



Charlie Crist
Governor
Cynthia R. Lorenzo
Director

MEMORANDUM

DATE: August 3, 2010

TO: Regional Workforce Board Executive Directors

FROM: *mls* Lois A. Scott, Program Manager, One-Stop and Program Support

SUBJECT: Revised Migrant and Seasonal Farmworker Program Forms and Wagner-Peyser Complaint System Forms

The following Migrant and Seasonal Farmworker (MSFW) Program and Wagner-Peyser Complaint System forms that have been revised and/or updated:

- MSFW Desk Aid
- Form 511N
- Services to Migrant and Seasonal Farmworker Report Form 1659 with instructions
- One-Stop WP Complaint-System Log
- Log of Apparent Violations – MSFW

Copies of all forms are attached. Please share this memorandum with your local One-Stop Center staff. The new forms should be used immediately. The revised forms will be added to the Agency for Workforce Innovation (AWI) website.

If you have any questions regarding this memorandum, please contact Marisela Ruiz at (850) 921-3207 or via e-mail at marisela.ruiz@flaawi.com.

LAS/omr

Attachments

cc: Kevin Neal
Cliffin Atkinson
Barbara Walker

Agency for Workforce Innovation

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**MIGRANT FARMWORKER, SEASONAL FARMWORKER, MIGRANT FOOD
PROCESSING WORKER
DESK AID**

Each local One-Stop Center employee who processes registrations for agricultural workers should maintain a copy of this desk aid.

In EFM - Has the job seeker worked on a farm or as a migrant/migrant food processor at least 25 days in the past 12 months? If they answer yes, and select at least one of the qualifying categories of MSFWs, you must give the registrant a 511N, explain the significance, and input the date of issue in EFM. You must enter their Type of Work Preferred, the Primary Work Experience and Other Experience or Training in the “Background” screen under the Personal Information section. CROPCODES can be listed on the “Case Notes” screen.

Migrant Seasonal Farmworker is an agricultural worker whose primary work experience has been in farm work in industries within the North American Industry Classification System (NAICS) that include: subsection 111--Crop Production; subsection 112--Animal Production and subsection 115--Support Activities for Agriculture and Forestry; **excluding** 1125-Aquaculture, 1152-Support Activities for Animal Production, and 1153-Support Activities for Forestry, whether alien or citizen who is legally allowed to work in the United States.

Selection of MSFW Category

Seasonal Farmworker shall mean a person who, during the preceding twelve months, worked at least an aggregate of 25 or more days or part of days in which some work was performed in farm work, earned at least half of his/her earned income from farm work, and was not employed in farm work year round by the same employer. For the purposes of this definition only, a farm labor contractor is not considered an employer. Non-migrant individuals who are full-time students are excluded.

Migrant Farmworker is a seasonal farmworker who had to travel to do the farm work so that he/she was unable to return to his/her permanent residence within the same day. Full-time students traveling in organized groups rather than with their families are excluded.

Migrant Food Processing Worker shall mean a person who, during the preceding twelve months, has worked at least an aggregate of 25 or more days or parts of days in which some work was performed in food processing, (as classified in the NAICS under 311611, 311612, 311613, 311615, 311411, and 311421 food processing establishments), earned at least half of his/her earned income from food processing work, and was not employed in food processing year round by the same employer, provided that the food processing required travel such that the worker was unable to return to his/her permanent residence in the same day. Migrant food processing workers who are full-time students but who travel in organized groups rather than with their families are excluded.

MSFW shall mean a migrant farmworker, a migrant food processing worker, or a seasonal farmworker.

Services to Migrant and Seasonal Farm Workers (MSFW) through One-Stop Career Centers

MSFW Outreach Program

The Agency for Workforce Innovation assists Workforce Boards in operating an outreach and employment program for MSFWs. Full-time, year-round, outreach workers conduct outreach activities in order to accomplish the maximum penetration into the farm worker population. Additionally, One-Stop Career Centers utilize other agency staff and volunteer workers to inform farm workers of the services available. The outreach services network is further supported by the State Monitor Advocate, who conducts on-site Quality Assurance visits of Florida's significant One-Stop Career Centers to ensure that an equitable level of services is provided to the farm worker community.

MSFW Outreach Specialists are located at the following One-Stop Career Centers:

- Workforce Plus - Gadsden, 1140 W. Clark Street, Quincy
- Workforce Plant City Career Center, 2001 E. Cherry, Plant City
- Polk Works One-Stop Career Center, 500 E. Lake Howard Dr., Winter Haven
- SunCoast Workforce - Bradenton, 3526 9th Street West, Bradenton
- Highlands One-Stop Career Center, 2730 US Hwy 27 North, Sebring
- St. Lucie County Career Center, 584 NW University Blvd., Suite 300, Port St. Lucie
- West Career Center, 1085 South Main Street, Belle Glade
- Homestead Career Center, 140 NE 8th Street, Homestead
- Immokalee One-Stop Career Center, 750 South 5th Street, Immokalee

Services Provided to MSFWs at any One-Stop Career Center:

The One-Stop can provide a number of employment services, which may be of help to you. In order to receive some of these services you may have to fill out an application. Assistance with completing the application is available. Florida's employment service system can be found online at www.EmployFlorida.com.

No application is needed for:

- Information on the kinds of jobs that are available
- Information about and/or referral to other agencies that may be able to provide services not available through the One-Stop
- Filing a complaint about the One-Stop or a job you have been sent to by the One-Stop
- Information about farm worker rights that are protected by state and federal laws

A short application (partial) is needed to assist in providing:

- An immediate referral to a job, if one is available

A longer application (full) should be completed to enable the One-Stop to provide:

- Employment Testing
- Employment Counseling
- Training opportunities
- Referral to Supportive Services
- Job referral now or at a later date

A longer application will provide us with a more complete summary of your work experience and needs. It will help us search for more services for which you may qualify and continue looking for job opportunities for you after you leave the office.

*** If you feel that your rights as a farm worker have been violated by an employer, call the Florida Farm Worker Helpline at 1-800-633-3572.**

Sèvis pou Emigre ak Ouvriye Agrikòl Sezonye yo (MSFW) a travè Sant Karyè *One-Stop* yo

Pwogram MSFW pou Ede Moun Jwenn Travay

Ajans pou Inovasyon Mendèv la (The Agency for Workforce Innovation) ede Konsèy Administrasyon Inovasyon Mendèv nan operasyon yon pwogram pou ede moun jwenn travay ak yon pwogram travay pou Émigré ak Ouvriye Agrikòl Sezonye yo (MSFW)yo. A tan plen, pandan tout ane a, moun ke travay yo se chèche travay pou moun ap mennen aktivite pou yo kapab foure kò yo fon otan posib nan popilasyon ouvriye agrikòl yo. An plis, Sant Karyè *One-Stop* yo itilize estaf lòt ajans ak volontè pou bay travayè agrikòl yo enfòmasyon sou sèvis ki disponib yo. Epitou rezo sèvis sa jwenn sipò Defansè Siveyan Eta a ki ale nan lokal travay yo menm pou tcheke Kalite ki ekziste nan lokal travay yo vizite Sant Karyè Enpòtan *One-Stop* ki nan Florida yo pou asire yo ke kominote agrikòl la jwenn bon jan sèvis pou tout moun egal ego.

Espesyalis Pwogram MSFW sitiye nan Sant Karyè *One-Stop* sa yo:

- Workforce Plus - Gadsden, 1140 W. Clark Street, Quincy
- Workforce Plant City Career Center, 2001 E. Cherry, Plant City
- Polk Works One-Stop Career Center, 500 E. Lake Howard Dr., Winter Haven
- Suncoast Workforce - Bradenton, 3526 9th Street West, Bradenton
- Highlands One-Stop Career Center, 2730 US Hwy 27 North, Sebring
- St. Lucie County Career Center, 584 NW University Blvd., Suite 300, Port St. Lucie
- West Career Center, 1085 South Main Street, Belle Glade
- Homestead Career Center, 140 NE 8th Street, Homestead
- Immokalee One-Stop Career Center, 750 South 5th Street, Immokalee

Men Sèvis moun MSFW yo kapab jwenn nan nenpòt Sant Karyè *One-Stop* :

One-Stop kapab founi yon kantite sèvis pou travay, ki kapab bon pou wou. Pou w resevwa kèk nan sèvis sa yo ou k ab oblije ranpli yon aplikasyon. Gen asistans ki disponib pou ede w ranpli aplikasyon an. Nou kapab jwenn sistèm sèvis anlwa Florida la sou entènèt nan www.employflorida.com.

Nou pa bezwen aplikasyon pou:

- Enfòmasyon sou ki kalite djòb ki disponib
- Enfòmasyon konsènan yon/oswa referans ba yon lòt ajans ki kab an mezi ede bay sèvis ki pa disponib nan *One-Stop*
- Pote yon plent kont *One-Stop* oswa yon djòb kote *One-Stop* te voye w
- Enfòmasyon konsènan dwa travayè agrikòl lwa eta a ak lwa federal pwoteje

Yon ti aplikasyon tou kout (pasyèl) nesèsè pou asistans avèk:

- Yon referans imedya pou yon travay, si gen youn ki disponib

Nou ta dwe ranpli yon aplikasyon ki pi long (konplè) pou pèmèt *One-Stop* founi:

- Tès Travay
- Konsiltasyon travay
- Opòtinite fòmasyon
- Referans pou Sèvis Sipò yo
- Referans travay pou kounye a oswa pou yon lòt dat pita

Yon aplikasyon ki pi long va ba nou yon rezime ki pi konplè de tout eksperyans travay ou ak bezwen w yo. Li va pèmèt nou chèche plis sèvis ke ou kapab kalifye pou yo ak kontinye chèche opòtinite travay pou wou lè w kite biwo a.

*** Si w santi ke ke yon anlwayè vyole dwa w kòm yon travayè agrikòl , rele nan nimewo telefòn ki la pou ede a travè agrikòl ki nan Florida, nan 1-800-633-3572.**

Servicios para Trabajadores Agrícolas Migrantes y Temporales (MSFW) a través de los Centros de Empleo *One-Stop*

Programa de Difusión para MSFW

La Agencia de Innovación para los Trabajadores (*Agency for Workforce Innovation*) asiste a los Comités de Trabajadores en la administración de un programa de difusión y empleo para los MSFW. El personal de difusión realiza actividades a tiempo completo durante todo el año para lograr la máxima penetración en la población de trabajadores agrícolas. Asimismo, los centros de empleo *One-Stop* se valen de otros empleados de la agencia y de voluntarios para informar a los trabajadores agrícolas sobre los servicios a su disposición. La red de servicios de difusión también cuenta con el respaldo del Consejero(a) de Monitoría Estatal (*State Monitor Advocate*), quien realiza visitas presenciales de aseguramiento de la calidad a los centros de empleo *One-Stop* para asegurar que se ofrezca un nivel equitativo de servicios a la comunidad de trabajadores agrícolas.

Encontrará especialistas en difusión para los MSFW a su disposición en los siguientes centros de empleo *One-Stop*:

- Workforce Plus - Gadsden, 1140 W. Clark Street, Quincy
- Workforce Plant City Career Center, 2001 E. Cherry, Plant City
- Polk Works *One-Stop* Career Center, 500 E. Lake Howard Dr., Winter Haven
- Suncoast Workforce - Bradenton, 3526 9th Street West, Bradenton
- Highlands *One-Stop* Career Center, 2730 US Hwy 27 North, Sebring
- St. Lucie County Career Center, 584 NW University Blvd., Suite 300, Port St. Lucie
- West Career Center, 1085 South Main Street, Belle Glade
- Homestead Career Center, 140 NE 8th Street, Homestead
- Immokalee *One-Stop* Career Center, 750 South 5th Street, Immokalee

Servicios provistos a los MSFW en todos los centros de empleo *One-Stop*:

El centro *One-Stop* puede ofrecerle una variedad de servicios de empleo útiles para usted. Es posible que deba completar una solicitud para recibir algunos de estos servicios. Se encuentra a su disposición asistencia para completar la solicitud. El sistema de servicio de empleo de Florida se encuentra en línea a través de www.EmployFlorida.com.

No es necesario presentar una solicitud para:

- Recibir información sobre las clases de trabajos disponibles
- Recibir información y/o referencias a otras agencias que posiblemente puedan ofrecer servicios que no se encuentran disponibles a través de los centros *One-Stop*
- Presentar una queja sobre un centro *One-Stop* o un empleo para el que lo recomendaron a través del centro *One-Stop*
- Información sobre los derechos de los trabajadores agrícolas protegidos por leyes estatales y federales

Se necesita una solicitud breve (parcial) para brindar asistencia para la provisión de:

- Una recomendación inmediata para un trabajo, de estar disponible

Debe completarse una solicitud más extensa (completa) para que el centro *One-Stop* pueda ofrecer:

- Análisis de empleo
- Asesoramiento sobre empleo
- Oportunidades de entrenamiento para el empleo
- Referencias a servicios de apoyo
- Recomendación para un trabajo en el momento o posteriormente

Una solicitud más extensa nos ofrecerá un resumen más completo de su experiencia laboral y sus necesidades. Nos permitirá encontrar más servicios para los que posiblemente reúna los requisitos y continuar buscando oportunidades de trabajo para usted después de que se vaya de la oficina.

*** Si cree que un empleador ha violado sus derechos de trabajador agrícola, llame a la Línea de Ayuda para Trabajadores Agrícolas de Florida al 1-800-633-3572.**

ONE-STOP WP COMPLAINT-SYSTEM LOG

Local One-Stop Center _____ Quarter Ending _____

NO.	COMPLAINANT	RESPONDENT	Date Filed	MSFW	Non-Employment Service Related	WP RELATED					REFERRED				DATE PENDING					DATE RESOLVED					Appeal to USDOL RA	ACTION TAKEN			
						Against One-Stop	Against Employer	WP Adm. Regulation	Employment Law	H - 2A	ESA	OSHA	USDOL Region IV	Other	In Process Local	Information Request Local	In Process State	Information Request State	Hearing	Enforcement Decision	Local Level	State Level	Hearing Level	Enforcement Agency			Fail to Elevate	Fail to Respond	

LOG OF APPARENT VIOLATIONS – MSFW

One-Stop Career Center

Month Ending

NO.	EMPLOYER, CONTRACTOR, OR INDIVIDUAL	REFERRAL DATE	SOURCE			TYPE OF VIOLATION							REFERRED						ENFORCEMENT AGENCY DECISION			
			Field Check	Outreach	Other	Child Labor	Housing	Minimum Wage	MSPA	State Certification	H - 2A	Other	WP-Related	Informal Resolution	OSHA	ESA	USDOL Region IV	Other	Violation	No Violation	Initiating Discontinuation of Services	

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