



Agricultural and Seasonal Workforce Services Advisory Committee

Meeting details

Date: Wednesday, November 20, 2024

Time: 1:00 p.m. – 3:00 p.m.

Location: Virtual meeting via Zoom

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

Committee members present

- Jon DeVaney
- Michael Gempler
- Delia Peña
- Michele Besso
- Diana Lopez-Batista (proxy for Rosalinda Guillen)

Non-voting agency representatives

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

Committee members absent

- Elizabeth Strater
- Edgar Franks
- Jeff Perrault

ESD staff

- Joy Adams
- Bertha J. Clayton
- Vickie Carlson
- Petra Meraz
- Carlos Sandoval-Larios
- Craig Carroll
- Olga Kondratjeva

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) 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 **00:04:20**

Joy Adams asked Vickie Carlson to take roll. 5 voting members were present at the time of roll call.

(Quorum) Approval of the October 2024 meeting minutes postponed until the January 2025 meeting.

ASWS Office Update (Addendum II.)

Recording timestamp **00:06:38**

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

- FLC** (Addendum III.) Recording timestamp 00:24:15
- Petra Meraz, Supervisor, Foreign Labor Certification Program, ASWS Office, ESD

- Compliance** (Addendum IV.) Recording timestamp 00:29:47
- Carlos Sandoval-Larios, Temporary Supervisor, Compliance Team, ASWS Office, ESD
- Committed to adding the following data point moving forward:

- How many worker referrals per each field check conducted (Carlos Sandoval-Larios/Jon DeVaney)

- Workforce Services Division Update** (Addendum V.) Recording timestamp 00:33:19
- Craig Carroll, Business Operations Manager, Workforce Services, ESD

- Customer Experience Study Wrap-Up** (Addendum VI.) Recording timestamp 00:56:26
- Olga Kondratjeva, Program Evaluation, Research and Analysis Manager, LMIR Division, ESD

- Policy Updates:** (Addendum VII.) Recording timestamp 01:00:06

HB 2226 Sec. 2 & Wage replacement workgroup report

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

- TWH - Improving Cherry Harvest Tent Camps in WA** (Addendum VIII.) Recording timestamp 01:08:45

- Juan Gamez, ASWS Agency (DOH) Committee Member

- Good of the Order – Joy Adams** Recording timestamp 01:53:54

Future Agenda Items

Joy Adams will send out a budget update/”legislative action as we know it” email mid December

- Public Comment** Recording timestamp 01:54:35

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 inauguration events. Public meeting adjourned: 2:56 PM.

2024 Meetings

- The next Agricultural and Seasonal Workforce Services Advisory Committee meeting: Wednesday, January 15th, 2025 from 1:00 PM – 3:00 PM, Zoom

Addendums

ADDENDUM I.

Agenda



AGENDA

Agricultural and Seasonal Workforce Services (ASWS) Advisory Committee
 Wednesday, November 20, 2024 | 1:00 pm – 3:00 pm | Zoom | 212 Maple Park Ave. SE Olympia, WA 98501

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 October 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"> Craig Carroll, Business Operations Manager, Workforce Services, ESD
1:40 pm	Customer Experience Study Wrap-Up & Discussion (Remote) <ul style="list-style-type: none"> Olga Kondratjeva, Program Evaluation, Research and Analysis Manager, IMIR Division, ESD
1:55 pm	Interim Updates: <ul style="list-style-type: none"> HB 2726 Status Update <ul style="list-style-type: none"> Labor Market Information and Research (LMIR) Division “formerly known as DATA” Wage replacement workgroup report – Joy Adams
2:15 pm	TWH Informational presentation - Improving Cherry Harvest Tent Camps in Washington state <ul style="list-style-type: none"> Juan Gamez, ASWS Agency (DOH) Committee Member (Remote)
2:50 pm	Good of the Order
2:55 pm	Public Comment
3:00 pm	Adjournment of the public meeting. Next meeting: Wednesday, January 15, 2024, 1-3 pm on Zoom

GROUND RULES

No side conversations | Please be on time | Let people speak to their interests | Respect the opinion of others | Come for understanding | Speak your mind | Share for common good | Assume good intent | Stay focused on task at hand and be willing to come back to the topic | Have your own voice heard | Listen out for each other | Take care of your own comfort | Ask for what you need |

ADDENDUM II.

ASWS Office Update - November 2024



Bertha J. Clayton, ASWS Director, ESD

Office Updates



Decision Package Endorsement

- WA Workforce Training & Educational Coordinating Board

Inter-agency Coordination

- IAA – Field Check Coordination
- TWH IAA – roles and responsibilities, housing verifications for subsequently listed housing, etc.

Data Collection (HB 2226)

Recruitment update

- Compliance Supervisor
- State Monitor Advocate

Education & Training

- 2-day compliance training (10/17-10/18)
- Wafla Summit (Presenters) (11/21/24)
- National Council of Agricultural Employers (NCAE) (12/4-12/6)
- Discontinuation of Services process training & tools with AAG (12/2/24)

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ADDENDUM III.

Processing and Adjudicating Foreign Labor Certification Applications



**Employment
Security
Department**
WASHINGTON STATE

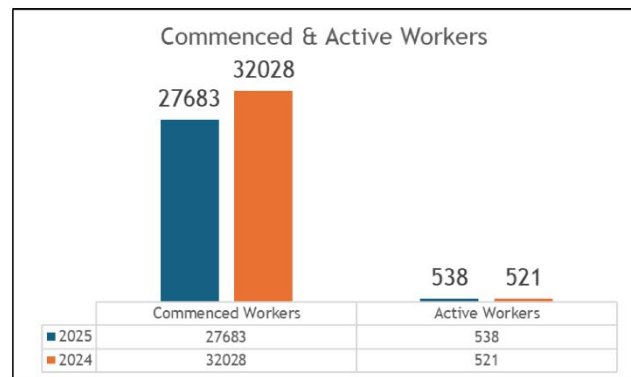
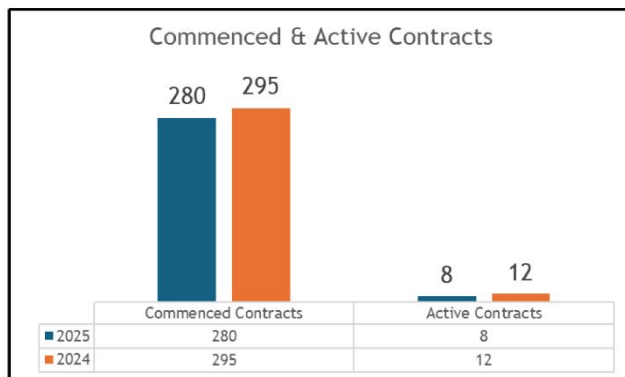
Petra Meraz, Foreign Labor Certification Program Supervisor, ASWS, ESD

Year to Date Comparison

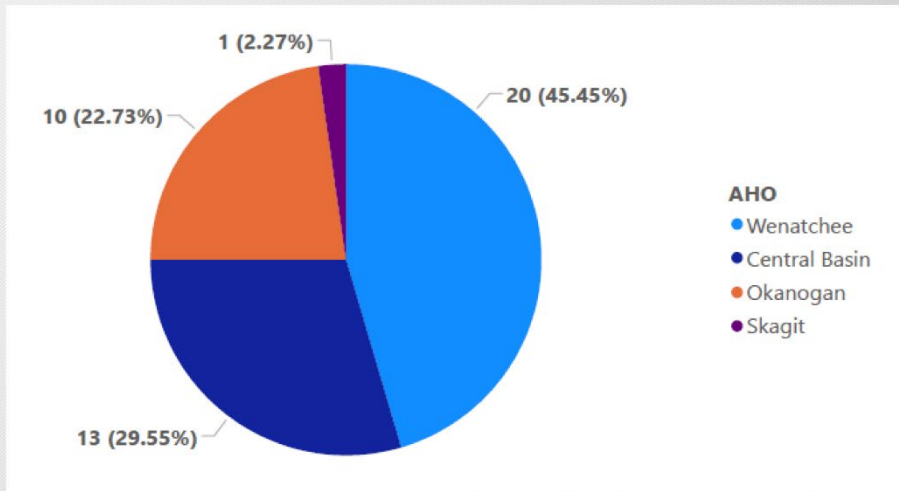


	2025	2024	% YoY Increase or Decrease
# Applications	6	4	50%
# Workers Requested	44	75	-41%
# Withdrawn Applications	2	1	100%
# Withdrawn Workers	20	2	900%
# DOL Denied Applications	0	0	
# DOL Denied Workers	0	0	
# Impossibilities Applications	0	0	
# Impossibilities Workers	0	0	
# Certified Contracts	0	0	
# Certified Workers **	0	0	

Commenced & Active YTD Comparison



Workers requested by AHO



ADDENDUM IV.

Completing site visits (field visits) and Field Checks



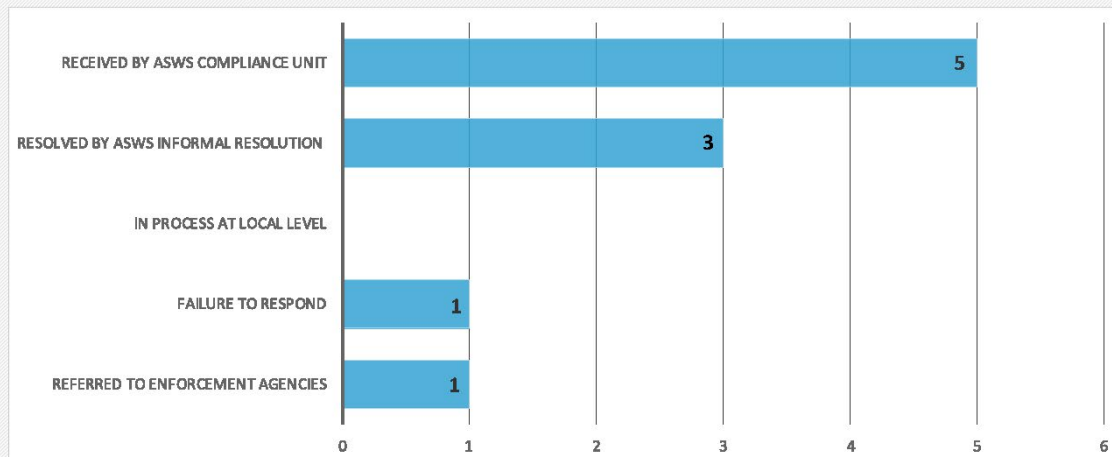
Carlos Sandoval-Larios, Temporary Compliance Team Supervisor, ASWS, ESD

Processing complaints consistent with 20 CFR 658, Subpart E *Reporting Period: 10/1/24 – 10/31/24*



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Complaints / Apparent Violations Received *Reporting Period: 10/1/24 – 10/31/24*



Conducting Field Visits (Site Visits)

Reporting Period: 10/1/24 – 10/31/24



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	32
Approximate number of workers who attended Site Visits and received information	1,708

Conducting Field Checks

Reporting Period: 10/1/24 – 10/31/24



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>	6
Number of Field Checks Performed by ASWS	2

ADDENDUM V.

Workforce Services - October 2024



Craig Carroll, Business Operations Manager, Workforce Services, ESD

MSFW Outreach Performance



Workforce Services Division (WSD)

July through October Outreach Performance Data

	2023	2024
Total FTEs	11	11
Total Outreach Days	582	567
Total Number of MSFWs Contacted	12,220	13,036

Highlights of Outreach to Farmworkers



WorkSource Columbia Gorge

Direct support to MSFW facing discrimination

- Outreach Staff assisted MSFW with an Apparent Violation.
 - Employer denied transportation to MSFW for medical needs.
 - Employer refused to pay the 7.5% contract wages required under the job order.
 - Employer failed to provide light duty work.
- Outreach Staff connected MSFW to appropriate resources, enforcement agencies, and community partners.
- **Result:** Apparent violation was resolved and MSFW was rehired.

WorkSource Mason County

Expanded outreach to farmworkers

- Staff conducting outreach to farmworkers in Mason County partnered with CIELO, a CBO serving the Latino community.
- **Result:** Connected with 75 MSFWs who were interested in job and training opportunities, and referred two farmworkers to long term, non-agricultural job openings.

WorkSource Wenatchee Valley

Repeat customer referrals to Clearance Orders

1:1 customer-centric service has led to repeat customers.

Elias referred to Clearance Order

- MSFW struggled to find and keep employment for longer than a 2-week period.
- Outreach Staff introduced MSFW directly to foreman, exchanged contact information.
- **Result:** MSFW completed contract. Foreman followed up to share that MSFW was hired to remain for year-round work.

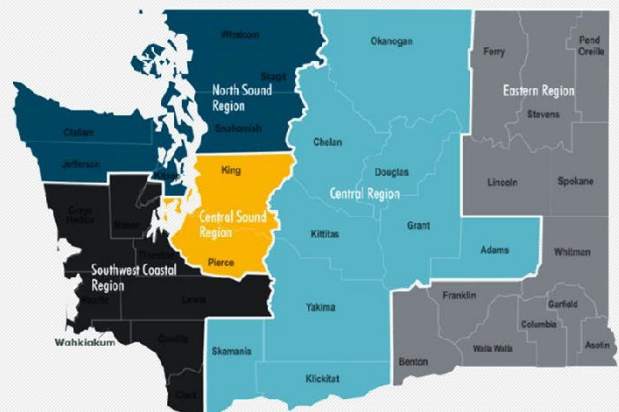
Migrant Couple referred to Clearance Order

- Seasonal workers from California arrived seeking Ag. work
- Outreach Staff led MSFWs to locate worksite.
- Outreach Staff introduced MSFWs to employer
- **Result:** Employer hired, conducted interview and safety assessment while onsite.

Agricultural Employment Map



Crop Production "Covered" Employment • 2022 (Covered employment excludes H-2A workers)		
	North Sound	5,755
	Central Sound	1,999
	Southwest Coastal	1,896
	Central	32,780
	Eastern	7,513

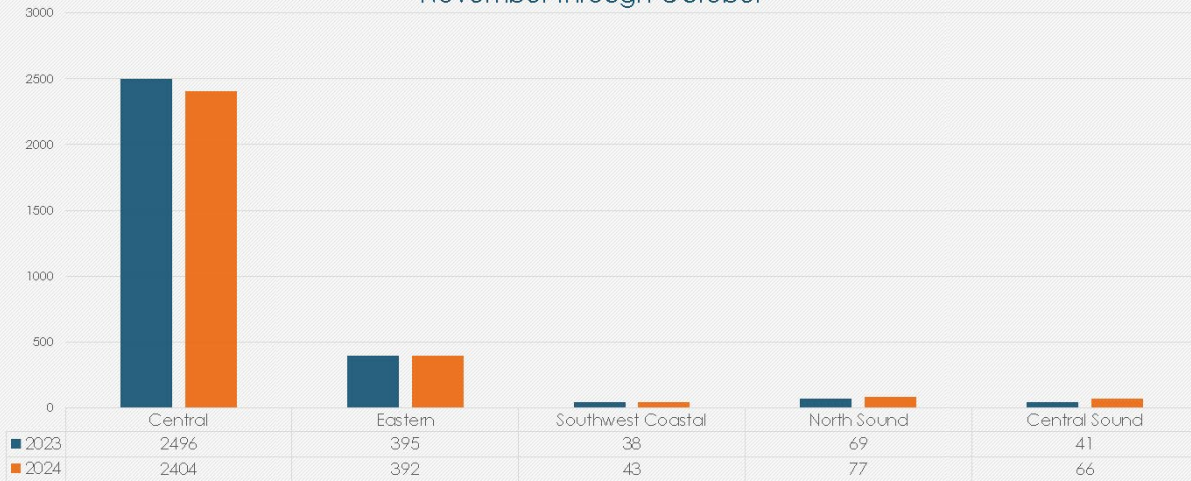


*Source: esd.wa.gov/labormarketinfo/ag-employment-and-wages

MSFWs Served by Region • Rolling 12 Months



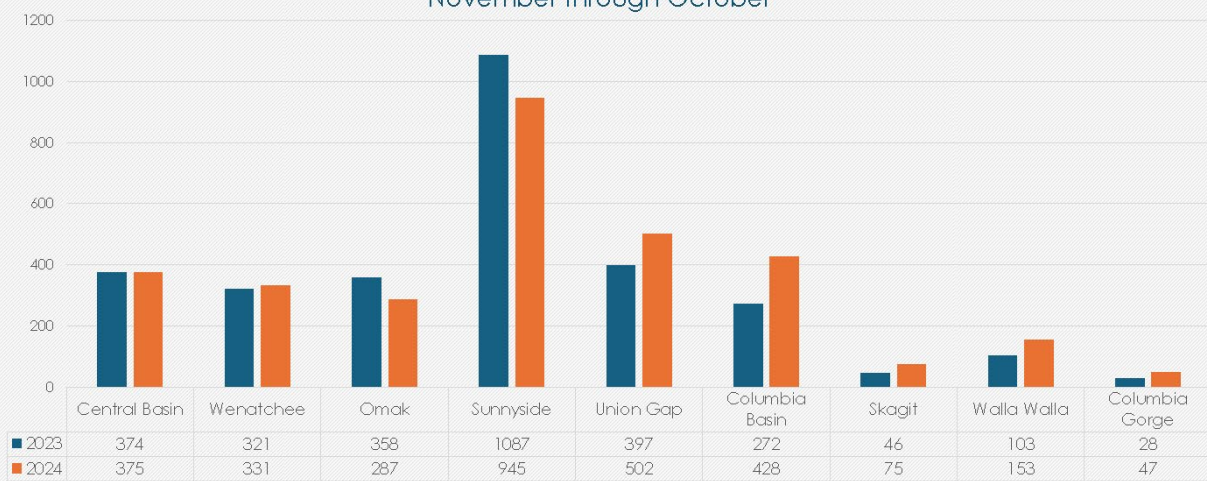
November through October



MSFWs Served by Significant Office Rolling 12 Months



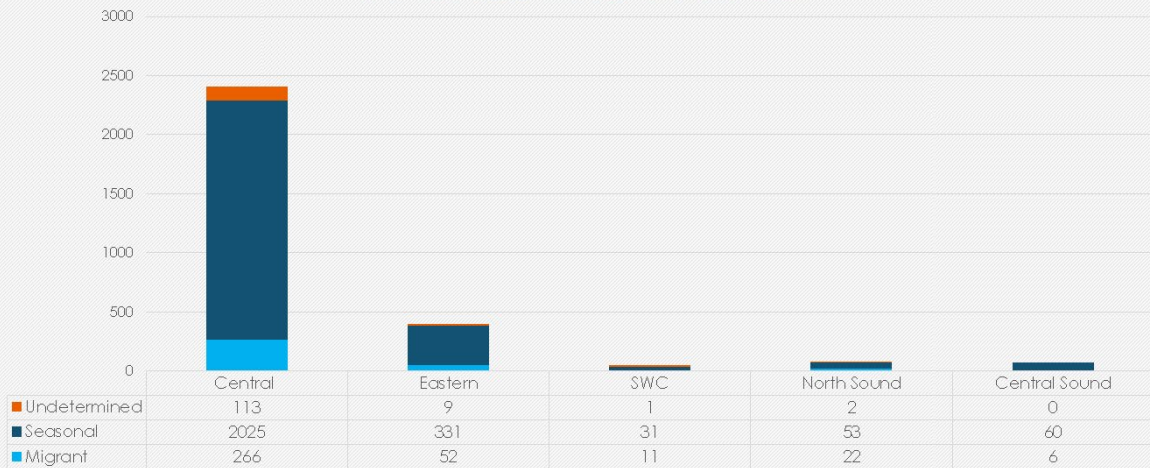
November through October



MSFWs Served by Region • Migrant vs Seasonal Rolling 12 Months



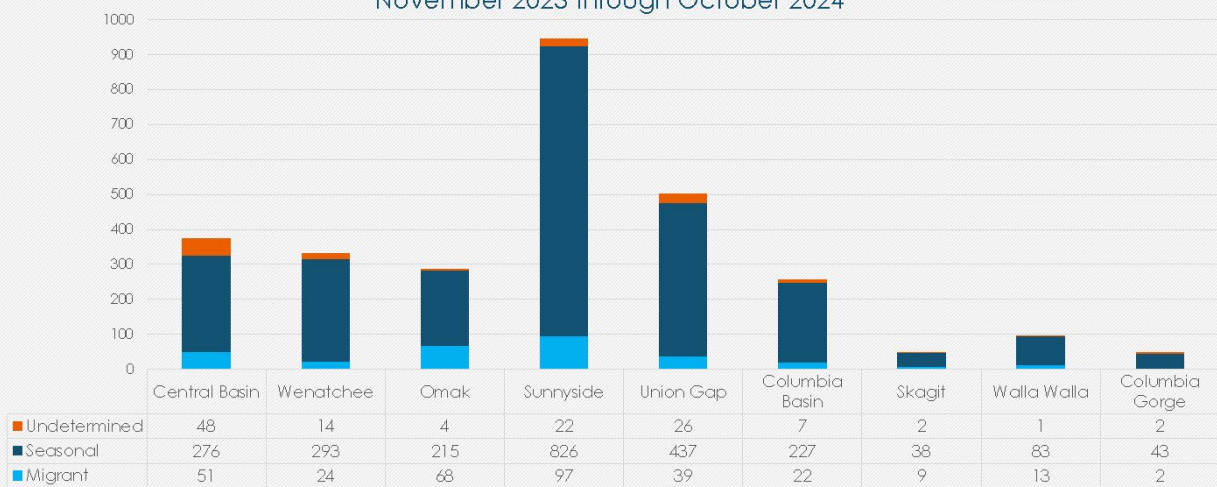
November 2023 through October 2024



MSFWs Served by Significant Office • Migrant vs Seasonal Rolling 12 Months



November 2023 through October 2024



Services Provided To MSFWs

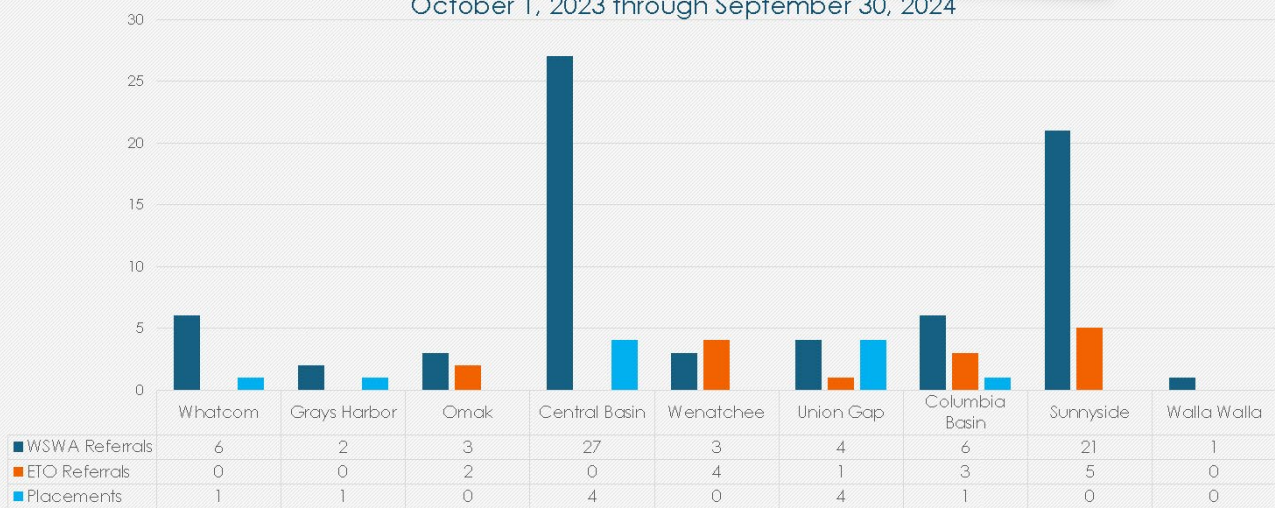


Top 5 Services November 2023 through October 2024	
1.	Translation/Interpretation Services
2.	Provided WorkForce Information
3.	RESEA (Reemployment Services)
4.	Meaningful UI Assistance
5.	Deskside Job Seeker Assistance

Job Order Referral Data



October 1, 2023 through September 30, 2024



Improvements to the Referral Process



Process Improvement Project • Collaborative Effort between ASWS and WSD

▶ Gap

- Referrals are made outside of ETO/WSWA.com system
- We are recording referrals in 2 different systems
- Follow-up on referrals is conducted differently in offices
- Communication between WSD and ASWS is inconsistent
- Notifying employers about referrals is not part of our current process
- Placement verification is not reliable

▶ New Process

- Recording all referrals in ETO
- Referring staff send email at time of referral to employer and FLC
- Follow up and record outcome within 3 days of referral in ETO
- Notify ASWS Compliance when applicants offered a job
- ASWS Compliance verifies placement with employer when contract starts
- ASWS Compliance notifies AHO and staff update record with placement in ETO

ADDENDUM VI.

Customer Experience Study Wrap-Up



Olga Kondratjeva, Program Evaluation, Research and Analysis Manager, LMIR Division, ESD

ADDENDUM VII.

Policy Updates



Joy Adams, ESPI Policy Director, ESD

HB2226 Sec. 2 update



We are at the 9th step in the schedule (Proposal Evaluations and Scoring)



All times are local to Washington State, U.S.A.

EVENT	DATES & TIME
Date RFP Posted	By October 15, 2024
Bidders Conference Join the meeting now	October 23, 2024 – 1:00 p.m. – 2:30 p.m.
Bidder Written Questions are due	October 23, 2024 – 5:00 p.m.
Answers are posted	October 30, 2024 – 5:00 p.m.
Notice of Intent to Bid and Bidder's Profile Due	November 1, 2024 – 5:00 p.m.
Complaint process ends	November 1, 2024 – 5:00 p.m.
Due Date for Submission of Proposals	November 11, 2024 – 5:00 p.m.
THE FOLLOWING DATES ARE ESTIMATES and can change at any time without prior notice	
Administrative Review of Proposals	November 19, 2024 – November 15, 2024
Proposal Evaluations and Scoring	November 14, 2024 – November 22, 2024
Notify Applicant Successful Bidder(s)	November 25, 2024
Conduct Final Data Security Review	Week of December 2 - 6, 2024
Expected Contract Start Date	December 11, 2024

Wage replacement workgroup report



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ADDENDUM VIII.



IMPROVING CHERRY HARVEST TENT CAMPS IN WASHINGTON STATE.

Improving Cherry Harvest Tent Camps DOH and ASWS Committee meeting

November 20, 2024



Juan C. Gamez Briceno

Section Manager in OEHS

Temporary Worker Housing Program,
Transient Accommodations Program,
Schools EHS+IAQ Program,
Clandestine Drug Labs Program, and
Legionella Response.

Improving Cherry Harvest Tent Camps:

- What are cherry harvest camps?
- History of the tents
- Current resource for tents



Improving Cherry Harvest
Tent Camps

Aims of the project:

- Spotlight and raise awareness in worker safety and health, climate change effects, labor conditions, and food security.
- Why different rules for cherry harvest tent camps is an equity issue.



Improving Cherry Harvest
Tent Camps

Aims of the project:

- Equality
- Equity and farmworkers
- Why equity matters in agriculture.



Improving Cherry Harvest
Tent Camps: Local context

- Cherry harvest season
- U.S. Top producer of sweet cherries
- States exporting cherries
- Workforce



Improving Cherry Harvest Tent
Camps: Local context

- Currently licensed cherry harvest camps
- University of Washington Climate Impact Group
- Are cherry harvest seasons affected by climate change in Washington state?

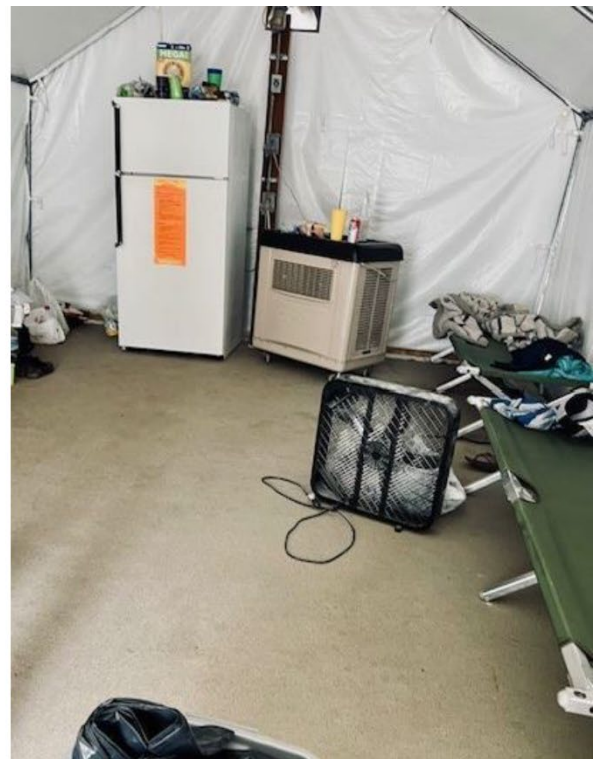


Improving Cherry Harvest Camps-
Key issues facing farmworkers in
cherry harvest tent camps in the
state:

- Heat-Related Risks
- Wildfire Smoke Exposure
- Lack of Protections
- Increased Pesticide Use
- Demand for Change

Improving Cherry Harvest Tent
Camps: National Context

- Cherry harvest in the state
when compared with the
rest of the country
- Increasing number of
workers
- Production
- Shortage of Farmworker
Housing

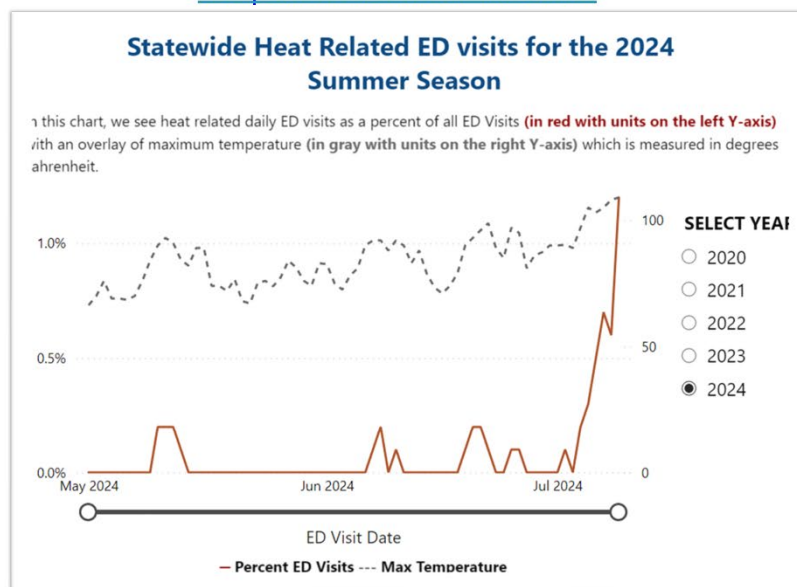


Improving Cherry Harvest Tent Camps

- Between 1992 and 2016, **285** construction workers died from heat exposure—accounting for more than 30% of heat-related occupational deaths
- 25% of Washingtonians – over 900,00 people – work in ‘heat-exposed’ sectors - transportation and warehousing, utilities, manufacturing, agriculture, mining, and construction
- Agricultural workers die of heat-related illnesses at 20 times the rate of other civilian workers in the United States

Washington State Department of Health | 10

Seasonal Hazards Dashboards | Washington State Department of Health



Washington State Department of Health | 11



Improving Cherry Harvest Tent Camps: Conclusion

- Personal statement
- Recommendations
- Acknowledgements

Questions?



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Good of the Order



- Future Agenda Items
- Public Comment

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 deletreelo 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

ASWS Advisory Committee Meeting
Wednesday, [January 15](#), 2025
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