

MINUTES
MIGRANT AND SEASONAL FARMWORKERS BOARD MEETING

June 18, 2008

The Migrant and Seasonal Farmworkers Board Meeting was held at the Virginia Employment Commission Administrative Office in Richmond, Virginia.

The following Board Members were present: Kenneth Annis, Chairman; Mario Moreno, Vice-Chairman; Ruth Brown, Veronica Donahue, Tupper Dorsey, Richard Hall, Lou Hart, Sharon Saldarriaga, Teresa Velle, and Peter Von der Lippe. The following Board Members were absent: Hart Hudson, Thomas Kellum, Kelly Robinson, and Christian Schweiger. Staff in attendance from the Virginia Employment Commission were: Dolores Esser, Nicholas Kessler, Shelby Robinson, Jim Cocke, Joyce Fogg, Jack Turner, Michelle Abraham, and Evelyn Lewis. The following guests were present: Micah Raub, Virginia Department of Agriculture, Office of Pesticides; and Susan Irvin.

Call to Order

Chairman Kenneth Annis called the meeting to order at 10:00 a.m.

Welcome and Introduction

Chairman Annis welcomed all in attendance and extended greetings to the guests, board members, and all those present.

Approval of Agenda

A motion was made by Chairman Annis to approve the agenda. It was moved by Richard Hall, seconded by Vice Chairman Moreno, and approved by a unanimous vote.

Approval of Minutes

A motion was made by Chairman Annis to approve the minutes. Sharon Saldarriaga moved that the minutes of the March 19, 2008, meeting be approved. Vice Chairman Moreno seconded it, and the minutes were approved by a unanimous vote.

Virginia Latino Pilot Program

Peter Von der Lippe, member of the Migrant and Seasonal Farmworkers Board and employed by the American Red Cross, Greater Richmond Chapter, provided an overview of the Virginia Latino Pilot Program. He distributed a summary of the pilot program, and disaster preparedness brochures translated in English and Spanish.

The American Red Cross' Greater Richmond Chapter has benefited greatly over the years from partnering with Virginia Commonwealth University (VCU), the University of Richmond (UR), and other local institutions of higher education. VCU's Dr. McKenna Brown and former UR Professor, Dr. Keo Cavalcanti (now with James Madison University), were among the original members of its first Hispanic Advisory Committee. Through VCU's Division of Community Engagement, Dr. Susan Wilkes facilitated the development of its first related strategic plan and the establishment of its first Board level Multicultural Services Subcommittee. The overall goal of the chapter's outreach is to ensure access to and involvement in its services. But, it was the realization that 90% of the Red Cross' disaster responses are house or apartment fire related, that led to further focus on prevention and the initiation of a Smoke Alarm and Maintenance Program. The program resulted in the local fire department's replacement of reported missing or non-functioning smoke alarms in Dupont Village, a largely Spanish speaking apartment community. It also led to an expanded June-July, 2007, door-to-door outreach effort that involved 28 university and high school students; and, resulted in 7,150 households, in 22 Central Virginia communities, receiving prevention and preparedness related materials.

The purpose of the student driven Virginia Latino Pilot Project is to increase an estimated 50,000 Latino and other diverse Virginia residents' ability to prevent and prepare for an emergency or disaster. It is also an opportunity for students to gain valuable experience, both with using their language skills and in deepening their cultural understanding and awareness. In addition to sharing related bi-lingual literature with each household, students will also administer a brief one-page survey. The survey questions will focus on demographics, emergency and disaster prevention and preparedness, underlying causes of immigration, and major health issues. The pilot project will also explore, parallel to this statewide program, a similar pilot effort in one country in Central America and or Mexico.

The project will be implemented in three phases: 1.) The survey tool will be tested in three to five Central Virginia apartment communities with coordination support from UR Spanish in the Community class students; 2.) A summer door-to-door effort in 15-20 additional Central Virginia and potentially other VALHEN member localities; and, 3.) In a proposed partnership with other Red Cross chapters, VALHEN, and other partners, provide literature and administer the survey tool in targeted communities across the state.

A half-day forum involving students from across the state, Red Cross Chapters, and partners will be held December 5, 2008, at the Ramsey United Methodist Church to discuss the survey results and brainstorm on collaborative solutions.

H-2A and VEC's New Process

Michelle Abraham stated that she was following up from the previous MSFW Board meeting about the Training and Employment Guidance Letter (TEGL) that was received in November 2007 regarding the H-2A Program. That Guidance Letter instructed the state workforce agencies that they were going to be required to conduct employment verification on U. S. workers referred to H-2A jobs. Subsequently to that, the VEC submitted its grant for foreign labor certification. After the grant was submitted, the VEC was informed that unless the agency complies with the workers'

verification for U. S. workers referred to H-2A jobs, the agency would not get funding to support that program. Therefore, the VEC made the decision to go ahead and complete the I-9 process for H-2A referrals on the H-2A job workers. The system is a web-based I-9 certificate system. The I-9 can be done on paper and then a certificate is generated for the employer. There will be an increase in work related to this. In 2007, there were 248 U. S. workers referred to H-2A jobs. At the end of the quarter, March 31, 2008, that number had been exceeded due to the downturn of the economy and layoffs. There will also be staff training on the I-9 process for H-2A referrals.

VEC Update

Commissioner Esser reported that since the last MSFW Board meeting, the VEC closed two local offices, Fairfax and Suffolk. The Metro Richmond South Office will close at the end of the summer, and the Buena Vista Office will close in early fall. There were no staff laid off with the closings. They were offered positions in other local offices. The agency has had 39 retirements from January 1 to May 31, 2008, and many employees who accepted other employment.

In April, Commissioner Esser and the Secretary of Commerce and Trade, Patrick Gottschalk, traveled to Washington, DC to meet with each of the 13 Congressional Delegation and/or their staff to discuss the VEC and the lack of funding being returned back to Virginia. Secretary Gottschalk and Commissioner Esser are hopeful that there will be positive funding changes for Virginia; but it will probably be a while.

Old Business

Joyce Fogg reported that the next MSFW Board meeting date is September 17. After a brief discussion, the winter meeting date would be January 21, 2009.

New Business

Chairman Annis stated that he would like to send Mr. John Scott, former Board member, a letter of recognition for his services to the MSFW Board. Joyce Fogg informed the Board that a letter had already been drafted for Chairman Annis's signature.

A question arose regarding the number of members that should be on the Board, which are 15. With Mr. Scott's resigning, there are presently 14 members; however, one of the Board members, Thomas Kellum, has never attended any of the meetings, but is still on the Board. Chairman Annis stated that there should be diversity from other areas of the state, and he asked the Board members to inform Joyce Fogg of recommendations they feel would be interested, active, and would like to serve on the MSFW Board.

Ruth Brown stated that along the line of disaster planning, when they began looking at disaster planning on the Eastern Shore of Virginia, the Planning Council was invited to the meeting; however, it was discovered that the Planning Council did not have any plans set in place to assist the Hispanic speaking population. The Planning Council was aware they had to plan but had not done so. The local radio stations also did not have any Spanish announcements planned. As a new member, she asked if it was appropriate to request that MSFW Board members request

feedback on disaster preparations from the Planning Councils in their areas, as well as be in touch with the mass media. It was concurred that yes, it would be appropriate. Commissioner Esser stated that a letter would be drafted to the Planning Councils stating that this would be the issue. Chairman Annis also suggested that a state Planning Council member on the Eastern Shore be invited to the MSFW Board meetings.

Ms. Brown also stated that she had an issue with Medicaid and reciprocity. She felt that the topic would be good for the Policy Committee to discuss. Commissioner Esser concurred that it would be good for the Policy Committee to take a look at issues relating to health, social services, and Medicaid. A few years back, there were issues surrounding ABC, DMV, and Workers Compensation; therefore, representatives from the agencies provided presentations at the MSFW Board meetings. It appears that, at this time, there are topics that are worthwhile to hold a Policy Committee meeting.

Ms. Brown said that there is a Domestic Violence Coalition on the Eastern Shore. It is felt that if a victim of domestic violence reports the crime, they worry that they may be deported. This is a problem. Commissioner Esser stated that she would be glad to offer assistance in re-entering the bill regarding domestic violence involving migrants.

Items of Interest from Commissioner Dolores (Dee) Esser

Commissioner Esser did not have any additional items to report.

Items of Interest from the Board Members

Mr. Lou Hart stated that he attended a conference in which his wife was a presenter. In attendance were teachers, parents, and farmworkers. From that conference, he had two questions to present to the MSFW Board. The questions were, "Have the growers in Virginia gotten enough labor, and if they do not, what is the economic outlook?" The response stated that it was a little too early to tell at this time because the harvest season had not begun. From the H-2A Program, the growers do not have the U. S. workers they need. The economic impact for Virginia probably will not be felt until October.

Mr. Hall inquired on the status about the Department of Agriculture sponsoring the MSFW Board. Commissioner Esser stated that the topic had previously been discussed with the Secretary of Agriculture and Forestry, Robert Bloxom. He had been happy to sponsor the MSFW Board; however, there was not enough funding to do so. Therefore, Secretary Bloxom politely declined.

Chairman Annis stated that there is strong opposition across this country towards immigrants and migrant & seasonal farmworkers. The MSFW Board should do whatever it can for positive results and be careful not to create too much negative publicity for the immigrants and migrants & seasonal farmworkers. Furthermore, another impact on the laborers will be exceeding cost of gasoline.

Sharon Saldarriaga stated that the Telamon Office located in Winchester would close at the end of June. They are trying to get back into the South Hill area. Commissioner Esser stated that the Town of South Hill is building a one-stop, and suggested that this may be an ideal location to house the Telamon Office.

Mr. Von der Lippe stated that with the increase of fuel costs, this should offer the opportunity for growers to sell their produce at the Farmers Markets and contemplated on whether this would be a trend throughout the state. It was concurred by various Board members that this is possible. There are Farmers Markets located in many areas of the state. One of the biggest problems is a small farmer with small acreage trying to grow produce for large retail. However, it is felt that this year there may be less produce coming in from the West Coast to the East Coast if the produce can be sourced on the East Coast.

Election of Officers

Mr. Hall made a motion to re-elect the Chair and Vice-Chair to continue in their current positions. Mr. Dorsey seconded the motion. Chairman Annis asked for discussions. After discussions, Mr. Hall amended his motion to state that the MSFW Board would continue with the officers that are now in place, and a formal election would be held in January. There was no further discussion. The motion was passed by a unanimous vote.

Public Comment

There were no public comments; however, Commissioner Esser introduced Mr. Micah Raub of the Virginia Department of Agriculture. This was the first MSFW Board meeting Mr. Raub has attended.

Adjournment

Chairman Annis motioned that the Migrant and Seasonal Farm Workers Board meeting adjourn. The motion was moved by Vice-Chairman Moreno, and seconded by Sharon Saldarriaga. By unanimous vote, the meeting adjourned at 11:35 a.m.