

## Minutes

### **Interagency Migrant Worker Policy Committee Meeting**

September 20, 2004

The quarterly meeting of the Interagency Migrant Worker Policy Committee was held at 10:00 a.m. on September 20, 2004 at the Virginia Employment Commission. The Chairman, Commissioner Dolores A. Esser, who called the meeting to order, and the Policy Committee Administrator, Samuel F. Shaw, were present.

In attendance were the following:

Kenny Annis, MSFW Board Representative  
Ron Thompson, Virginia Department of Motor Vehicles  
Sam Lupica, Virginia Workers' Compensation Commission  
Perida Giles, Virginia Department of Agriculture and Consumer Services  
Jack Turner, Virginia Employment Commission  
Maricel Quintana-Baker, Virginia Department of Business Assistance  
Shannon Bramblett, Virginia Department of Education  
Michelle Castellow-Rivera, Virginia Employment Commission  
Don Boswell, Virginia Department of Alcoholic Beverage Control  
Jane Brown, Virginia Department of Social Services  
Joyce Fogg, Virginia Employment Commission  
Gary Hagy, Virginia Department of Health  
Larry Tarr, Virginia Workers' Compensation Commission  
David Altman, Virginia Department of Alcoholic Beverage Control

Commissioner Esser welcomed the Policy Committee and invited them to introduce themselves.

David Altman, Virginia Department of Alcohol and Beverage Control, will be replacing Don Boswell on the Policy Committee.

Commissioner Esser requested approval of the agenda for the Policy Committee meeting. Mr. Annis motioned for approval of the agenda and was approved by the policy committee.

Commissioner Esser requested approval of the agenda for the Policy Committee meeting from June 8, 2004. Mr. Annis motioned for approval of the minutes.

No changes were made to the minutes and were approved by the Policy Committee.

#### **Earned Income Tax Credit**

Ms. Brown requested that the Policy Committee encourage their respective agencies to keep the public, particularly low-income families, aware of the benefits of the Earned Income Tax Credit.

Ms. Brown distributed brochures and posters, in both English and Spanish, to the policy committee.

There are coalitions being formed locally that provide tax preparation services to citizens. The Department of Social Services is partnering with the Virginia Community Action Partnership. There will be new coalitions formed for the upcoming 2005 tax season. Coalition information will be provided on the IRS website, or reached at 804-644-0417. The coalition workers will be certified and trained by the IRS, in addition to providing multi-lingual services to those who cannot speak English.

Ms. Esser informed the Policy Committee that the issue of language services in state agencies was discussed at the most recent Migrant and Seasonal Farmworkers (MSFW) Board meeting, and that the issue has become more prevalent in Virginia for migrant workers. Mr. Annis added that many migrant workers do not file tax paperwork, but that many would be eligible for the Earned Income Tax Credit, and that language services would be a helpful way of documenting more migrant workers and encouraging them to apply for the Earned Income Tax Credit.

### **Migrant Labor Regulations**

Mr. Hagy reported that there have been some changes to migrant labor regulations. Three major changes to regulations were as follows:

- Eliminate Requirement for bi-weekly inspections.

- Eliminate that all migrant camps have to have a water supply, and also defined a public waterworks.

- Eliminate the requirement of provisional permits, which were not recognized by the federal government.

### **Old Business**

There was no old business to report to the Policy Committee.

### **New Business**

#### *MSFW Board Update*

Commissioner Esser briefed the Policy Committee on the most recent MSFW board meeting. A presentation was made by the Department of Motor Vehicles regarding the issue of legal presence. The MSFW Board had many questions regarding the extent of legal presence, and whether migrant workers may hold driver's licenses for driving such vehicles as large trucks. Additionally, the Board had questions on how educated and aware state and local authorities on the issue of legal presence.

Mr. Annis noted that this is an important issue, not only for personal and public safety on the highways and roads, but also to keep migrant workers documented.

Commissioner Esser added that the MSFW Board had agreed to meet twice in Richmond and twice outside of Richmond during the year. The next MSFW Board meeting will be October 6, 2004 in the Charlottesville area.

Commissioner Esser opened the meeting to the Policy Committee to address any agency issues.

#### *Grower-Worker Pay Issues*

A question was raised on the issue of pay problems between growers and migrant workers. In the past, workers were paid in poker chips, and workers would have to purchase goods, such as food items, from the crew chiefs that oversaw their work. This opened the window for many illegal activities, and many crew chiefs were able to make extra money as a result of this system.

Mr. Annis addressed the issue, noting that Virginia growers pay migrant workers directly, and that any distribution of chips was to reflect how much output the worker provided. Commissioner Esser added that the Virginia Employment Commission's Rural and Farm Services perform a survey on wages in the agriculture industry. This illegal activity is addressed in the Migrant Protection Act, and has not been a problem in Virginia for a number of years.

#### *State Agricultural Employer Snapshot*

An inquiry was made by Ms. Brown regarding a snapshot on agriculture employers in the state available online or in print. Mr. Turner noted that there is an issue of anonymity with many of the growers in the agricultural community. When the VEC performs its wage survey on growers, a third party extension is used to maintain the anonymity of the grower community. Grower associations can provide a brief snapshot of the number of growers in a specified region; however, obtaining contact information and/or comprehensive database on the growers themselves may be difficult. Mr. Annis suggested that Ms. Brown contact the various Governor appointed boards to obtain more information on growers.

#### *Migrant Education*

Ms. Bramblett reported that the Department of Education, Migrant Education Program, in cooperation with the Telamon Corporation, has developed a referral form, in English and Spanish. The Department of Education is also compiling a list of migrant liaisons, including Title I specialists, and listed by county.

Ms. Bramblet reported that Veronica Donahue, member of the Latino Advisory Board, is delivering a report to the Governor. The report includes migrant education recommendations, specifically on requests for more adult ESL class, in addition to a request to restore migrant education funding.

**With no further business to discuss, the Interagency Migrant Policy Committee Meeting was adjourned.**