

Indiana Department of Workforce Development

Agricultural Recruitment Plan

Four Year Plan 2020-2024

Wagner- Peyser Act Employment Service System
12-12-2019

E: 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:

Assessment of Need

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

The needs of farmworkers in Indiana have remained strong from year to year due to consistent crops, overall agricultural production, planting and harvesting cycles. The needs of these farmworkers and farmworker families range from employment, housing, and education-related to non-agricultural job training (HSE, ESL, childcare, etc.)

Employment-In the State of Indiana during peak season months migrant and seasonal farmworkers are mainly hired through farm labor contractors or crew leaders, who recruit workers for the Agricultural Employer. During this strategic planning phase, the contractor is seeking talent with previous experience in the farm work industry, and usually hire the same workers season after season. The most demanding farm jobs in Indiana are still hand labor-intensive jobs to plant, weed, detassel, harvest, and sort the following crops: corn, tomatoes, melons, pumpkins and apples. These crops are also the top five labor intensive crops in the state of Indiana for the current program year. From March/April to mid-November is considered peak season for Indiana. The farm work season relies heavily on a few factors. The climate being one of them, which can bring rainy conditions or droughts which delay prepping the fields and planting. Shortage of workers is another factor that will affect the season. Indiana has been experiencing less and less migrant workers, especially workers from Texas migrating to Indiana. The source to this workforce shortage is still a mystery, but from conversations with the MSFW population many older workers are retiring, the younger generations are seeking other employment opportunities, and some workers are even migrating to California to join farm work unions that pay a high wage with benefits which include health care options.

Training- Migrant and seasonal farmworkers have multiple barriers to employment that can hinder their chances of advancing their education. For the most part, migrant farm work is a family affair and a way of life. Due to various migration paths throughout the year, migrant workers do not receive sufficient education necessary to support them in their lifestyle. Most migrant workers that we meet in the fields are lacking education, have a language barrier, and rarely want to relocate to Indiana to work or pursue other opportunities. During our peak season the outreach program specialist encountered several English language learners that were

detasseling corn for a short time period. Detasseling corn lasts only four to six weeks before workers move on to another state. Seasonal farmworkers in Indiana are pursuing other opportunities through the assistance of our local AJCs. During the last program year, 490 MSFWs received a Wagner Peyser service and 67 received a WIOA service.

Housing- Many migrant workers depend on employer provided housing since they are unfamiliar with the area, and need housing that is close in proximity to where the farm work is being performed. Indiana agricultural employers house approximately 3,341 MSFWs in temporary agricultural housing and/or agricultural labor camps (ALC) during the peak season. In the State of Indiana, an ALC Permit is required if an agricultural employer is going to house 5 or more MSFWs in one location. Additional information and time is required to process and complete an ALC Permit, which is done yearly. Pre-occupancy housing inspections are performed 45 days before the day of need or anticipated date of hire. The Indiana State Department of Health (ISDH) performs all pre-occupancy agricultural domestic housing inspections to include H-2A inspections as well. The ISDH also assists with initial permits or permit renewals. Housing for MSFWs is difficult to find for a short period of time. This leads to renting non-traditional housing such as; apartments, motels, trailer parks, and other means of public accommodations.

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.

The top five labor intensive crops in the state of Indiana are corn, tomatoes, melons, pumpkins and apples. The majority of the farm work activity in the state occurs in the northwest, central and southern regions of the state with bursts of pockets near the following counties; Adams, Madison, Vigo, Sullivan and Knox counties. Peak season in Indiana varies between March/April to mid-November. Even though agriculture in Indiana contributes an estimated \$31.2 billion to the economy, growers are still expressing shortage of hiring local domestic workers and moving toward hiring foreign workers. Last fiscal year (*Oct. 1 to Sept. 30*), the Indiana State Workforce Agency (SWA) processed 613 agricultural clearance orders. The agricultural economic factors are projected to be the same next year with effective net results. The one factor that will shake up the farm industry is a new regulated agricultural commodity crop, hemp. This is still a fairly new commodity. Hemp can be planted, harvested and maintained for fiber or oil processing.

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.

During program year 2018 (July 1 2018 to June 30 2019) Indiana SWA estimated about 39,314 MSFWs in the state, the majority of this population are migrants. The number of MSFWs that the states outreach program was able to locate through outreach efforts was 1,304 MSFWs. During peak planting and harvesting periods in the state the population is estimated between 10,000 to 12,000 workers. During the off season, the MSFW population is at its lowest, between 600 to 800 workers. Predominately MSFWs are from Latin America, with an increasing number of Haitians from the Caribbean or Dominican Republic. MSFWs from these regions speak Spanish and Creole.

Outreach Activities

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

Indiana has one outreach specialist who conducts outreach statewide. During peak season, the outreach specialist conducts joint outreach to significant large numbers of MSFWs with the following agencies; the Wage and Hour Division (WHD), Migrant Education Program, Indiana Legal Services, The National Farmworkers Jobs Program (NFJP), and the Mexican Consulate. Additional partnerships and stakeholders are sought throughout the year in order to expand on the outreach plan for the upcoming season.

For several months now, the state's outreach program has been working on a systematic approach for engaging MSFWs for services at our local AJCs. A weekly report from Indiana's labor exchange/case management system is completed in search of MSFWs who have completed a registration within the system. As part of our outreach efforts, staff communicate with MSFWs to determine if they are an MSFW. They also inquire about the type of farm work being performed and update their employment history to reflect the seasonal farm work. During this communication, the outreach specialist provides an overview of the employment and

training opportunities available at the nearest AJC and a brief overview of farmworker rights, along with awareness of the complaint system process.

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.

For over a decade, the Indiana Department of Workforce Development contracted the outreach services under the monitor advocate system to a third party agency. Now that the SWA has a full-time dedicated advocacy staff (SMA and OS), the SWA has been able to provide on-going technical assistance, bilingual materials, recorded training webinars on the complaint system and human trafficking, which are all available on the portal. Another resource is the MSFW desk aide, which assists AJC staff with the standard operating procedures for MSFWs. This aide also has the two definitions of seasonal and migrant farmworkers in order for staff to determine whether participants are MSFW.

The SWA is scheduling a pre-season Agriculture roundtable (late February) and a post-season AG roundtable (mid-November) which will be led by the State Monitor Advocate (SMA). At these meetings the SMA will connect with all twelve workforce regions to provide training on several topics such as; identifying and determining MSFWs at the local AJCs, overview/refresher of the complaint system, farm labor contractor registrations, terms and conditions of employment for all agricultural job orders, and bringing awareness in the form of presentations from other MSFW agencies.

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.

To increase outreach worker training the SMA had conversations with SWA leadership and internal equal opportunity officer in regards to the Unemployment Claimant Handbook only being available in English to MSFWs. After further consideration, the SWA had the UI claimant handbook translated into the Spanish language. This has been a useful tool among Indiana's MSFW population. The SWA is currently working with the unemployment administration to have the "Filling for Unemployment Insurance" brochure translated to Spanish as well. These resources provide MSFWs with a better understanding of the UI program and allows advocacy staff to articulate the UI process with this information. This will better prepare MSFWs in

applying for UI. The state of Indiana designated UI computers in the one-stop comprehensive centers to help UI claimants with questions and or issues about their claims. Staff direct claimants to use the computers, which connects them directly with a UI customer service representative at the call center.

The Reemployment Services and Eligibility Assessments Program (RESEA) will be working with the SWA and SMA to identify MSFWs in the RESEA programs. RESEA forms and documents will be translated into the Spanish language for MSFWs who are ELLs.

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.

State Merit outreach staff have two mandatory annual trainings, human trafficking and sexual harassment, followed by ongoing in-house professional development trainings throughout the year. The Business Engagement team will provide training to the outreach staff on current employer grants and initiatives that can assist agricultural employers. The Business Engagement team will also share access to the Customer Relationship Manager System (CRM) and other employer related items. Employer service training will be provided to all outreach and advocacy staff to connect and engage with the agricultural community.

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

The SMA has a close working relationship with SWA outreach staff, NFJP grantee staff and other MSFW agencies. Indiana outreach program staff will continue to partner with NFJP grantee to identify MSFW needs. The SWA will continue to engage with other organizations for the purpose of identifying and assisting MSFWs. Ongoing relationships with the Mexican Consulate, Migrant Education Program, Department of Wage and Hour and Indiana Legal Services will continue. Also, outreach staff will continue to partner with food pantries and soup kitchens to deliver goods and resources to migrant and seasonal farmworkers in the state of Indiana.

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:

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

To ensure MSFWs have access to services at Indiana's AJCs the SMA identifies areas for improvement in the delivery of services to MSFWs. The SMA meets with service providers at the local level to identify priority issues and to develop a better process to determine the appropriate technical assistance necessary. The SWA is exploring engagement of AmeriCorps workers to assist with outreach in key areas.

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

The State Monitor Advocate met with several MSFWs agencies and farmworker advocacy groups statewide to provide training on the complaint system. The SMA provides annual training at the IMFC (Indiana Migrant and Seasonal Farmworker Coalition) meetings. The SMA also trained AJC staff and provided a recorded webinar which can be used for onboarding, a refresher course, and/or mandatory training. The training and other MSFW related items can be found on the WorkOne Portal for staff to access at any time.

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

DWD continues to provide agricultural employers assistance with their labor needs. When local domestic workers are not available, SWA provides technical assistance to growers to aid them in accessing the interstate Agricultural Recruitment System (ARS). Our local office staff continues to provide farm labor contractors assistance in preparing applications for certification within the U.S. Department of Labor. The SWAs advocacy team continually provides an overview of this service to agricultural employers statewide. The SWA along with the business service consultants will engage in an ARS and Agricultural Employer Service training. The training will also be provided to all twelve workforce regions. This training will consist of posting jobs on Indiana's labor exchange system, conducting local recruitment events or job fairs at the employment offices, and familiarizing staff with terms and conditions of employment.

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 SWA has two collaborative agreements or Memorandum of Understandings (MOU) with the following entities: 1) A non-monetary MOU with the Indiana State Department of Health (ISDH) for pre-occupancy farm worker housing inspections 2) NFJP Proteus Inc. as mandated by TEGL 8-17.

(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.

In accordance with 20 CFR Subpart B, 653.107 & 108 (4), the State Monitor Advocate participated in the preparation of the agricultural plan and has been afforded the opportunity to approve and comment on the plan. Such review indicates that the plan has been prepared properly, omitting none of the prescribed requirements and properly describes the activities planned for providing services to both agricultural employers and migrant seasonal farmworkers.

WIOA Section 167 NFJP grantee, Indiana Farm Bureau, Purdue Agriculture Extension, Pathstone Corporation, Indiana Family & Social Services, Indiana Housing and Community Development Authority, Indiana Dept. of Education, and Community Development Institute Head Start, and Indiana Migrant and Seasonal Farmworker Coalition will be solicited for information and suggestions in the formulation of this plan and/or provided the opportunity to comment.

The AOP will be uploaded to the MSFW DWD webpage by the department's webmaster.

(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.

(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.

Many achievements were made at the SWA level after the AOP was created. The SWA does not rely solely on NFJP for outreach services any longer. The SWA appointed a full time SMA and hired a new outreach staff person. Both individuals serve on the advocacy team at this time. Since the hiring of the advocacy team, in-person training was provided to all AJC staff, webinars created and shared with local one-stop centers and ongoing monitoring and technical assistance provided.

(E) State Monitor Advocate

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