

**E. Agricultural Outreach Plan (AOP). Each State agency must develop an AOP every four years as part of the Unified or Combined State Plan required under sections 102 or 103 of WIOA. The AOP must include--**

**1. Assessment of Need**

**Provide an assessment of the unique needs of farmworkers in the area based on past and projected agricultural and farmworker activity in the State. Such needs may include but are not limited to: employment, training, and housing.**

**California's Agricultural Outreach Plan (Ag Plan) sets policies and objectives in providing Wagner-Peyser (W-P) services to the agricultural community, specifically Migrant and Seasonal Farm Workers (MSFWs). The EDD provides these services through California's America's Job Center of California<sup>SM</sup> (AJCC) locations. The EDD ensures that MSFWs receive the full range of employment, training, and educational services on a basis which is qualitatively equivalent and quantitatively proportionate to services provided to non-MSFWs. This Ag Plan is submitted in accordance with the regulations at 20 CFR 653.107(d) to include:**

**1. Assessment of the unique needs of MSFWs in the area based on past and projected agricultural and MSFW activity in the State;**

**2. Assessment of available resources for outreach;**

**3. Proposed outreach and planned activities including strategies on how to contact MSFWs, activities planned for providing the full range of employment, and training services to the agricultural community;**

**4. Compliance assurance with requirements under 20 CFR 653.111 for significant MSFW one-stop centers;**

**a. An assessment of the agricultural activity in the State means: 1) identifying the top five labor-intensive crops, the months of heavy activity, and the geographic area of prime activity; 2) Summarize the agricultural employers' needs in the State (i.e. are they predominantly hiring local or foreign workers, are they expressing that there is a scarcity in the agricultural workforce); and 3) Identifying any economic, natural, or other factors that are affecting agriculture in the State or any projected factors that will affect agriculture in the State.**

**Value of Agricultural Production**

Based on the most current data available, the value of total agricultural production in California, crop and livestock production combined, totaled \$50.9 billion in 2013. This

ranked California as the nation's largest agricultural producer in 2013, outpacing Iowa (\$30.6 billion) and Nebraska (\$23.1 billion). California alone accounted for about one-eighth (12.6 percent) of the national agricultural production. California was far and away the nation's leader in crop production in 2013, with crops produced valued at \$38.1 billion. The State accounted for 17.3 percent of the value of total U.S. crop production. In contrast, Iowa and Illinois were the second and third largest crop producing states in 2013, combining for

14 percent of total U.S. crop production. California's livestock production was valued at \$12.8 billion in 2013, third highest among all states after Texas and Iowa.

California's agricultural production increased in value by \$3.9 billion (8.4 percent) from 2012 to 2013. Crop production in California increased \$3.3 billion (9.5 percent) in value over the year, while livestock dropped \$0.6 billion (5.2 percent). Over the two-year period from 2011 through 2013, California's agricultural production rose in value by \$7.7 billion (17.7 percent). Crop production increased by \$7 billion (22.7 percent) and livestock production grew by \$0.6 billion (5.2 percent) over the two-year period.

In 2013, crop production accounted for nearly three-quarters (74.8 percent) of total agricultural production in California. By commodity group, fruit and nut products were valued at \$20.8 billion in 2013, comprising over two-fifths (40.8 percent) of the total value of the state's agricultural products and more than half (54.6 percent) of the value of the crops produced in the state. Vegetables and melons were valued at \$7.8 billion, accounting for over one-fifth (20.6 percent) of the value of crops produced in California. All other crops which include sugar beets, mint, floriculture, mushrooms, and miscellaneous crops were valued at \$6.1 billion accounting for 15.9 percent of crops produced in the state in 2013.

Livestock and livestock products made up a little over one-quarter (25.2 percent) of the total value of California's agricultural production in 2013. Dairy products including milk were valued at \$7.6 billion, comprising almost three-fifths (59.4 percent) of total value of California's livestock products. Hooved-livestock produced for meat and poultry and egg products were valued at \$3.1 and \$1.6 billion, respectively in 2013.

On an individual commodity basis, milk and cream (dairy products) was California's most valuable commodity in 2013, with cash receipts totaling \$7.6 billion. Shelled almonds and grapes were California's second and third most valuable commodities, with cash receipts totaling \$5.8 billion and \$5.6 billion, respectively. The cash receipts of nine other California commodities exceeded \$1 billion in 2013: cattle and calves, berries, walnuts, lettuce, hay, tomatoes, nursery, flowers and foliage, nursery products, strawberries, hay, lettuce, walnuts, tomatoes and pistachios. Twelve of California's 20 most valuable commodities in 2013 increased in value from the prior year.

On a cash receipt basis, California produced all of the nation's almonds, walnuts, pistachios, olives, artichokes, dates, kiwifruit and figs in 2013. Fourteen additional California commodities comprised more than four-fifths (80 percent) of national cash receipts: garlic, plums and prunes, cotton lint, celery, broccoli, nectarines, lemons, avocados, grapes, tangerines, cauliflower, strawberries, apricots, and carrots. Raspberries accounted for more than three-quarters (79.5 percent) of national cash receipts. Accounting for more than half was honeydews, beans, lettuce, cantaloupes, spinach, tomatoes, peppers, asparagus, safflower, and peaches.

The estimated value of California's exported agricultural products totaled \$22.9 billion in 2013. California's exports comprised over one-seventh (15.9 percent) of total U.S. agricultural exports in 2013. California was the nation's top agricultural exporter in 2013, with exports more than twice of those of Iowa which was the second leading exporter.

From 2012 to 2013, California's agricultural exports increased by \$3.8 billion (19.7 percent). California's agricultural exports grew in value even as the nonfarm economy continues to recover from the 2008 recession. California's agricultural exports have increased \$9.7 billion (74 percent) from 2008 through 2013. Tree nuts were California's most valuable export crop in 2013 with an estimated value of \$7.2 billion, followed by fresh fruits (\$2.9 billion), processed fruits (\$2.6 billion), processed vegetables (\$1.8 billion) and other plant products which include sweeteners and products, other horticultural products, planting seeds, cocoa, coffee, and other processed foods (\$3.5 billion).

Tulare was the largest agriculture producing county in both California and the nation in 2013, with agricultural production valued at \$7.3 billion. The value of agricultural production exceeded \$4 billion each in Kern, Fresno, and Monterey counties and exceeded \$2 billion each in Merced, Stanislaus, San Joaquin, Kings, Imperial, and Ventura Counties. A total of 14 California counties each produced agricultural products valued at more than \$1 billion in 2013.

The value of agricultural production increased from 2012 to 2013 in 19 of California's 20 largest agricultural counties. Among the top ten leading counties that experienced over-the-year percent increases in the value of its agricultural production, Tulare County (18.3 percent) experienced the largest increase followed by Merced (15.8 percent), Stanislaus (12.2 percent), and Santa Barbara (11.3 percent) Counties. Fresno (down 2.3 percent) was the only county among the top 14 agricultural counties in California to lose value over the year in 2013.

### **The Top Five Labor Intensive Crops and Use of the H-2A Program**

The five most labor-intensive crops in California are strawberries, which involve at least 50,000 workers, raisin and table grapes, approximately 40,000 workers, lettuce, approximately 30,000 workers, and melons, approximately 20,000 workers.

The reported shortage of farm workers in California has impacted the H-2A Program. The use of the H-2A Program by California employers has increased dramatically over the last 4 years. During FFY 2015, California agricultural employers employed nearly 9,000 H-2A guest workers. The DOL has certified nearly 6,000 H-2A workers in just the second quarter of FFY 2016, and by the end of the year we expect to surpass the figures from last year. In comparison, the number of H-2A workers employed in California during FFY 2012 was 3,000. Most of this increase has been concentrated in the Central and Southern coastal areas. The counties of Santa Barbara and Monterey have seen the largest increases of H-2A workers related to the harvesting of strawberries and lettuce.

### **Agricultural Employment in California**

Employment in agriculture is inherently difficult to estimate because agricultural production, and in particular crop production, is characterized by seasonal spikes in the demand for farm labor, some of which are often of short duration. For example, most crops must be planted at certain times of the year, weeded and pruned, and perhaps most importantly harvested and prepared for market as they ripen. As a result, California agriculture-based employers have traditionally employed large numbers of seasonal, and often migrant farm workers who move from farm to farm and region to region. However, official estimates of agricultural employment are derived from a survey of agricultural establishments that participate in the unemployment insurance system and are thus more likely to count more permanent farm workers than MSFWs.

According to official estimates from the California Employment Development Department (EDD), payrolls in California's farm sector totaled 411,500 jobs in 2013. Farm jobs made up just 2.3 percent of California's total industry employment in 2013.

On an annual average basis, California farm payrolls increased by 12,400 jobs (3.1 percent) from 2012 to 2013, and by 9,600 jobs (2.5 percent) from 2011 to 2012. Total farm employment has been remarkably stable over the last decade amidst year-to-year variability. From 2003 through 2013, annual average total farm employment in California grew by 36,400 jobs (9.7 percent), an average of 3,640 jobs per year. California agricultural employment estimates are broken out into six regions: Central Coast, Desert, North Coast, Sacramento Valley, San Joaquin Valley and South Coast.

Over half (50.7 percent) of California's agricultural jobs were in the San Joaquin Valley Region in 2013. Employers in the South Coast and Central Coast regions accounted for about one-third (33.2 percent) of the state's agricultural jobs. Individually, the South Coast and Central Coast Regions accounted for 16.9 and 16.3 percent of total agricultural employment, respectively. California's remaining agricultural jobs were distributed across the smaller Sacramento Valley, Desert and North Coast Regions, each of which accounted for less than 7 percent of the state's agricultural jobs. By a very large margin, farmers, ranchers, and other agricultural managers, with a mean annual wage of \$94,336, earned the highest wages in agriculture. This occupational

group comprised of just 0.2 percent of overall agricultural employment in May 2013. The next highest paying agricultural occupations were: farm labor contractors (\$51,506), agricultural inspectors (\$49,089); first-line supervisors or managers of farming, fishing and forestry workers (\$43,382); and animal breeders (\$43,230). As a group, the five highest paying agricultural occupations comprised of just 2 percent of total estimated agricultural employment in May 2013.

Most California farm workers earn low wages. The median annual wage in the three largest agricultural occupational groups, in terms of employment, was less than \$19,000 in the first quarter of 2014: farming, fishing, and forestry occupations (\$18,862); graders and sorters of agricultural products (\$18,802) and crop, nursery, and greenhouse farm workers and laborers (\$18,731). According to OES employment estimates, these three occupational groups comprised of 95.7 percent of total agricultural employment in May 2013. Wage inequality in the Agricultural sector is prevalent, and the majority of the workers, primarily farm workers continue to work and live on poverty wages, making accessing services the critical vehicle to long-term survival for their families.

### **Effect of Drought on California's Agricultural Employment**

In 2015, California entered the fourth year of drought, with 41 percent of the state considered to be in a status of "exceptional drought." California has 8 million irrigated acres of which 430,000 were fallowed in 2014 and 560,000 in 2015. It is inherently difficult to predict the effects of a drought on agricultural employment because they differ according to the length and severity of the drought, the response or coping measures agricultural employers take to mitigate the effects of a drought, and the effectiveness of water management strategies and policies of public agencies and government entities.

Agricultural employment losses often are less than expected during droughts because many farmers shift production to less water intensive crops, adopt more water efficient irrigation techniques, and rely on groundwater to compensate for water shortages. Water allocation and re-allocation efforts may also help mitigate the effects of the drought. Agricultural employers may also reduce the number of hours worked but not the overall number of jobs.

Commodity price fluctuations may alter the level of agricultural employment, as increases can at least partially offset any increased production costs related to the drought. If commodity prices drop, the rising cost of production may eliminate any incentive to continue seasonal activities. This is often seen to have the greatest effect in ranching and livestock farming during a drought.

A recent study completed by U.C. Davis Center for Watershed Sciences in 2015 suggests that California's resilience to surface water shortages is likely to continue through 2015. The ability to irrigate permanent crops with groundwater or marketed water will largely prevent the sector from more expensive fallowing of higher-valued crops and permanent crops. It is estimated that the drought in 2015 may result in the

following of 560,000 irrigated acres, almost all (99.5 percent) in the Central Valley. Increased prices for some crop groups will add to the total revenues in areas less affected by drought and with access to groundwater, especially in the central and south coast regions.

An EDD analysis of third quarter 2014 Quarterly Census of Employment and Wages (QCEW) showed that California gained 3,100 agricultural jobs from the third quarter of 2013 through the third quarter of 2014 despite the severe drought. Although the statewide data showed no sign of direct job losses due to drought, they strongly suggested that California did not experience the agricultural job growth that recent history suggests would have occurred had there been no drought. These estimates of agricultural job growth foregone totaled 5,000 to 6,000 jobs in 2014, with the losses concentrated in the lower San Joaquin Valley. Applying the two workers to every officially reported job ratio implies that 10,000 to 12,000 California agricultural workers were adversely affected by drought in 2014. The effects of California's drought are expected to intensify the longer it persists.

**b. An assessment of the unique needs of farmworkers means summarizing Migrant and Seasonal Farm Worker (MSFW) characteristics (including if they are predominantly from certain countries, what language(s) they speak, the approximate number of MSFWs in the State during peak season and during low season, and whether they tend to be migrant, seasonal, or year-round farmworkers). This information must take into account data supplied by WIOA Section 167 National Farmworker Jobs Program (NFJP) grantees, other MSFW organizations, employer organizations, and State and/or Federal agency data sources such as the U.S. Department of Agriculture and the U.S. Department of Labor (DOL) Employment and Training Administration.**

The official estimates of agricultural employment in this report are derived from agricultural labor data that the EDD, in collaboration with the U.S. Department of Agriculture (USDA), compiles from monthly surveys of farm owner–operators in California. Agricultural employers who participate in the survey report the number of jobs filled by all workers in their establishments during the survey's reference week. However, given the crop cycle, demand for farm workers tend to be highly seasonal, with peak periods of demand often lasting for periods of short duration. As a result, high job turnover and worker mobility are distinguishing features of the agricultural labor market. While survey–based official employment estimates count permanent farm jobs and any jobs filled by MSFWs identified by employers as working during the survey's reporting week [1], they do not necessarily count positions that are filled by MSFWs at other times of the month. Moreover, an analysis of public use data from the U.S. Department of Labor's 2011–12 National Agricultural Workers Survey (NAWS)[2] indicated that 61.1 percent of California farm workers were undocumented, many of whom were employed under informal work arrangements. As a result, it is believed that

official estimates of agricultural jobs understate the actual number of individuals in California's agricultural workforce. This is particularly true of MSFWs.

This report provides a best estimate of the number of MSFWs in California in 2014 since data unavailability and limitations preclude making a precise estimate. This best estimate relies on official 2014 agricultural employment estimates, a 2015 University of California, Davis study, "California Farm Labor: Jobs and Workers"[3], that estimated the actual number of farmworkers in 2012 to calculate a ratio of actual farm workers to farm jobs, and data from the 2011–12 NAWS survey to estimate the number of MSFWs. Given a lack of alternative or more up-to-date data, this report assumes that the observed relationship between the number of jobs and numbers of farm workers in 2012 has been constant, or little changed, over the last three years.

Total agricultural employment in California varied within a narrow range of 17,500 jobs from 2002 through 2010, with a low of 371,800 jobs in 2009 and a high of 389,300 jobs in 2008, but showing little discernable growth trend overall. However, agricultural payrolls grew from 382,800 jobs in 2010 to 417,200 jobs in 2014, growing in each year, and by a total of 34,400 jobs (9 percent) over the four-year period.

**[1] The survey reference week is always the week that includes the 12th of the month.**

**[2] The 2011–12 public use NAWS data are available from the U.S. DOL Website at: <http://www.doleta.gov/agworker/naws.cfm>.**

**[3] Hooker, B., P.I. Martin, and A. Wong. "California Farm Labor: Jobs and Workers." *ARE Update* 18(6): 5–8. University of California Gianni Foundation of Agricultural Economics. February 2015.**

Employment in crop production also has risen in recent years, although there have been changes in the pattern of hiring. The number of crop production jobs, which are primarily reported by growers, totaled 176,300 jobs in 2014. Although this was 6,100 jobs (3.6 percent) more than in 2010, it was consistent with employment levels since 2004. The number of crop production jobs from 2004 through 2014 varied from a low of 169,800 jobs in 2009 to a high of 179,300 jobs in 2004. In contrast, employment by farm labor contractors (FLCs), who supply crop workers to farms, grew in eight of the 10 years from 2004 through 2014, and by a total of 37,100 jobs (35.7 percent) over the 10-year period. The number of FLC-supplied jobs rose by 20,300 jobs (16.8 percent) from 2010 through 2014. Although there has been a shift in crop production work to FLCs over the last decade, the share of crop production and FLC jobs combined in overall agricultural employment has remained quite stable. Crop production and FLCs accounted for 77.3 and 76.7 percent of California's total agricultural employment in 2004 and 2014, respectively.

The “California Farm Labor: Jobs and Workers” study referenced earlier estimated the number of farm workers in California in 2007 and 2012 based on an analysis of the comprehensive wage and employment records that are maintained by EDD. The study used social security numbers to identify and count the number of workers in agricultural establishments as coded under the North American Industry Classification System (NAICS). The study found that agricultural employers reported 780,439 unique social security numbers in 2007 and 802,622 in 2012. In contrast, official estimates of agricultural employment totaled 381,858 jobs in 2007 and 395,392 jobs in 2012, suggesting that there were an average of two workers for each officially reported job in agriculture in both 2007 and 2012. It is assumed that this same ration held true in 2014.

An analysis of NAWS data shows that there was a sharp decrease in the share of seasonal and migrant workers among California crop workers in recent years. According to the NAWS, 58.0 percent of California crop workers were seasonal in 2006–07 and 22.9 percent were migrants. By 2011–12, the share of seasonal and migrant crop workers had fallen to 37.0 and 7.7 percent, respectively. These 2011–12 shares are used to estimate the number of MSFWs in 2014. .

Assuming that most MSFWs are primarily crop workers employed by growers and FLCs, the estimate of the number of MSFWs in California in 2014 was calculated as follows:

- In 2014, crop production and FLC payrolls totaled 176,300 and 141,100 jobs, respectively, for a total of 317,400 jobs in the crop production. Assuming that there were two farm workers for every officially estimated job, this implies that there were 634,800 crop workers in California in 2014.

Analysis of the 2011–12 NAWS public use data indicated that 54 percent of California farm workers reported that they worked for their employer on a year–round basis, 37 percent reported they worked on a seasonal basis, and 9 percent reported that they did not know. Assuming that this same ratio of year–round to seasonal workers applies to the “don’t know” category results in an estimate that 40.3 percent California’s agricultural crop workers were seasonal workers in 2011–2012.

- The 2011–12 NAWS public use data also indicated that 7.7 percent of crop farm workers in California were migrants.[1] Applying the NAWS–derived estimated shares of crop workers who were seasonal and migrant to the estimated number of crop workers in 2014, yields an estimate that there were approximately 259,900 seasonal farm workers in California in 2014, of whom 20,100 were migrant workers.

Barring significant changes to national immigration policies, the estimated numbers of MSFWs in California are expected to remain near these same levels over the next two years.

This plan also considers the fact that the number of newly work–authorized immigrant workers is likely to increase dramatically in California if the courts allow the federal

administration's Deferred Action for Parents of Americans and Lawful Permanent Residents (DAPA) and expansion of other related efforts already in place, to take effect. The EDD plans to coordinate its efforts with the new One California program which is designed to assist applicants that meet the requirements for these federal initiatives, in order to provide them WIOA funded services where appropriate. EDD is also expanding its collaboration by actively engaging other agencies/departments (e.g., Migrant Education) that serve farmworkers, to better target community engagement.

Here are a few facts about California farmworkers:

- A majority of farmworkers are foreign born, primarily coming from Mexico
- Most farmworkers are men
- Most are Limited English Proficient
- According to a national survey in 2012, the average level of completed education for a farmworker was the 8th grade
- According to NAWS Survey Reports for 2007–2009, 23% of farmworker families had total income levels below the national poverty guidelines.
- Most are undocumented and as a result uninsured because of ineligibility for many public programs [HJ1]
- According to a 2010 report, there are about 120,000 indigenous Mexican farmworkers in California

**[1] The NAWS defines a migrant farm worker as one who travels more than 75 miles to obtain a job in U.S. agriculture.**

**[HJ1]Source: National Center for Farmworker Health, "Facts About Farmworkers," 2012.**

- A 2010 Indigenous Farmworker Study found 23 different indigenous languages spoken in California agriculture, representing 13 different Mexican states. [HJ2]

Given the socio-economic obstacles farmworkers face, reaching and supporting the barriers they face to accessing services becomes critical. The states goal is to reach farmworkers where they live, work or gather; and as much as possible provide them entry into the gateway system with the necessary support to put them on a path towards success.

Our California NFJP partners regularly share data they collected regarding the needs and presence of MSFWs in this State. This information was particularly useful in collaborating with them to provide Drought Emergency related assistance using both federal and state funding.

## 2. Outreach Activities

The local offices outreach activities must be designed to meet the needs of MSFWs in the State and to locate and contact MSFWs who are not being reached through normal intake activities. Describe the State agency's proposed strategies for:

The EDD operates an MSFW Outreach Program consisting of 28 primary and 29 alternate Outreach Workers (OWs) located in AJCCs throughout the State. The OWs provide MSFWs with information on the services and resources available at local AJCCs, Community Based Organizations (CBOs), and other state and federal agencies serving MSFWs in the area.

The OWs spend 85 percent of their time in outreach activities contacting MSFWs where they live, work, or gather. Typically, MSFWs live in economically depressed locations in the outskirts of cities or in farm homes. Often the infrastructure in farmworker housing is inadequate, recently in communities such as Porterville, local wells have gone dry because of the drought, causing farmworker communities additional distress. Thus, farmworkers and the isolation and conditions in which they live are in and of themselves barriers to accessing services, be they social services, community resources, training etc.

Thus, the work of the MSFW is normally performed outdoors in remote areas in varied weather conditions, around pesticides, and machinery. The OWs are frequently required to drive on dirt roads off main highways often impacted by extreme weather conditions or by irrigated farm fields requiring the use of 4-wheel drive vehicles.

A. Contacting farmworkers who are not being reached by the normal intake activities conducted by the employment service offices.

**[HJ2]Source: Indigenous Mexicans in California Agriculture,**

**<http://indigenousfarmworkers.org/demographics.shtml>**

Acknowledging that many farmworkers live in remote and often isolated areas, the existing language barriers, and historically the lack of adequate infrastructure in agricultural communities including adequate housing facilities, transportation etc., the OWs are strategic in how they reach farmworkers, a few strategies include:

- Utilizing local networks of existing relationships to state, community and local partners that provide services to farmworkers, will identify community events and have presence to share information and educate MSFWs about resources available to them.
- Statewide, the EDD promotes local coordination with partner departments to compliment efforts on the ground reaching MSFW populations.
- Strategic and regular collaboration with local non-profit and advocacy organizations occurs statewide and on the ground to ensure that we are reaching the MSFW population in the best manner, and adequately addressing their needs.

- As described above, the EDD OWs will deliver and engage MSFWs in a manner that is culturally and linguistically appropriate to meet their needs, and where necessary, this will be a component of the professional development opportunities for OWs.

B. Providing technical assistance to outreach workers. Technical assistance must include trainings, conferences, additional resources, and increased collaboration with other organizations on topics such as one-stop center services (i.e. availability of referrals to training, supportive services, and career services, as well as specific employment opportunities), the employment service complaint system, information on the other organizations serving MSFWs in the area, and a basic summary of farmworker rights, including their rights with respect to the terms and conditions of employment.

The EDD uses all of the methods referenced in this section to increase the capacity of its Outreach Worker staff. Additionally, the EDD hosts MSFW Outreach Quarterly Conference Calls (QCC) that provide an open forum for representatives from EDD, partners, and CBOs to discuss the delivery of services, training programs, and technical support to better serve MSFWs. Participants at these forums are able to share best practices, discuss the goals for the upcoming quarter, and promote partnerships with state agencies and CBOs. The MAO and WSB's Agricultural Services Unit use this valuable feedback to update and enhance EDD's policies and procedures affecting MSFWs. Keynote speakers are invited to provide information and educational material at each MSFW Outreach QCC forum. Below are examples of the topics discussed at these training sessions:

- The California Department of Pesticide Regulation provided training on pesticide safety. The Agricultural Service Unit and MAO provided new CalJOBS guidance and training for Workforce Services staff and management. The training focused on the MSFW Outreach Program, the use of CalJOBS relating to the MSFW Outreach Program, and the Migrant Indicator of Compliance report.

- The Equal Employment Opportunity Commission provided a presentation on how to prevent and identify human trafficking. The Disability Insurance Branch provided an overview of the Paid Family Leave and State Disability Insurance programs.

- The U.S. Department of Labor's (DOL) Wage and Hour Division presented training and coordinated efforts on complaint referrals. The California Rural Legal Assistance presented information on legal services available to MSFWs.

C. Increasing outreach worker training and awareness across core programs including the Unemployment Insurance (UI) program and the training on identification of UI eligibility issues.

The EDD has continued its efforts to increase outreach workers' awareness of core programs by doing the following:

- Provided training on core programs, including California Training Benefits, Unemployment Insurance (UI), Trade Adjustment Assistance, Veteran's programs, and Youth and Dislocated Worker programs.

- Developed and provided two hour training on the UI program. The training included UI claim filing eligibility basics, UI claim management, maneuvering UI's public facing computer system, and understanding notices sent to claimants. The UI programs. The UI training also included seek work requirements and the results of non-compliance.

D. Providing State merit staff outreach workers professional development activities to ensure they are able to provide high quality services to both jobseekers and employers.

The State will use professional development activities that increase cultural and linguistic related competencies for OW staff to ensure that they are able to provide high quality services to both job seekers and employers. These training activities will enable staff to assist MSFW job seekers with knowing and improving their skills, obtaining the best job possible, and progressing in a Career Pathway. Furthermore, these training activities will provide employers with access to qualified candidates and strengthen their businesses. Staff will be provided with the required information about core programs including Unemployment Insurance, and hear a consistent message regarding expected levels of performance, service delivery and service quality. These professional development opportunities will be provided throughout the State to promote consistency. The delivery methods of these trainings will include, but will not be limited to, workshops, seminars, on-the-job training, and web based technology.

Local (WSB) AJCC managers provide on-going training and development for staff regarding WSB employment services through its core curriculum regarding serving the public and marketing of EDD services. There is also training and community vendor services available to MSFWs and employers to better support outreach worker responsibilities in the field. The Monitor Advocate Office assists in providing technical support and guidance to support local area managers and outreach staff on state and federal regulations pertaining to MSFW outreach and the JS Complaint system. The length of training varies between 1 day to three weeks, depending on the content and staff development needs. Some training may be shorter in duration and self-paced when taken online.

#### **E. Coordinating outreach efforts with NFJP grantees as well as with public and private community service agencies and MSFW groups.**

Other outreach efforts include partnering with La Cooperativa Campesina de California (La Cooperativa), a statewide association of service providers operating WIOA Title I Section 167 and Community Services Block Grant MSFW service programs. La Cooperativa's Board of Directors consists of representatives from its member agencies which include the Center for Employment Training, California Human Development Corporation, Central Valley Opportunity Center, Employer's Training Resource, and Proteus, Inc. La Cooperativa's member agencies currently operate 66 service centers

throughout 35 California counties, offering a wide range of self-sufficiency and training services to rural, low income, largely Latino populations. The services include workforce development under WIOA Title I Section 167, affordable housing, home weatherization and energy efficiency, treatment and recovery from addiction, health outreach, immigration and other services. These providers serve more than 100,000 MSFWs in 35 agricultural counties and maintain outreach links with AJCCs. They will work to become strategic local partners (required under WIOA) that help inform local boards on farmworker and low-income population needs and will through local plans jointly plan to help ensure the best service delivery to these underserved population.

Because the services offered by La Cooperativa's members focus on increasing self-sufficiency and protecting farm workers in local communities in which they live, and with partners whom are trusted in communities, they are able to achieve much higher rates of participation by this traditionally hard-to-reach population.

The EDD will continue to pursue and promote more collaborative co-enrollment policies between WIOA Title I Section 167 providers and other WIOA funded programs that will assist the WIOA Title I Section 167 network provide their mutual farmworker customers with an enhanced and accessible range of services. This effort will be augmented by the mutual use of the State's CalJOBS<sup>SM</sup> system.

La Cooperativa is also an ongoing recipient of WIOA 25 Percent Dislocated Worker funding with a current grant to serve over 1,000 dislocated MSFWs with a comprehensive program of core, intensive training services designed to place them into full-time, non-seasonal employment or upgraded agricultural employment. This comprehensive program is being implemented in coordination with the WIOA Title I Section 167 providers and AJCCs.

The EDD and La Cooperativa also collaborate on a public information and awareness campaign designed to assist MSFWs with workforce and labor market information, social service information, and current job openings. As part of this campaign, La Cooperativa publishes 12 issues of *La Voz del Campo* (The Voice of the Fields) newsletter annually including an e-publication that is distributed to agencies that work directly with MSFWs. *La Voz del Campo* is a newsletter written in English and Spanish designed to assist MSFWs and their families with information on programs and services offered by EDD, CBOs, and other government agencies. Information on agricultural issues, employment opportunities, crop activities, and federal and State services is also included. A printing production of 45,000 copies of each issue is disseminated statewide through over 450 access points.

In addition to the *La Voz del Campo* publication, the broader multimedia approach includes bilingual radio. Radio Bilingue is a non-commercial, bilingual, Latino-owned and operated public radio network headquartered in Fresno and Oakland that produces 12 one-hour live talk shows, supporting each issue of *La Voz del Campo*. Additional information discussed on the air includes information about the H-2A program and the

agricultural jobs available statewide for MSFWs looking for work. This has been an excellent medium to disseminate information on emerging topics like the Affordable Care Act which was featured in one of the publications. Radio Bilingue has the capacity to reach thousands of MSFWs in the central valley, coastal, and desert labor market areas.

While the partnership with La Cooperativa and its member helps to enhance our footprint in agricultural communities, the personal touch and one-on-one engagement with MSFWs is limited. Thus, it requires educating partners within the workforce system on the needs, and best approaches to get farmworkers in the door, and offer them the services they need as part of the larger workforce system.

The EDD's local Ag worker Outreach teams, consisting of outreach workers and managers, have on-going meetings with NFJP staff, they participate in local MSFW forums, e.g, co-sponsor Farmworker Appreciation events, and promote continuous collaboration with NFJP to promote EDD services and NFJP resources. The NFJP grantees and the outreach teams support and ensure cross referral to MSFWs and co-enrollment of participants as much as possible.

### **3. Services provided to farmworkers and agricultural employers through the one-stop delivery system.**

**Describe the State agency's proposed strategies for:**

**(A) Providing the full range of employment and training services to the agricultural community, both farmworkers and agricultural employers, through the one-stop delivery system. This includes:**

- i. How career and training services required under WIOA Title I will be provided to MSFWs through the one-stop centers;**
- ii. How the State serves agricultural employers and how it intends to improve such services.**

The EDD has been able to successfully serve the agricultural community through an outreach program designed to serve both MSFWs and agricultural employers. The primary responsibility of the OW is to locate and contact MSFWs who are not being reached by the normal intake activities conducted by the AJCCs. The OWs search for MSFWs throughout the State, especially in rural areas where they live, work, and gather to present the services in a language readily understood by them. The responsibilities of an OW include:

- Educating MSFWs of their rights with respect to terms and conditions of employment;
- Developing and maintaining relationships with MSFWs, public and private community agencies, MSFW groups, and employers;

- Coordinating outreach efforts with MSFW community service providers, including WIOA title I Section 167 providers;
- Assisting MSFWs with job search and placement, initiating job development contacts, and referrals to supportive services;
- Conducting informational workshops for MSFWs at AJCCs or other locations;
- Assisting with the completion of the California Job Opening Browse System (CalJOBS<sup>SM</sup>) registration, resume, job applications, and other documents as needed;
- Documenting all reportable services provided to MSFWs;
- Conducting follow-up interviews with reportable individuals to ensure service or training was received;
- Assisting MSFWs with making appointments and arranging transportation;
- Observing the working and living conditions of MSFWs;
- Providing assistance with obtaining unemployment insurance benefits, information on the California Training Benefits program, and referrals to specific employment opportunities if MSFWs are unemployed;
- Providing information regarding employment opportunities that may be available including any available H-2A agricultural job orders;
- Informing MSFWs of the full range of available services, including: job training opportunities available through the AJCCs and CBOs; engaging in public awareness campaigns to educate job seekers and small businesses about Covered California<sup>TM</sup> as a resource to help make informed decisions about health care coverage options. OWs may provide MSFWs helpful fact sheets regarding the program, financial assistance, and hand out informational brochures in English and Spanish;

Contacting seasonal farm workers working under the H-2A program to provide them information pertinent to workers employed under this program, including information about their rights and protections under the H-2A contractual agreement.; and Informing MSFWs about the Employment Service and Employment-Related Law Complaint System and providing assistance with the complaint process.

In addition, information from WIOA Title I Section 167 providers located in AJCCs statewide is included to help MSFWs receive a comprehensive blend of services designed to place them into full-time, non-seasonal employment or upgraded agricultural employment. The AJCCs are heavily engaged in a number of employment service activities including various recruitment activities to find and refer qualified U.S. domestic workers to fill H-2A job openings.

The OW is trained in local office procedures, informal resolution of complaints, and in the services, benefits, and protections afforded to MSFWs.

The OW is fluent in Spanish and able to relate to the needs of MSFWs who may not be aware of community resources available to them. The outreach activities are conducted year-round. In addition, some AJCCs have an alternate OW available to fill in when the primary OW is not available to conduct outreach activities.

Outreach services to locate and assist dislocated MSFWs affected by the current drought, which is considered one of the worst recorded in CA history, will be more intensive in PY 2015. The current 2015 dry weather conditions in our state, preceded by dry years in 2012, 2013, and 2014 has compounded the impact it will have on farmers, ranchers and farm workers:

On January 17, 2014, Governor Brown issued a proclamation declaring a drought state of emergency in the state which was “...*experiencing record dry conditions, with 2014 projected to become the driest year on record.*” According to the United States Department of Agriculture (USDA), the San Joaquin Valley (SJV) alone “*is one of the highest grossing agricultural regions in the world.*” This community is highly dependent on agricultural employment with 33 to 41 percent of low income residents classified as food insecure. The USDA notes that “*Historic and continuing high levels of unemployment and poverty within SJV communities suggest increased vulnerability should the drought persist.*” The plight in the SJV alone offers an insight into the alarming situation our state is in. This has sparked a number of initiatives by the federal and state governments to provide assistance to affected employers and farm workers. These initiatives include housing assistance, accessible low interest rate loans, and training services, among others. The OWs may be confronted with an unknown number of MSFWs affected directly or indirectly by the drought, presenting a greater opportunity to advocate for MSFWs and help them mitigate the negative impacts of the drought.

The EDD and its partners (state, federal and local), are developing strategies to help mitigate impacts of the drought on California farm workers including providing temporary employment for farm workers who are unemployed or underemployed as a result of the drought. Temporary employment will be provided for dislocated workers to assist in clean-up and recovery efforts, as a result of the drought, by performing specific drought impact work, such as sod removal, replacement of outdated irrigation systems, tree and brush removal, and maintenance and upkeep of public facilities. This initial effort will serve 1,000 workers to be employed for up to six months in the Northern Sacramento Valley and the Central Valley, which are the areas most impacted by the drought.

Agricultural employers and farm workers (foreign and domestic) receive additional services from five Agri Business Representatives (ABR). The ABRs spend approximately eighty percent of their time conducting housing inspections for agricultural employers that use the H-2A Program to ensure employers are providing adequate housing to farm workers. Ten percent of their time is spent collecting agricultural data and preparing monthly crop activity reports of their respective agricultural areas. The other ten percent is spent conducting unannounced, Random Field Checks of H-2A employers to ensure employers are in compliance with all the

terms and conditions of the work contract. They also assist a lead analyst to conduct prevailing wage and practice surveys. There are 5 ABRs in the state carrying out these important functions that support the H-2A Program at EDD. It is important to note that the ABRs are trained in the JS complaint system and will take complaints from workers or if they identify any apparent violations during the course of their work. The ABRs provide employers with timely housing inspections, education regarding housing standards, and other H-2A Program related support. At the same time they play an important role in the health and safety and protection of the H-2A workers' rights.

### **Services to Agricultural Employers**

The EDD recognizes the importance of the agricultural industry in California and has devoted resources to meet the labor needs of agricultural employers and MSFWs. Funding for agricultural services comes from W-P and Foreign Labor Certification (FLC) funds granted to the states annually. W-P funds are given to California based on a formula basis. The FLC funds are provided by DOL to California to process foreign labor application requests, conduct housing inspections, agricultural wage and prevailing practice surveys, and collect agricultural crop and labor information. California was recently informed that its DOL FLC funding was being reduced by almost 50 percent (\$1 million reduction) to \$1.2 million. This unexpected funding cut will likely result in reductions in activities and/or services unless funding is restored in future Foreign Labor Certification grant awards.

California also provides labor exchange services for agricultural employers. These services target the specific needs of the agricultural workforce by using one or more of the following services provided by CalJOBS<sup>SM</sup>:

- Generate CalJOBS<sup>SM</sup> letters that enable staff to create and send formatted letters to job seekers who are registered in CalJOBS<sup>SM</sup> regarding job opportunities and targeted recruitment letters;
- Employer self-service options to update their company profiles, post and update recruitments, conduct résumé searches, and contact qualified job seekers;
- Perform recruitment activities to find and refer qualified MSFWs in order to fill the labor needs of agricultural employers;
- Conduct mass job referrals electronically through CalJOBS<sup>SM</sup>;

Assist with résumé searches and ES office staff mediated services that encourage agricultural employers to publish their job openings using CalJOBS<sup>SM</sup> to fill their job openings;

- Provide labor market information such as data on supply and demand, salaries, training requirements, new and emergent occupations, and industry growth; and

- Provide Rapid Response services due to plant closure or mass layoffs. These services are offered to workers at the employer's job site and include information on assistance that can be provided at the AJCCs.

**(B) Marketing the employment service complaint system to farmworkers and other farmworker advocacy groups.**

Information on the employment service complaint system is an integral part of the Outreach Workers' educational toolkit, and is constantly shared with the workers and the advocacy organizations that the EDD outreach workers interact with on a daily basis. EDD Outreach Workers and AJCC staff receive regular training on the complaint system. The EDD's Monitor Advocate Office MAO is recently rewrote the JS Complaint System Manual and continues to provide technical assistance to the system's users during on-site monitoring reviews. An internet team site was also created to allow staff to view training modules, pertinent forms and instructions, and webinars. The Workforce3One training modules are among the various trainings available on this site.

**(C) Marketing the Agricultural Recruitment System to agricultural employers and how it intends to improve such publicity.**

The ARS is a nationwide recruitment and referral system. It can be used to systematically move workers within a State and from other States when there is an anticipated shortage of agricultural workers. The process is less time consuming and can cost less than the H-2A program. The EDD will continue its efforts to market this system to employers despite the limited success it's had in the past. This will include trying new marketing strategies that the department has not used before.

The ARS Clearance Order form is being used almost exclusively to recruit/refer foreign workers in conjunction with the H-2A program, as there is in fact a shortage of legal domestic workers to refer as evidenced by the low numbers of domestic referrals to the H-2A job orders.

#### **4. Other Requirements**

**(A) Collaboration**

**Describe any collaborative agreements the state workforce agency (SWA) has with other MSFW service providers including NFJP grantees and other service providers. Describe how the SWA intends to build upon/increase collaboration with existing partners and in establishing new partners over the next four years (including any approximate timelines for establishing agreements or building upon existing agreements).**

The EDD has substantial financial agreements with MSFW service providers including various contracts with its 5 NFJP grantees, as detailed earlier. These agreements are facilitated by EDD contracting with La Cooperativa Campesina de California, the not-for-profit association of these providers. These agreements total more than \$20 million

dollars which is a greater amount than what they receive in NFJP funding. The EDD has implemented ongoing efforts to strengthen its collaborative efforts with advocacy agencies including the Mexican Consulate and California Rural Legal Assistance.

The EDD plans to continue building on these relationships and agreements and develop new relationships over the next 4 years through the following:

- Continue working with our NFJP partners to strengthen and improve how we serve our immigrant and limited English proficient populations including increasing co-enrollment between both Title I and Wagner-Peyser and using the same case management system to track and report on these customers.
- Provide additional WIOA discretionary resources to develop California's capacity to serve MSFWs and other limited English proficient populations, e.g., will be investing \$7.7 million of PY 2016 WIOA Discretionary funds for Regional Workforce Accelerator projects that will develop and test innovations that accelerate employment for these populations.
- Participate in coverings of stakeholders that have specialized expertise in serving immigrants and/or persons with limited English language proficiency to identify and develop partnerships with these organizations, e.g., immigrants' rights organizations.

#### **(B) Review and Public Comment.**

**In developing the AOP, the SWA must solicit information and suggestions from NFJP grantees, other appropriate MSFW groups, public agencies, agricultural employer organizations, and other interested organizations. In addition, at least 45 calendar days before submitting its final AOP, the SWA must provide a proposed plan to NFJP grantees, public agencies, agricultural employer organizations, and other organizations expressing an interest and allow at least 30 days for review and comment. The SWA must: 1) Consider any comments received in formulating its final proposed AOP; 2) Inform all commenting parties in writing whether their comments have been incorporated and, if not, the reasons therefore; and 3) Transmit the comments and recommendations received and its responses with the submission of the AOP. The AOP must include a statement confirming NFJP grantees, other appropriate MSFW groups, public agencies, agricultural employer organizations and other interested employer organizations have been given an opportunity to comment on the AOP. Include the list of organizations from which information and suggestions were solicited, any comments received, and responses to those comments.**

The State Monitor Advocate's office reviewed the Ag Outreach Plan and provided valuable feedback in compiling the final draft.

The EDD also only received comments and recommendations from La Cooperativa Campesina de California which is the association of the WIOA Section 167 Department of Labor grantees for the State of California. Its five members include California Human Development (CHD), Central Valley Opportunity Center (CVOC), Proteus, Inc., Employers' Training Resource (ETR), and Center for Employment Training (CET). These comments resulted in various additions to the final draft of the Ag Plan.

### **(C) Data Assessment.**

**Review the previous four years Wagner-Peyser data reports on performance. Note whether the State has been meeting its goals to provide MSFWs quantitatively proportionate services as compared to non-MSFWs. If it has not met these goals, explain why the State believes such goals were not met and how the State intends to improve its provision of services in order to meet such goals.**

The State has historically met the Wagner–Peyser performance goals to provide qualitatively equivalent and quantitatively proportionate services to Migrant and Seasonal Farm workers (MSFW) as compared to services to non–MSFWs.

A review of the past four years of Wagner–Peyser data reports reflects only a single deficiency in Program Year (PY) 2013–14 for the equity indicator “Referred to Jobs” which was deficient by 9.45 percent. The deficiency was caused by a systemic error on the new CalJOBS system that was implemented by the Employment Development Department (EDD) in 2013. During the transition and implementation of the new CalJOBS, the services that were offered at the AJCCs were not captured on the Migrant Indicators of Compliance (MIC) report which resulted in the deficiency for job referrals in PY 2013–14. However, during the PY 2013–14 annual monitoring reviews conducted by the Monitor Advocate Office, local EDD field offices provided sufficient evidence to support EDD’s compliance with the “Referred to Jobs” equity indicator related to job referrals to MSFWs.

Since the implementation of the new CalJOBS system in March 2013, the EDD has taken an active role to ensure compliance in tracking services to MSFWs and all job seekers. To ensure that the goals were met, EDD has corrected the way the new CalJOBS tracks and populates data in the MIC Report. The EDD has trained staff and AJCC partners on the use of CalJOBS and has created comprehensive tools on the CalJOBS service codes.

### **(D) Assessment of progress**

**The plan must include an explanation of what was achieved based on the previous AOP, what was not achieved and an explanation as to why the State believes the goals were not achieved, and how the State intends to remedy the gaps of achievement in the coming year.**

The MAO is mandated by DOL to monitor and track five Indicators of Compliance. By monitoring these indicators MAO ensures that MSFWs are receiving employment

services in qualitative and quantitative measures as those who are Non-MSFWs. A summary of the more recent progress made by EDD includes the following:

- Referred to Employment: In PY 2014/15 the EDD exceeded the targeted goal by 5,181 (44 percent) contacts compared to the PY 2013/14 Ag Plan. The EDD continues to exceed the expectation by a significant amount and continues to refer farm workers to all available employers.
- Received Staff Assisted Services: In PY 2014/15 the EDD decreased the targeted goal by 1,551 (11 percent) contacts compared to the PY 2013/14 Ag Plan. The EDD encourages farm workers to come into the AJCC's to provide them with an individual career plan. The AJCC's are working on catering to the specific needs of their areas and the farm workers they service. They are creating specific worker shops to meet the needs of their local areas
- Referred to Supportive Services: In PY 2014-15 the EDD exceeded the targeted goal by 1,856 (15 percent) contacts statewide compared to the PY 2013/14 Ag Plan. The EDD continues to exceed the expectation by a significant amount and continues to refer and inform farm workers of all available services.
- Career Guidance: In PY 2014/15 the EDD exceeded the targeted goal by 3,933 (139 percent) contacts compared to the PY 2013/14 Ag Plan. The EDD continues to exceed the expectation by a significant amount and continues to guide and encourage the farmworker to use their current skills and apply them to a new career plan.
- Job Development Contacts: In PY 2014/15 the EDD exceeded the targeted goal by 217 (24 percent) contacts compared to the PY 2013/14 Ag Plan. The EDD continues to exceed the expectation by a significant amount and continues to assist farm workers individually according to their needs.

#### **(E) State Monitor Advocate**

**The plan must contain a statement confirming the State Monitor Advocate has reviewed and approved the AOP.**

The State Monitor Advocate's office reviewed the Ag Outreach Plan and provided valuable feedback in compiling the final draft.

#### **F. Wagner-Peyser Assurances**

**The State Plan must include assurances that:**

- 1. The Wagner-Peyser Employment Service is co-located with one-stop centers or a plan and timeline has been developed to comply with this requirement within a reasonable amount of time. (sec 121(e)(3)); Yes**
- 2. The State agency is complying with the requirements under 20 CFR 653.111 (State agency staffing requirements) if the State has significant MSFW one-stop centers; Yes**

**3. If a State Workforce Development Board, department, or agency administers State laws for vocational rehabilitation of persons with disabilities, that board, department, or agency cooperates with the agency that administers Wagner-Peyser services, Adult and Dislocated Worker programs and Youth Programs under Title I; and Yes**

**4. State agency merit-based public employees provide Wagner-Peyser Act-funded labor exchange activities in accordance with Department of Labor regulations.  
Yes**