan Gamez, Manager, Environmental Health & Safety
- **Department of Agriculture Rep.:** Ignacio Marquez, Regional Assistant to the Director - Eastern/Central WA

MEMBER APPOINTMENT

TERMS

All members shall be appointed by the Commissioner to serve an initial term through December 31, 2020. Following the initial term, members shall serve staggered four-year terms following procedures

set forth by the Committee. At the end of each term, members may either be replaced or re-appointed by the Commissioner. There is no term limit.

MEMBER REPLACEMENT

An opening on the Committee may occur due to a resignation or removal by the Commissioner for good cause. If there is an opening on the Committee during a member's term, the Commissioner shall appoint a replacement member to fill the position as designated in this charter, and as outlined in C 441 L 2019.

MEMBER EXPECTATIONS

OPEN PUBLIC MEETINGS ACT

The Washington Open Public Meetings Act (OPMA) applies to the Committee. Members must comply fully with the OPMA.

MEMBERS COMPENSATION

The members shall serve without compensation but are entitled to reimbursement for travel expenses as provided in RCW 43.03.050 and 43.03.060. The Committee may utilize such personnel and facilities of the Department as it needs, without charge.

COMMITTEE MEETINGS

MEMBER MEETINGS- CADENCE

The Advisory Committee conducts a variety of meetings. Each of these meetings are open to the public but are not meetings of the public. The purpose of the meetings is to conduct Committee business and to provide the members an opportunity to discuss issues with each other and with staff scheduled on the agenda. To clarify, we provide the following definitions of meetings:

Regular Meeting: This is a business meeting held on a scheduled date each month. If it is determined that a meeting is not necessary to conduct Committee business, meeting cancellation will be communicated.

Special Meeting: This is a business meeting held on a date other than a regularly scheduled meeting.

Advance notice of regular Committee meetings is posted on the Employment Security Department's website, and available upon request.

MEMBER MEETINGS- QUORUM

The members agree that a quorum constitutes a simple majority of the total statutorily required number of voting members. The Chair and other Department representatives are not voting members.

The Committee has eight voting members in statute. A quorum will consist of no less than five voting members (a simple majority of the total statutory number of voting members).

MEMBER MEETINGS-ALTERNATES

Any Board member may designate a regular alternate to serve on the board in his or her place with the same authority as the member when he or she is unable to attend a meeting.

DECISION MAKING STRUCTURE

The members agree to use the *Robert's Rules of Order Newly Revised* to propose and agree upon decisions before the Committee. In the event of a conflict between this charter and Roberts' Rules of Order, the charter will control.

PUBLIC COMMENT

An opportunity for public comment will be scheduled during the Committee's regular meetings. Time limits for public comment will be established to ensure equitable time for each speaker and to ensure scheduled Committee business can be completed in a reasonable amount of time.

Citizens are invited to provide public comments to the Committee as designated on the meeting agenda. The Chair will solicit public input on future meeting agenda items during the public comment period.

Time for public comments is limited to ensure that all who are interested have an opportunity to speak. A person initiating public comment will have a maximum of 2 minutes to present. Comments made by additional citizens on the same topic will be limited to 1 minute per person and each person is allowed to speak once. A maximum of 30 minutes is allowed for public comment at the end of each meeting.

The Chair will strive to ensure that all perspectives have sufficient and equal opportunity to share with the Committee.