

Migrant and Seasonal Farmworkers and the WOTC Program
Robin Amos and Pablo Nuñez

**Ohio Department of Job and Family Services
Office of Workforce Development**

Transcript of Webinar

**Migrant and Seasonal Farmworkers
And
The Work Opportunity Tax Credit (WOTC) Program**

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[Numbers in brackets indicate the approximate playtime, or time stamp, in the audio version]

[1:06]

ANGIE MARTIN: Good afternoon, everyone. This is Angie. I'm just doing a test. So, if you can just put your name and county in, and the questions box, and let me know whether you're hearing me, and you can also see the PowerPoint, I'd appreciate it. Thank you.

GRAIG PELLMAN: Hello, this is ODJFS Central Office. We will be starting in about two minutes.

[10:37]

GRAIG PELLMAN: Hello, my name is Graig Pellman and I'm from the central office, and I want to welcome you to the third in the series of webinars on serving special populations. Today we have two very good presentations for you. Robin Amos, who's the WOTC program manager, is going to be talking about the Work Opportunity Tax Credit; and Pablo Nuñez with Foreign Labor Certification, will be talking about Migrant Seasonal Farmworkers. I just have a few announcements I'd like to make to you before our presentations.

First of all, I want to let you know that there's been a slight change in our procedures regarding the registration for future webinars. You will receive, in the future, the RSVP email as you normally do; however, we're asking everybody to try to register for the webinar no later than two days before the actual event. So, if it's a Thursday webinar, we'd ask that you register by the close of business on Tuesday. You can still register after that, but only those people who register two days in advance will actually get the handouts before the webinar. So, make sure that you register as quickly as you can when you receive those notices from us.

Also, on April the 25th, which is a Thursday next month, our next webinar will be scheduled, and it will focus on the topic of at-risk youth. We will be sending out that invitation in the next two to three business days. So, when that invitation comes through, please make sure that your youth partners and your local One-Stops and WIA areas receive that email so they can register for this event. And, of course, you are also invited to attend as well. Anyone can attend our webinars that we offer, and we would just really appreciate having as many of the youth providers as possible participate in that event. [12:29]

I also want to let you know that both of our speakers today have indicated that if you have a question at any time during the presentation, feel free to type in that question, and send it to us, like you always do in our webinars. So, you do not have to wait until after the presentation to ask your questions. We will have Angie Martin interrupt the speaker and state the question, and then our speakers will reply to it.

And then, finally, I do want to remind you that, at the end of each of our training events, we do issue a SurveyMonkey survey, where you can tell us how well we're doing with regards to our webinars. Again, it's very important that we get regular feedback from you, so we know that we're providing the information that you can use out in the field.

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At this time, I would like to introduce Robin Amos, who's the manager of the WOTC program, who's going to spend some time talking about the Work Opportunity Tax Credit.

[13:29] ROBIN AMOS: Thank you, Graig. Welcome to the webinar. I wanted to take a few moments to, and Pablo and I changed – I'm going to start out, then he's going to take over after I'm done. So, we kind of switched positions in the webinar.

We wanted to give you a quick overview of the Work Opportunity Tax Credit Program. And you'll hear me refer to the program as WOTC, as we move throughout it. As you work with potential employees, and reach out to employers, making you aware of the program helps to make them aware of the program. Our office is starting a marketing strategy. We're working on that now, and so, this is kind of a first step towards reaching out to employers and potential employees, to ensure that they are aware of the program.

Sorry, here I'm going to try to move to the next slide. So, what is the Work Opportunity Tax Credit? It's an employer-friendly benefit for hiring job seekers most in need of employment. WOTC is administered by our office, the Ohio Department of Job and Family Services – Workforce Development. It's out of the employment and training section. We process requests in accordance with our business rules, which are established by the Internal Revenue Service and the Department of Labor.

Incentives to the program: It is a federal tax credit for Ohio employers against their Federal Tax Liability. Employers get to make the hiring decision. So, we don't try to take that decision away from them. As they are establishing hiring an individual, if they determine that that individual may be potentially eligible for a credit, then we recommend that they submit the application to us for us to process.

One way to check that, is the form – the IRS form 8850 is used at the time of hiring. The front page asks the individual questions. If any of those check boxes are marked, that would, could be, considered that they might be eligible. So, we would recommend that you would complete the additional forms and send the paperwork in. And I'll explain that process just a little bit later. [15:46]

There are no limits to the number of new hires that can qualify an employer for a tax credit. There is minimal paperwork that is needed to be completed to claim the credit. And we've actually worked on streamlining the process and making it more employer-friendly, and easier to use. So, I'll talk a little bit more about that as we move through the webinar also.

There is the first criteria of the program – and we stress this at the beginning – it's not really part of the incentives. We want to make sure that employers are aware, so as you reach out to employers and talk to them about the program. The program has, the initial criteria is, that all applications are filed within twenty eight days of the start-to-work date. That's a pretty short timeframe, so it's really important to make sure that they are aware of that criteria.

For most of the categories under the Work Opportunity Tax Credit, an employer can receive anywhere from \$1,200, \$2,400, to the maximum: \$9,600. And that covers all of the target

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groups. A little bit later in this presentation, I'll go over the individual target groups, and then there's additional information on, at the end, I'll give you a couple of websites where you can actually look at, in more depth, the individual criteria, the amount of the credit, some information on how to calculate the credit.

So, the credit is normally determined based on two tiers: The first tier is 25% of the qualified first year wages. An individual/employee has to be employed for at least 120 hours to be considered for the credit. So, if they're employed for the 120 hours, it would be 25% of the qualified first year wages. And 40% of the qualified first year wages for employees who are employed more than 400 hours. [17:15]

Target groups include long term TANF recipients, short-term TANF, 18-39 year-old SNAP or Food Stamp recipients, VOW, which is the new Veteran Opportunity to Work, 18-39 year-old designated community residents, vocational rehabilitation, ex-felons, Supplemental Security Income – SSI, and Summer Youth. And I've listed a website at the bottom of this page, for details on the program criteria. The criteria for each of the target groups, and this is where you can find the information on how to calculate a WOTC tax credit.

In Ohio, it's a fairly simple process for applying. We have three simple steps. The first step includes the application. All of the forms can be found on the JFS website, which is the www.jfsohio.gov/wotc. Step one is to create an account. Ohio utilizes an online application to process requests for WOTC, so the first step for an employer is to get an account, or access to that application. This is the most expedited process for submission. [19:11]

To do that, all they need to do is submit a request on letterhead to our office, asking for access to the application. It should include the employer's company name, address, contacts that they would like to have access to the application, company FEIN, and should be signed by someone in the company who has the authorization to make those types of decisions as far as allowing individuals to access the WOTC application. Our office then receives that through our mailbox. We return a username and password, and that will allow the employer to log-on to the WOTC system. [19:51]

Step two is submitting the request or the application. An application consists of the form 8850, and 9061. An employer who sets up to use the automated application, whoops, it jumped ahead of me a little bit, they will actually complete the form. The IRS requires that a hard copy form be retained by the employer. So, those forms are filled out, the information is put into the online application and submitted as an A, meaning applicant owned.

Step three, the next day the employer can review the status of the application. In Ohio, all applications run against the CRIS-E, or the eligibility system. The next day, if a target group is marked for short-term/long-term TANF or food stamps, then those can certify and deny as quickly as the very next day. [20:44]

If a request is for another target group, like ex-felon or voc rehab, those, we may need supporting documentation. Supporting documentation and examples, or types of supporting documentation, can include proof of age, driver's license, birth certificate, proof of address, W-4, depending on

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the target group, each target group has supporting documentation that may be required. And that information can be found on page three of the IRS form 9061.

There is a minimum employment or retention period that we talked a little bit about earlier. It's 120 hours to qualify. We also list a little bit of information on this slide about those individuals that could be considered ineligible for the WOTC credit. Relatives or dependents of an employer, so if it's a husband and a wife, business and the relative, or the son or daughter, they wouldn't be considered eligible. Former employees; the WOTC credit is for first time hire with an employer.

So, if an individual has been employed by an employer previously, they would not be considered eligible for the credit. Non-profit employers is on here, although with the authorization of VOW, or the Veteran Opportunity to Work, that has now allowed non-profit employers who hire veterans to be considered for the credit. [22:34]

Program updates. We wanted to, for those of you who may be familiar already with the Work Opportunity Tax Credit program, our program was recently on hiatus up until January 2013, and this talks a little bit about what happened on January 3, 2013. The President signed into law the American Tax Payer Relief Act. It authorized an extension of the WOTC program. So, with that, it gives us the authority to process applications until December 31, 2013. It retroactively re-authorized all WOTC non-veteran and veteran target groups, and re-authorized empowerment zones, which determines the eligibility for the summer youth target group.

The program historically, goes into hiatus and then is re-authorized, and normally is retroactively re-authorized. So, we always stress to employers that even if the program is in hiatus, that they should continue to submit applications, to ensure the timely receipt of applications, that they don't delay. This re-authorization did not re-authorize disconnected youth and the unemployed veteran target groups.

With the new VOW target group, VOW picked up the unemployed veteran target group, that was previously established, so that unemployed vet alone is a target group, was not re-authorized, and as part of VOW, there is a portion of it in regards to the unemployed veterans. [24:21]

One of the other things that happened recently within the last week, which was pretty amazing, is that the IRS granted a transition relief period. This is the first time that I've ever been aware of this significant of a transition relief. Because the program was in hiatus, they had decided to go ahead and allow employers that had not submitted applications to offer them this opportunity to do so.

So, the slideshow that was sent out to you, there is a little bit of a change, and that first bullet, the slideshow originally had January 1, 2013, but it is actually January 1, 2012. So, what this says is that any employer who has hired an individual that may be eligible for the program, and may not have submitted that paperwork timely, or may have thought that because the program was in hiatus, that they shouldn't even complete an application, they are now being given this opportunity to do so. That opportunity is for any applicant that was hired between January 1, 2012 through April 29, 2013.

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So, it does allow them to go back and fill out an 8850 and a 9061, and submit it to the WOTC office for processing, no later than April 29, 2013, to be considered timely. After April 29, 2013, the program will go back to the 28-day timely filing rule. [26:05]

Alright, we have a question.

ANGIE MARTIN: The first question is: A veteran who is unemployed, by itself, was not re-authorized. Is that correct?

ROBIN AMOS: The unemployed vet category that was previously part of the target group was not re-authorized, but under VOW, it took the two, it took that unemployed veteran and it is one of the criteria under the VOW target group. So, it is still an active, but it is active under VOW, as opposed to unemployed vet as a standalone.

ANGIE MARTIN: The next question is: What was the recovery act for the disconnected youth?

ROBIN AMOS: Disconnected Youth was not re-authorized as part of the signing of the American Tax Payer Relief Act of 2012. So, as part of this recovery act, Disconnected Youth, and the previous unemployed veteran target group, were not re-authorized. So, as those two target groups expired December 31, 2010, so any application received after December 31, 2010 for disconnected youth or unemployed vet, will be denied.

And, to kind of explain just a little bit further, VOW began November 22, 2011. So there is a time period between December 31, 2010 and November 22, 2011 where any unemployed vet that an application was submitted just for unemployed vet during that timeframe, would be denied. Any application received with a start-to-work date after November 22, 2011, would be considered for VOW. [28:17]

ANGIE MARTIN: Back to the youth thing again, I think they wanted to know what the criteria was to be considered a disconnected youth.

ROBIN AMOS: Oh, okay. To be considered for a disconnected youth, it is – I should have brought – Can I go out of here and go to the website?

ANGIE MARTIN: We should be good.

ROBIN AMOS: Let me see if I can take you to the website, because this will...(Inaudible 28:05) If you just hit Internet Explorer (Inaudible 28:12)

ANGIE MARTIN: And you know exactly which one it is?

ROBIN AMOS: Yeah, alright. What I'm going to do is, our office is in the process of making some updates to our webpage, so the most recent information regarding the target groups is on DOL's webpage. And so I'm going to take you...it's one of the links that I list on the slide, but

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this gives me an opportunity to show you quickly. There. Oh, it's not taking me out to it...Sorry, it might just take a few minutes. [30:08]

Alright, this is DOL's webpage. So under the webpage, there's information for employers. And out here, I'm going to show you, really quickly, the forms, and then I'll take you to the criteria for each of the target groups. So, the most recent forms are out here on their webpage. The IRS 8850, the 9061. We talked about instructions; there are instructions for both of those forms that are out there.

Under WOTC guidance, there is information from the handbook. The handbook, okay, I'm going to go to the other one here and the addendum. This actually has the most recent information, if you want to get into the criteria. Here is, kind of, a quick overview of criteria for each of the target groups. So, you notice the veterans. This is VOW, this is a veteran. Each of these individual bullets represent one portion of the VOW target group. So, you will see that the unemployed vet, at least six months and the year ending on the hiring date, is part of the VOW criteria. An unemployed vet, with at least four weeks of unemployment, or at least six months as part of the unemployed vet or the VOW category. [31:35]

The disconnected youth, I don't have all, it's not on here since it wasn't re-authorized, but it included being, living in, an empowerment zone, being age – I believe it was – 16-25, and living in an empowerment zone. For the individual who asked that question, I can send the criteria out for the disconnected youth after the webinar also.

ANGIE MARTIN: Another question we had: Can you use an OJT with the WOTC program?

ROBIN AMOS: You can, in the sense that OJT's can be considered in conjunction for the hours worked toward the WOTC credit. So, the wages don't count when someone's working on an OJT, but the hours that they worked can be counted towards the minimum employment hours of the 120 hours that are required to meet the minimum employment criteria.

ANGIE MARTIN: Can you explain what subsidized wages are now? Can you explain what subsidized wages are ineligible?

ROBIN AMOS: I will have to get back to you on that one.

ANGIE MARTIN: Next question: An empowerment zone, can you explain what an empowerment zone is?

ROBIN AMOS: Our office utilizes the HUD map for empowerment zones. And there are also, as part of the...Trying to see if... I want to try to take you out there, but it will take a little bit too long.

GRAIG PELLMAN: What we're going to do is, with regards to that question, we will make sure that a follow-up email is sent to all of you so we can explain a little more about empowerment zones.

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ROBIN AMOS: Thank you. [34:11]

GRAIG PELLMAN: I have a question I'd like to ask. Sometimes employers are very, very reluctant to get involved in government programs, because they, rightly or wrongly, still view them as being bureaucratic or difficult to work with. What advice could you give to people in the field that would help them encourage employers to actually use this program?

ROBIN AMOS: Advice I would give is – that the program is – we are working to simplify the program, and to remove the barriers, the government-speak, and the information that we have on our website, and to simplify the process for employers. To make it easier for them to navigate. To understand our statuses and, kind of, our language, because, as we do in government, we tend to use our own languages when we're working in programs.

So, we are trying to simplify, and work through that; making it easier for employees to get access to the automated application, to view their statuses of their applications, and to not feel like they may have submitted an application and not see the information back for some time. The programs that have some issues with timeliness, as far as the program may be in hiatus, and then may be re-authorized. As you noticed, our re-authorizations are retroactive, so it does take us a small amount of time to sort of navigate some of those waters once we're re-authorized. But the program itself is, that is something that our office as heard.

We're working on streamlining, working on making the program more accessible to employers, and easy to submit requests and to receive their information back in a timely manner, as far as their certifications back as quickly as possible. [36:37]

GRAIG PELLMAN: Thank you. Are there any other questions?

Well, Robin, thank you very much for your informative presentation. Again, a couple of those questions, Robin will write a couple of answers and then we will email those to you. Meanwhile, if you have any other questions, you can certainly contact the WOTC office, according to the contact information that was on the PowerPoint. And at this time, what we're going to do is, we're going to mute for about a minute while we move speakers around and get the next presentation up. So please bear with us.

ANGIE MARTIN: Real quick, real quick, we have one last question. They want to know if WOTC is for individuals who are working full-time only, or can this be for part-time individuals too?

ROBIN AMOS: It can be for part-time individuals. It's considered for all employees, and the minimum of 120 hours. This can even be utilized for seasonal employees. So, if an employer hires an employee and they work three months and then they're sort of laid off, or they're still considered as part of your employment force, but maybe laid off for a couple of months and then brought back to work three months later; all of those hours can be calculated towards the minimum 120 hours of the 400 hours within that year.

ANGIE MARTIN: Okay, that's it. Thank you. [38:01]

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[39:13]

PABLO NUÑEZ: Buenos tardes. Good afternoon, everyone. This is Pablo Nuñez. I have a PowerPoint presentation; hopefully it will be entertaining, but more informative. So, as we move along here, please feel free, like Graig said at the beginning, to ask any questions as I go through the presentation. I have my own paper copies. As I go through this, what you should see in front of you is a map of the value of the products sold in the United States.

So, putting some kind of a context on what we're talking about here, that agriculture is actually the largest industry in Ohio, and much of the United States. I'll just point out some things to you. Down at the bottom, you see that the total amount of the products sold were almost \$300 billion. Here's some more bits of information from the Department of Agriculture. On my slides I try to put reference to where I collected the information, so please feel free to visit those websites yourself. [40:28]

In this particular slide, I wanted to show you that, when you think of agriculture, there's also other things going on. This is called the Agricultural Trade Multipliers, that, whenever there's labor exchange occurring that involves agricultural exports, it also means more jobs that are created outside of agriculture to support that trade. Here's the value of the crops.

What I would call your attention to is that the items number two – fruits and nuts; nursery and greenhouse - number three; and vegetables - number four; are the main areas where we spend most of our time when we work with the agricultural community – the agricultural employers that we usually refer to as farmers, and Migrant and Seasonal Farmworkers.

A little summary about the program and this presentation: the main focus is going to be on outreach, and I'll define that later, and what is all involved with that. The staff - who are mainly engaged with that – the monitor advocate, who's Benito Lucio, the migrant outreach specialists that are located throughout the state. I'll show some maps and their location. We'll be talking and discussing accessing services; our collaboration efforts – particularly with our partners that provide services to farm workers every day – and then orientations that we do for the agricultural community. [41:58]

This is somewhat of a close deadline here. Some bad things do happen in different governmental situations. In this case, the Department of Agriculture was deemed to have been not providing the same assistance and services to Hispanics and to women farmers and ranchers, so Hispanics and women farmers and ranchers were able to file a claim against the Department of Agriculture, and unfortunately this is a real short deadline of March 25th. But they are able to collect some compensation for not being allowed to participate in Department of Agriculture assistance.

I make heavy reference to websites, as I said earlier. This one is for Migrant and Seasonal Farmworkers. The URL is provided on top of this screen. There's this section on the description. I have another slide where I broke that down, and a little bit easier to understand. There's two main programs that the Department of Labor is responsible for. One of them, as you see in that picture, has the National Farmworkers Jobs Program. That's basically a WIA program that's special funding for farmworkers.

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Now, I'm not going to be speaking to that, but if you wanted to learn a little bit more about it, you can visit that website. In addition, you see the Monitor Advocate System, that picture on the right hand side; and that's where I'm going to spend most of my time in referencing the website. [43:38]

The previous page basically was talking about what ETA does, that it provides services to combat chronic underemployment that is experienced by Migrant and Seasonal Farmworkers because they're doing agricultural jobs. Then, also, the item that they talk about is the jobs program - again, that's the WIA program. The MSFW's and the One-Stop, that career centers, and then the Monitor Advocate System.

If you click on that one picture on the right hand side, this is where it would take you to talk about the Migrant and Seasonal Farmworkers Monitor Advocate System. You see on the right hand side, it has bullet points. You can click on any of those items. I happen to press Foreign Labor Certification. So, if you click on that, it would take you to Foreign Labor Certification. At the bottom, if you look at the middle of the screen, it has six items. I'm going to be talking a little bit about that, and the items above it, too.

And this is what it says: it's making reference to what the Monitor Advocate System is. That there are national, regional, and state Monitor Advocates, that ensure that services provided to Migrant and Seasonal Farmworkers, the MSFW's, are qualitatively equivalent and quantitatively proportionate to the services provided to other jobseekers. Basically, whatever we do for non-farmworkers, we should do for farmworkers also. [45:29]

In those bullet points, for those of you that like to look at the authority to do what we do, or the direction that we get, these are the references to the federal regulations, speaking to the clearance order system, the job service complaint system, and service to Migrant and Seasonal Farmworkers. You can look at those on your own. One of those buttons also includes the National Agricultural Workers Survey. So, if you want to learn more about farmworkers in greater detail, you can find it there.

This is a map of the United States, and, as you can see, that it appears that most of the arrows are pointing out from Texas and Florida. Traditionally, most farmworkers that perform agricultural labor throughout the United States, originate, or at once originated, from Texas and Florida. And you still pretty much see that happening today. And we basically have three streams: the persons that travel in those streams pretty much stay either to traveling through the west coast, to the Midwest, or up the eastern seaboard. And, please, if you have questions, I'm going to be going through this relatively quick, in order to cover all of the slides. [46:58]

There's a lot of questions about the persons that perform agricultural labor. This is what it looked like at one point in time, from the agricultural statistics. And it shows that the majority of the farmworkers that are picking our crops, are unauthorized. You can still see a big chunk that are authorized. And over the years, the purple color has gotten bigger. This is the place where most of the farmworkers were born. You can see that Mexico is predominantly the country where these farmworkers come from.

This is the legal status by gender. Sometimes, persons are under the mistaken belief that they're all men. There's a lot of families both that are authorized and unauthorized. But you can still see that the majority of the workers are undocumented, at least for the males. The females sometimes travel along with, and in groups of families, but we still have some number of farmworkers that travel with single men.

And how do we go about working with farmworkers? Is to meet with our responsibility and the regulations, that requires us to locate and contact MSFW's that are not reached through normal intake activities. So, the focus is to increase the number of farmworkers that are in our system, in order to do labor exchange. And thereby, also, we need to increase the number of employers for whom we're writing job orders.

One way of doing that, that you saw all of those arrows on our map, is to use the Agricultural Recruitment System. There's much to that; it's, how do we help farm workers go from one state to another? But the two things that are particularly important for the One-Stop, and for persons that don't do outreach, is to help those farmworkers that want to transition out of the temporary, low-wage, typically low-wage, agricultural work; help them transition into a higher-wage jobs that are usually permanent and year-round, and usually out of, out of agriculture. The important thing here, for those of us that are engaged with outreach, is to enhance the collaboration with other MSFW service providers. [49:38]

The last item listed on here – we don't have much control – but the only thing we can do is for those agencies, partners that provide services to farmworkers, that, to encourage them to join us in our One-Stops. Now, in that collaborative effort, I wanted to let you know of some partnerships that we have throughout the state, and the two most active ones are the ones located in Northwest Ohio, that we call FALCON, that stand for Farmworkers Agency Liaison Communication and Outreach Network. And the other one is in West Central Ohio, the Hispanic Latino Coalition of Clarke and Champaign Counties.

So, I want to share with you some of the partners in the FALCON group. You can see that includes Ohio State University, Advocates for Basic Legal Equality, that provide a lot of the legal assistance. En Camino is church-related. There's help efforts with the coalition. The Department of Labor, federal agency. We also have the state wage and hour. We have migrant education, the teaching and mentoring communities, is a Head Start for farmworker children. And, in fact, what's pretty unique about them, is that, not only do they take care of the pre-schoolers, they also take care of children as young as infant age, which is a few months old.

Pathstone, by the way, is the WIA recipient of moneys that can provide specific training opportunities for farmworkers. And of course, the Department of Health, we've formed even a stronger relationship with them, and they're helping us do some of the housing inspections we're responsible for doing, under the H-2A program. And here's just another list of more of our partners in FALCON. [51:47]

This is the other coalition, and this is in West Central Ohio, called the Hispanic Latino, the counties Champaign, and Clarke County. And this is something they put together, and how

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they've communicated in the past, with a newsletter. They have a calendar of events. It's a much longer calendar, and that's really helpful just to keep everybody on top of what's going on in their area. Some of the items they identified, that's going on in that particular area; here they're talking about an iPad that somebody was given. Persons that, through the literacy activities that they're engaged in, were able to get their US citizenship.

And here's the areas of where we have migrant outreach staff. As you look in Northwest Ohio, there's four counties that they're located in. So, they pretty much cover the surrounding counties. You look at Northeastern Ohio, there's two staff persons that are responsible for those three counties. They also travel to adjoining counties. You look at Clarke County, and you have our outreach staff traveling to areas around that county. [53:13]

VOICE: Question.

PABLO NUÑEZ: Sure.

ANGIE MARTIN: Ok. One of the questions is, what can we do to encourage the farmers to utilize ARS, rather than depending on the crew leaders to recruit their staff, without putting the farmer in potential, you know, exposure.

PABLO NUÑEZ: Sure

ANGIE MARTIN: To potential legal problems, is what they're asking.

PABLO NUÑEZ: Yes. And that's a good question, because, as I was showing at the beginning of the presentation, that the majority of farmworkers nationwide are undocumented. The good thing for the farmer is that their responsibility to complete the I-9 form, obligates them to take some reasonable measures of reviewing the documentation, but it doesn't require them to authenticate the documents.

However, what has happened over the years – I think that many of the state workforce agencies, back in the '60's and '70's, I think that we did such a good job of connecting employers with farmworkers that, that connection has lasted over the years. So, employers capitalize on that connection, that for generations they depended on that initial contact, so they haven't really been pressed to the point of needing a lot of assistance from us, They do use us a lot. They do have us help them recruit at a local level, but we don't do a lot of pre-season planning like we used to in the past.

And I make heavy reference to that, because in the past, we did travel to Florida and to Texas. We would invite employers to accompany us. And we'd like to get back to doing that, so that they can make certain that the workers they are hiring are documented. But right now, they still rely heavily on previous connections that they had made decades ago.

There are persons that we refer to as crew leaders, that recruit workers for them, and until that system breaks down, I think that it will always be heavy competition for us to try to help them recruit farmers, or recruit farmworkers.

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Each year we go out, and we invite them to use the Agricultural Interstate System, which is also called the Agricultural Recruitment System. But we haven't had many takers. We've had some employers fill out the paperwork, but they haven't followed through with it. I think, when we do see more of that, is when the farmers do experience some labor shortages, when crew leaders are not able to recruit farmworkers. But until then, we'll just continue to encourage them to use our services. [56:30]

ANGIE MARTIN: Okay, I think that's a good follow-up question we have here. Is there enforcement on the part of the federal government that will penalize the farmers who do not recruit their workers from the ARS?

PABLO NUÑEZ: No, they're not obligated to use the system. Certainly, it would help everyone out. We used to have what was called the Annual Worker Plan, that basically helped the farmworkers identify work locations for the entire year. And when we coordinated that with other states, that we became even more effective, because, during the course of the year, they may be working for a few months in one location, move on to another one, and sometimes cycle back through.

And I'll have some slides a little bit later in the presentation that show you a little bit of that. The notion of an annual worker plan, is that a farmworker could possibly set-up his work schedule, to work, say, for example, three months in one state, three months in another, and then six months in another so that he'd pretty much be assured of having employment throughout the year.

ANGIE MARTIN: Thank you.

PABLO NUÑEZ: Sure. And if you have any other questions, please let me know. And if you think of other questions, I'll be glad to follow those questions up with some answers. [57:50]

So, here's some names to those locations in Northwest Ohio. We have five outreach staff presently. You see there in Napoleon, Fremont, and our Genoa trailer that's in Ottawa County. In the northeastern part of the state, there's two persons there. That's, by the way, the heaviest concentration of H-2A activity, that we'll probably cover in another webinar.

And then the west central part of the state, we have two persons: Springfield and Xenia, that cover pretty much the southwest part of the state. And what we do during the course of the year, part of it is providing employer and farmworker orientations. We address both the agricultural employers, the service providers, the representatives for both employers and farmworkers. And this is what we did this year, that we had five different meetings scheduled.

Three of them, four of them, have already happened, and another one is coming up in Fremont. The one in Fremont that is coming up, in case you're interested, or in the area, the way we usually run these, is that we start out at 8:00 in the morning, addressing employers with different topics that are important to them, and then in the latter two hours, we have our FALCON

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meeting. So, it's a four hour block of time. The first two hours are meeting with employers, and the last two hours is coordinating with our MSFW partners. [59:30]

Here's what some of the crops – this is an old calendar of crop activities. We have a much more updated, more intricate one, but this serves the purpose of being able to show you what goes on during the typical agricultural year in Ohio. The one big difference is the nurseries. Since we've started getting involved with the H-2A program, that calendar actually would be extended both ways, but particularly at the front end. The work is starting as early as February. So, we have to add a few more months to this calendar.

But where we have the most activity of migrant farmworkers being engaged, are everything above the nurseries. So, typically, we start seeing farmworkers coming into the state sometimes as early as March, trying to get a jump on everyone else, and then they stay with us through October. [1:00:33]

This is something I put together with the Department of Health, is the state agency that licensed agricultural labor camps. By definition, that's any structure that houses persons who are engaged in temporary agricultural work. The, if there's five or more, the employer needs to get that structure licensed, and in this state in 2012, there were 107 camps. If you can see that, the little blue numbers show the number of camps in specific counties, and then the red numbers are showing the occupancy rate; meaning, these total number of camps. Say, for example, if you look in the middle of the state, in Delaware, there would have been three camps, and those three camps had a capacity of 24 workers.

So, if you look out throughout the state, you can see where there is agricultural activity. Now, that doesn't mean that all the farmworkers are only living in these licensed labor camps. We do have some labor camps that are unlicensed. We have some farmworkers that live with relatives, or with friends, that are not being picked up in here. So, if you were to total up all these numbers, they would be far lower than the number of migrant farmworkers that are estimated to work in Ohio.

And this explains this particular map, that in Ohio, the starting age for most farmworkers are 14. Federal law allows them to start as early as 12 years of age. In my experience, many of us, who would be my age, we started way before then, but legally we could have started at 12 years of age. So, if I look at my Social Security, I have some earnings from the age of 12. So, I'll be getting my Social Security retirement some time. [1:02:48]

So, any questions on this particular one? A lot of persons working in these counties, and some of these counties, as you can tell, particularly the southeastern part of the state, we don't have outreach staff in those areas. So, we rely heavily on our partners to give us information about what services they're providing for those areas. And, if necessary, we're able to travel there, but we don't have a lot of contact, daily contact.

Here's the agricultural webpage. We're in the process of updating it. We've changed the web system that we've used in the past. So, this is going to be updated. But right now, this is what it looks like. And there's the URL on top. Here's some of the content in there. The topics that

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Benito had developed was the information about farmworker services, and then the migrant census over the years.

And here's some of the things that they ask Monitor Advocates to do; these are the things that Benito's working on. As you can look at it, a lot of it is basically being a source of information. Making people knowledgeable about farmworkers needs, their characteristics, and concerns, and you can read the rest of the information.

So, basically a lot of documentation that Benito's involved in, and the outreach staff provide a lot of that information for him. So that he's able not only to share it with the Department of Labor, he's also, as another role that he plays, as ombudsman. He has a responsibility for putting together a report to the State Legislature. [1:04:45]

And I can't talk about One-Stop without talking about performance measures. So, I thought I'd throw that in for you.

Just to highlight some of those items. When we think of performance measures, and it comes to farmworkers, we think of indicators of compliance. There are equity ratio indicators, minimum service level indicators, and there's reports that Benito puts together. He runs migrant indicators of compliance. Basically, he's pulling the information from SCOTI, OMJ (1:04:48) to see how services, how the services are being provided to farmworkers. Then he puts a report together on a quarterly basis, that goes to the Department of Labor, called the Labor Exchange Automated Reporting System.

And, then, during the course of the year, he conducts, Benito conducts One-Stop reviews. He does that, again, on an annual basis, and he focuses on One-Stops with a high number of MSFW's. Just, throw those up there for you, just to take a look at it, and you can read those on your own. I just would point out about career guidance. That's when we help farmworkers transition out of agriculture. The minimum service level indicators. [1:06:09]

And the last thing I have on here, was a video. We didn't want to play that because sometimes the system gets hung-up. But that's the URL for it. It's basically a young lady doing a little piece on agriculture and why agriculture is important, so I just encourage you that if you have some time, take a look at it. Just make everyone aware of how important agriculture is in our lives.

ANGIE MARTIN: (Inaudible 1:06:06) Do you want to try to get it going?

PABLO NUÑEZ: Yeah.

ANGIE MARTIN: (Inaudible 1:06:13)

PABLO NUÑEZ: Ok.

ANGIE MARTIN: We're going to see if we can get the video going real quick. If you want to hang around.

[1:09:08] GRAIG PELLMAN: Ok, we're going to give this a shot.

ANGIE MARTIN: Let us know if it echoes back at you though.

Female (video): Agriculturalists it's time for us to stand up. Because, according to Yahoo, Education, agriculture, animal science and horticulture are useless degrees. But if that were true, then could you tell me please, how is it possible for you to roll (Inaudible 1:08:58) 2% milk? What about the warm water you ran for your 20-minute shower, or your chicken nugget lunch fried in soy bean oil? Did you know that 29,000 kids under the age of five died in Somalia because they were hungry? When was the last time you were dying to eat? Now, while you munch on that food for thought, let me give you a little more thought for food.

Let's take it back to 1862. Lincoln signs the Morrill Act and thus land grant universities are born. Agriculture meets education, education meets science, science reaches the common man, and the rest is (Inaudible 1:09:37) we are the history. No longer is the cowboy just a man riding his horse off into the sunset, slinging six-shooters in the wild, wild west. He's off (Inaudible 1:09:45) bent over his workbench, dressed in his white lab coat, beaker in his hands, pouring over solutions for growing wheat in drought-ridden land.

Geneticists, stand up. (Inaudible 1:09:55) engineering wells and the pricing system to bring water to communities that are dying of thirst. Agricultural engineers, stand up. He's also a personal trainer, calculating calories, drafting up diets to combat child obesity. Food scientists, nutritionists, stand up. He's also the quality control specialist designing critical control points to control (Inaudible 1:10:18) me some vegetables so that your food is safe to eat.

Meat scientists, microbiologists, stand up. He's the keeper of the stadium, ensuring that the fight in Texas (Inaudible 1:10:28) green and lush. Agronomists, stand up. He is you. She is me. And together we are the educators, the researchers, the innovators, the businessmen, the humanists. We are the students, stand up. We are the next generation, stand up. We are the advocates, stand up. Farmers (Inaudible 1:10:53), stand up. [1:11:36]

ANGIE MARTIN: Thank you.

[1:12:05] GRAIG PELLMAN: Pablo, I have a question for you. If a local One-Stop is working with Migrant Seasonal Farmworkers, and they see that there's some need in terms of working with these people, and meeting some of their needs, well, how would you recommend that a local One-Stop go about meeting those needs?

PABLO NUÑEZ: Sure. The resource persons would, of course, be persons in particular areas, like say, for example, lives in Region 1. Just to contact some of the outreach staff that would help them coordinate that, and also, Benito. There's also a toll-free number, I can give it to you verbally: 1-800-282-3525. And coordinating that with us, and we could put you in contact with more persons. Okay? Any other questions? Nah? Thank you for listening, and, hopefully, that gives you some food for thought.

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GRAIG PELLMAN: Alright, Pablo, I want to thank you for your presentation. Again, we want to thank everybody for being with us this afternoon. Again, our next webinar will be on Thursday, April 25. Dealing with at-risk youth. Until then, on behalf of the Office of Workforce Development, and our speakers, we hope you have a great weekend.