

MINUTES  
MIGRANT AND SEASONAL FARMWORKERS BOARD MEETING  
April 30, 2003

The Migrant and Seasonal Farmworkers Board meeting was held at 10:00 a.m. in House Room 1, State Capitol, Richmond, Virginia.

The following Board members were present: Kenneth Annis, Chairman; Mario Moreno, Vice Chairman; Hart Hudson; Sharon Saldarriaga; Adrian Reddington; J. M. Scott; Tupper Dorsey; Christian Schweiger; Richard Hall; Elisia Almendarez-Moore; Thomas Kellum; and Mary Bell Boltwood. The following Board members were absent: Richard Cagan; Daniel Chavez; and Kelly Robinson. DOLI staff present were: C. Ray Davenport, Commissioner; and Betty Jenkins, Board Administrator.

### **CALL TO ORDER**

The Chairman called the meeting to order. He requested that any participant who wished to address the Board give his/her name and organization.

### **APPROVAL OF AGENDA**

Mr. Hall moved that the agenda be approved. Ms. Saldarriaga seconded the motion and the agenda was approved by a unanimous vote.

### **APPROVAL OF MINUTES**

Mr. Moreno moved that the minutes of the January 29, 2003 meeting be approved. Mr. Reddington seconded the motion and the minutes were approved.

### **PRESENTATIONS**

#### **Virginia Primary Care Association, Inc. Neil Graham, Executive Director**

Mr. Graham explained that the goal of his organization is to ensure access to health care through community health centers. He continued that these health centers have existed since the 1960's and are governed by a local board of directors. He distributed a booklet titled, "An Opportunity for Unprecedented Growth." In addition to pharmacies, services include primary, dental and behavioral health care. He noted over 550,000 patients were served last year with two thirds being at or below the poverty level. Migrants have only been included in the past five years. He stated that they do not deny health care nor do they require identification. Federal grants provide reimbursement for those who are treated and cannot pay.

#### **Pesticide Services, Virginia Department of Agriculture and Consumer Services Mr. Robert Bailey, Environmental Manager**

Mr. Bailey stated that he is a biologist by education and a regulator for Pesticide

Services. He indicated that there are eleven investigators in the field who hold bachelor and master's degrees. The pesticide program in Virginia was relatively small until 1986 when two people died from pesticide use in the home. The government appointed a special commission, the Virginia Pesticide Control Board, to recommend changes. His office reports to that board. He said that since 1989 those workers who apply pesticides must be properly trained and certified. He noted that the Virginia Pesticides Office has one of the best programs in the country. He further explained that written exams are in English and all federally approved pesticide labels are in English. He stressed that pesticide investigators have access to Language Line Services for translation. He noted that a request for proposal was initiated seeking an entity to write the pesticide exam in Spanish and there were no responses. During a question period, there was discussion about changes to pesticide labels which will require passage of laws.

**Wage and Hour Division, U.S. Department of Labor  
Jim Mooney, Regional Agricultural Coordinator**

Mr. Mooney provided copies of his presentation. He spoke about the three district offices which cover certain Virginia counties. Under the new Secretary of Labor, Elaine L. Chao, the emphasis has been on compliance rather than enforcement by establishing compliance partnership agreements (CPAs) with agricultural business associations for training, information sharing, updates through meetings, etc. Wages, transportation and housing, which results in 90 per cent of the civil penalties, are stressed. He referred to MSPA (Migrant and Seasonal Agricultural Worker Protection Act) exemptions noting the small business and family business exemptions. He explained that Christmas trees are forestry products and are not considered agricultural commodities within the meaning of the Fair Labor Standards Act (FLSA).

**INTERAGENCY MIGRANT WORKER POLICY COMMITTEE REPORT**

Commissioner Davenport noted that state agencies continue to be well represented at the meeting. Board members had copies of the meeting minutes in their folders. The next meeting is scheduled for June 17, 2003.

**AREA COUNCIL REPORTS**

Written reports were received from the following Councils: Harrisonburg Area Hispanic Services Council; Rappahannock Migrant & Seasonal Worker Council; and Southside Farmworker Service Provider Council. Copies of these reports are available on request.

**OLD BUSINESS**

Mr. Jim Reina, Deputy State Director of Telamon Corp., stated that his agency is preparing to submit applications to HUD, DOL's farmworker housing program and the DOL WIA 167 National Farmworker Job Program and asked for support letters from the Board. After discussion, Mr. Dorsey moved and Mr. Kellum seconded the motion to send endorsement letters and the motion was approved. Ms. Jenkins said she will send the letters.

Mr. Moreno said he contacted the Mexican Embassy about their matricula program, Mexican Communities Abroad. Through this program, migrants from Mexico can apply for identification. The consular mobile will travel to a site if there are 50-100 applicants. This service is being provided from April to September. The application can also be done in Washington at any time. The contacts are Juan Longueira, Director of Mexican Communities Abroad, (202/736-1095) and Laura Juarez (202/736-1009). Mr. Dorsey moved that a letter with this information is sent to the councils; Mr. Hart seconded the motion; and the motion was approved. Ms. Jenkins will send the letters.

There was discussion about the problem with getting a Virginia Driver's License and Commissioner Davenport reminded the group that DMV is attempting to resolve this problem.

Commissioner Davenport said that in response to a query at the January meeting regarding whether DOLI was maintaining inspection levels, he said the agency was meeting inspection goals. However, he now has learned that there was a decline in 2002 due to unfilled vacancies and loss of one inspector to the military and one to the private sector. Since the Governor has approved reinstating five benchmark positions, this should help increase the number of inspections.

Concerning the combined MSFW Board Biennial Report and the Migrant Policy Committee's Annual Report, he stated that Ms. Jenkins is working on both portions of the report and will need Recommendations and Conclusions from members on or before May 16.

He stated that JLARC continues to ask questions through forms and telephone calls about consolidating the MSFW Board and the Migrant Policy Committee.

On the Board conducting a meeting at a location outside of Richmond, he reported it was determined that it would cost about \$1,200 more to hold a meeting on the Eastern Shore provided the meeting is held at a facility that would not require a fee.

Ms. Boltwood had copies of a disaster plan handout for members.

On the immigrant study issue, Ms. Saldarriaga stated that a study would cost about \$20,000. She noted that in one study four separate sponsors contributed the funds for the study. The Chairman said he felt studies are a waste of funds; he added that if an agency is providing service to farmworkers, they should be aware of what the needs are. Mr. Scott said that he supported the Chairman's opinion.

Mr. Schweiger made a motion to have the next MSFW Board meeting on the Eastern Shore or in Winchester; Ms. Saldarriaga seconded the motion; and the motion was approved. It was agreed to hold the meeting on the Eastern Shore. The Chairman and Mr. Hall agreed to find a suitable location and will let Ms. Jenkins know.

## **NEW BUSINESS**

Commissioner Davenport drew the Board members' attention to a copy of the FOIA in

their meeting folders. He explained that members who serve on boards and councils must read and be familiar with the FOIA according to the Code of Virginia.

Mr. Schweiger said he had provided a copy of Suicide Risk Factors for Migrants. He will email this information to Ms. Jenkins so that she can email it to the councils.

#### **ITEMS OF INTEREST FROM BOARD ADMINISTRATOR**

Ms. Jenkins called the Board's attention to information she had provided in their folders. She added that she would be emailing them Mr. Cagan's information on childcare needs assessment.

The next MSFW Board meeting will be held on **Wednesday, July 16, 2003**. The next Migrant Policy Committee meeting will be held on Tuesday, June 17, 2003 at DOLI.

#### **ITEMS OF INTEREST FROM BOARD MEMBERS**

Ms. Saldarriaga commented that Telamon is closing their office in South Hill but will continue to provide services at the VEC location in Hopewell.

#### **PUBLIC COMMENTS**

There were no public comments.

#### **ADJOURNMENT**

There being no further business, the meeting was adjourned at 12:50 p.m.