

**MINUTES**  
**MIGRANT AND SEASONAL FARMWORKERS BOARD MEETING**  
**July 16, 2003**

The Migrant and Seasonal Farmworkers Board meeting was held at 9:00 a.m. in the Lecture Hall of the Eastern Shore Community College, Melfa, Virginia.

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

**CALL TO ORDER**

The Chairman called the meeting to order at 9:00 a.m. He requested that any participant who wished to address the Board give his/her name and organization.

**APPROVAL OF AGENDA**

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

**APPROVAL OF MINUTES**

Mr. Scott moved that the minutes of the April 30, 2003 meeting be approved after a correction. Mr. Moreno seconded the motion and the minutes were approved as changed.

**PRESENTATIONS**

**Eastern Shore Rural Health (ESRH)**  
**Nancy Stern, Chief Executive Officer**

Ms. Stern distributed copies of her presentation. She noted that the Community Health Center with many locations throughout the Shore has existed for 27 years and remains committed to enhancing the quality of life for the people on the Eastern Shore by providing accessible, comprehensive and affordable medical and health services to both migrants and the local population of more than 21,000. She said ESRH receives federal grant money and maintains a budget of over \$8,000,000. ESRH partners with the Virginia Employment Commission and many other agencies and businesses and serves over 2,600 patients in a six-month season. Among the 151 employees are clinicians, Latino representatives, bilingual outreach workers, translation coordinator, interpreters and College of William and Mary interpreter students. She spoke of a trend where large numbers of Hispanic workers either leave the fields at day's end or after the growing season to seek employment at other types of business. She mentioned that 13% of their patients are Hispanic which mirrors national statistics. Other services

include translation, Health Education/Safe Kids Program, case management, pharmacy assistance and transportation. Their service directory titled, "Welcome to Virginia," in Spanish is available to all patients with information on where to obtain services including 911 help line, food, clothing, etc. There is also a current directory of all camps. Spanish classes and interpreter training are available to employees. Some of the challenges include recruitment of a dentist for Accomac County; lack of bilingual support for mental health issues; family planning; year-round demand for services; translation services; and dual identity. She added that dual identity creates especially difficult situations for health providers and asked the Board to encourage the legislature and Congress to create a system to enable migrant workers to obtain the necessary papers. Ms. Stern related that the majority of farmworkers entering the United States are without legal documents.

She introduced Ms. Ann Crabbe, Chief Operational Officer, who coordinates the migrant program for the Eastern Shore.

**Eastern Shore Migrant Farmworkers Service Council  
Mr. James Albright, Chairperson**

Mr. Albright stated that a number of organizations, Health Department, Social Services, VEC, Telamon, and area churches, are the receiving community for farmworkers. The council works to ensure that services are provided for these workers. He said the counties had made presentations recently of their disaster plans to be sure farmworkers are included in those plans. He noted the problems his council experiences mirror those for Eastern Shore Rural Health. He reported that there were 36 violent incidences involving Hispanics last year and that isolated homes become easy targets. Access to a payphone can be an aid to those needing help. Farmworker housing and driver's licenses continue to be problems.

There was discussion on the use of two-way radios as a means of communicating a problem and the lack of inspection procedures for overflow housing, such as motels. The Chairman stated that when a crew leader leaves one area, he must notify the worker about housing at the next location; provide a 516 and a 521; and the terms and conditions of employment. He further said that a farmer who provides housing must follow the standards.

**INTERAGENCY MIGRANT WORKER POLICY COMMITTEE REPORT**

Commissioner Davenport said that the last meeting was held on June 17. He indicated that the VEC's 2003 Plan for Agricultural Services can be found on their Web site. There was no further information on JLARC's efforts to combine the MSFW Board and the Interagency Migrant Worker Policy Committee. He noted that Mr. Thompson of DMV reported that DMV has added two documents in Spanish: DMV 141S – Acceptable Documents for Obtaining a Driver's License or Photo ID Card and 142S – Basic Steps to Your Driver's License. The next meeting is scheduled for Tuesday, September 9, 2003.

Considering that the MSFW Board handles issues concerning only migrant

farmworkers, there was discussion once again on where issues dealing with other migrant workers, i.e., landscape, seafood packing and roofing, should be handled. Mr. Cagan requested this issue be discussed at the October meeting and that the Legislature be encouraged to undertake an immigrant study. The Chairman said there should be an agency or group who deals with the non-farmworker migrant and thought a letter should be sent to the Governor making him aware that H2B workers fall out of the scope of the Board's jurisdiction.

## **AREA COUNCIL REPORTS**

Written reports were received from the following Councils: Harrisonburg Area Hispanic Services Council; Rappahannock Migrant & Seasonal Worker Council; and Winchester Migrant Services Council. Copies of these reports have been emailed to Board members and are available on request.

There was discussion about whether the Southside Farmworker Service Provider Council still exists and Ms. Saldarriaga stated they were still developing the council and having meetings. She said that she would ask them to send meeting minutes.

In response to a question on the hiring of H2B workers to plant trees, Paul Lanier of the VEC responded that trees are considered forestry products, which are non-agricultural.

HIPAA (Health Insurance Portability and Accountability Act) was also discussed. HIPAA insures the privacy of any medically related information.

Commissioner Davenport related that HIPAA affects DOLI safety and health inspections by preventing the sharing of reports from other jurisdictions, such as police departments, emergency medical transports and commonwealth's attorney offices. In the past those reports were freely shared; however, under HIPAA some jurisdictions are withholding information.

## **OLD BUSINESS**

On the reciprocity issue, Mr. Cagan stated he understands that workers are served but his concern is about reimbursement and the economic impact on the medical providers in the migrant communities. When migrants are encouraged to apply for a Medicaid card, they are reluctant because if they hold a Florida card, they know that once the Virginia card is valid, the Florida card will be void. For this reason he felt discussions by the Board should continue on a reciprocal/portable Medicaid card. The Chairman commented that health facilities that deal with the problem should be consulted. Commissioner Davenport offered that it would be helpful to identify the medical providers who are not being reimbursed; this was to be accomplished through a letter Mr. Cagan agreed to draft for the Commissioner's signature. Mr. Cagan said he had sent the list of providers to Ms. Jenkins but had not written the letter. The Commissioner felt that the information gleaned from this survey could provide the appropriate information to elicit help through a letter. Mr. Cagan asked for Ms. Stern's help to develop the letter and survey.

Mr. Moreno discussed the matricula consular identification program which Mexico has instituted to issue identification for migrants. It allows migrants to open bank accounts, provides an economic means of transferring funds, and contributes to their safety since they will no longer have to carry cashed pay checks. The USA Patriot Act, Section 326, addresses the issue of customer ID rules. He provided background information and stated that a group of anti-immigrant Congressmen pressured the U.S. Treasury Department to reconsider the regulation. He said comments would be taken until July 31. After discussion, Mr. Cagan made the motion and the Chairman seconded the motion to send a letter, with a copy to the Governor, to the Treasury Department stating the Board's preference to not make changes to Section 326. The motion was approved. Mr. Moreno stated he would draft a letter and send it to Ms. Jenkins for processing.

## **NEW BUSINESS**

The Chairman introduced Mr. Jim Belote of the Virginia Cooperative Extension Service who asked that the Board send a letter of endorsement to the Secretary of Agriculture requesting her approval of funding for the Migrant Housing Section of the Delmarva Conservation Corridor. He stated the Delmarva Conservation Corridor, which was made a part of the Farm Bill last year, is a five-year pilot program for all the counties on the Delmarva Peninsula. It allows the Secretary of Agriculture to fund programs, to transfer funds from any existing programs, and to disperse discretionary funds. Mr. Moreno made a motion to send a letter to the Secretary of Agriculture and Ms. Almendarez-Moore seconded the motion. The motion was approved.

Mr. Jack Bonniwell, Manager of the Eastern Shore VEC Office, introduced Messrs. Louis Moyano and Mike Abraham, who are fluent in Spanish and assist both farmworkers and growers; VEC Commissioner Dee Esser; Mr. Jody Hopkins; Mr. Paul Lanier; Mr. Jack Turner; and Ms. Diana Strand, who was assisting with the meeting. He noted that the VEC's Eastern Shore office has been designated a significant, bilingual migrant and seasonal farmworker office. During the year ended in June, the office processed 3,250 migrant and seasonal farmworkers; 2,900 workers were referred to jobs and 2,700 applicants were placed.

The Chairman on behalf of the Board asked Mr. Lanier, who will soon retire, to come forward and recognized him for his service to the Board with a Certificate of Appreciation. Mr. Lanier responded that he felt Virginia was fortunate to have those who serve on the MSFW Board and the Interagency Migrant Policy Committee to work on behalf of Virginia's migrant worker population.

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

Ms. Jenkins called the Board's attention to the service provider report from NCALL and had spoken with Mr. Carl Leighton who anticipated that he would be unable to send a representative to present the report. She said there was a copy of DOLI's Annual Report as well as the combined Biennial Report for the MSFW Board and the Interagency Migrant Worker Policy Committee. She related that Mr. Chavez, who is moving to California, is resigning from the Board and Ms. Boltwood is taking a year's leave of absence. Ms. Arnatt in the Secretary of the Commonwealth's Office was

notified of these changes.

The next MSFW Board meeting will be held on **Wednesday, October 29, 2003**, at the State Capitol.

The next Interagency Migrant Policy Committee meeting will be held on Tuesday, September 9, 2003 at DOLI.

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

Mr. Cagan said that the Health Department had notified him of a migrant health conference co-sponsored by the Virginia Rural Health Association and the Virginia Primary Care Association to be held in Natural Bridge on November 12.

Commissioner Davenport stated he had available copies of DOLI's Job Safety and Health Protection Poster which is printed in both English and Spanish.

Mr. Schweiger thanked those who had made the arrangements for the Eastern Shore meeting.

The Chairman provided an itinerary for the following tour locations: Eastern Shore Farmers Market; Taylor Fulton Packing Facility and Labor Camp; Parksley Migrant Head Start Center; Taylor Fulton Farm; Six Ls Farm; and Eastville Apartments.

### **PUBLIC COMMENTS**

There were no public comments.

### **ADJOURNMENT**

There being no further business, the meeting was adjourned at 11:30 a.m.