



U.S. DEPARTMENT OF LABOR

**ETA VISION 2030**

**REGIONAL CONVENING**

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NOVEMBER 14-15, 2023

# What is the Monitor Advocate System? Why it is Important and How You Can Make a Difference



**Gerardo Aranda**

State Monitor Advocate  
Michigan Department of Labor &  
Economic Opportunity



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Migrant and Seasonal Farm  
Workers (MSFW) Outreach  
Specialist  
Georgia Department of Labor



# WHAT IS THE MONITOR ADVOCATE SYSTEM? WHY IT IS IMPORTANT AND HOW YOU CAN MAKE A DIFFERENCE

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NOVEMBER 14, 2023

The farmworker population is a rural workforce essential to our food supply.

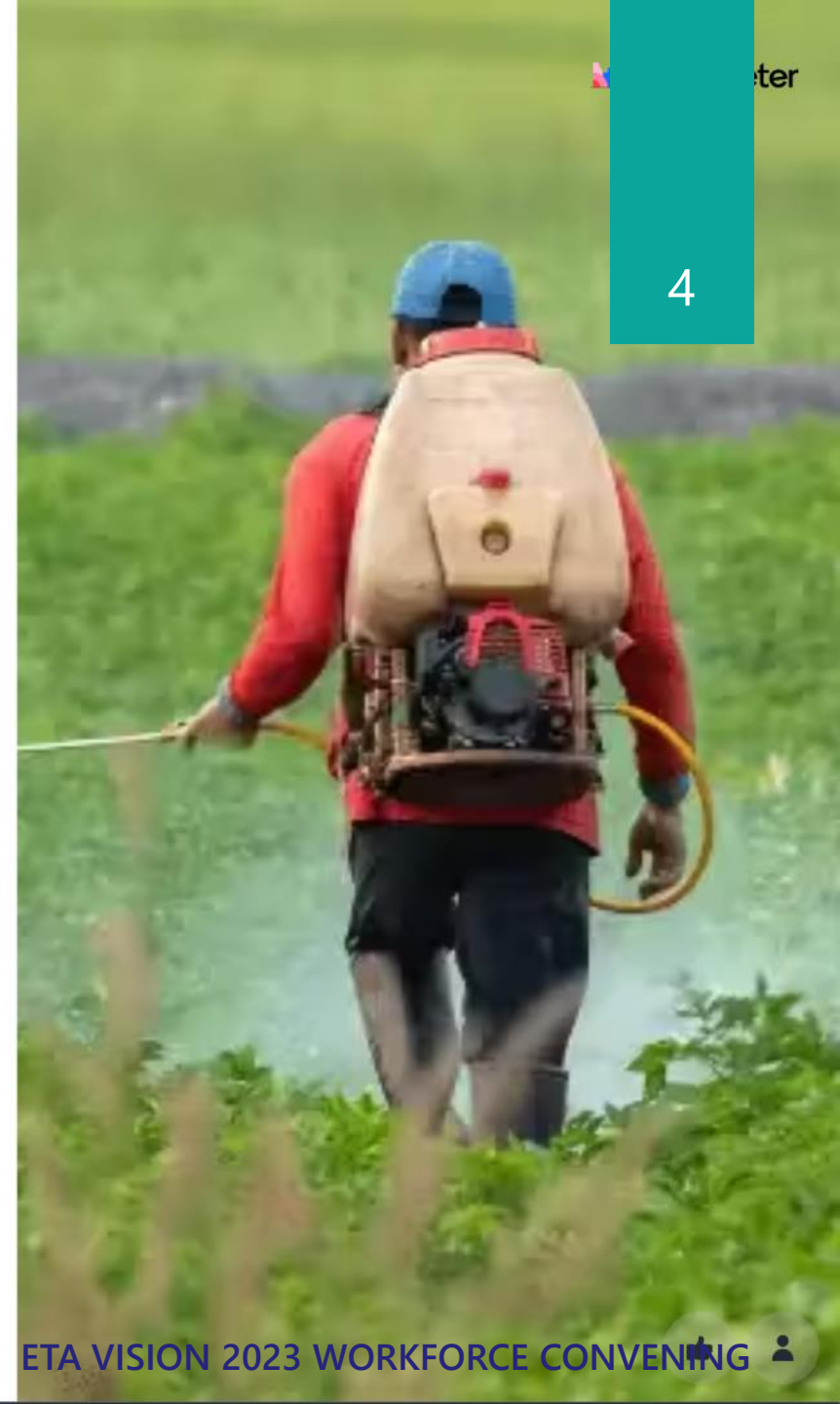
## What are the unique needs of farmworkers in your State?

Waiting for responses ...

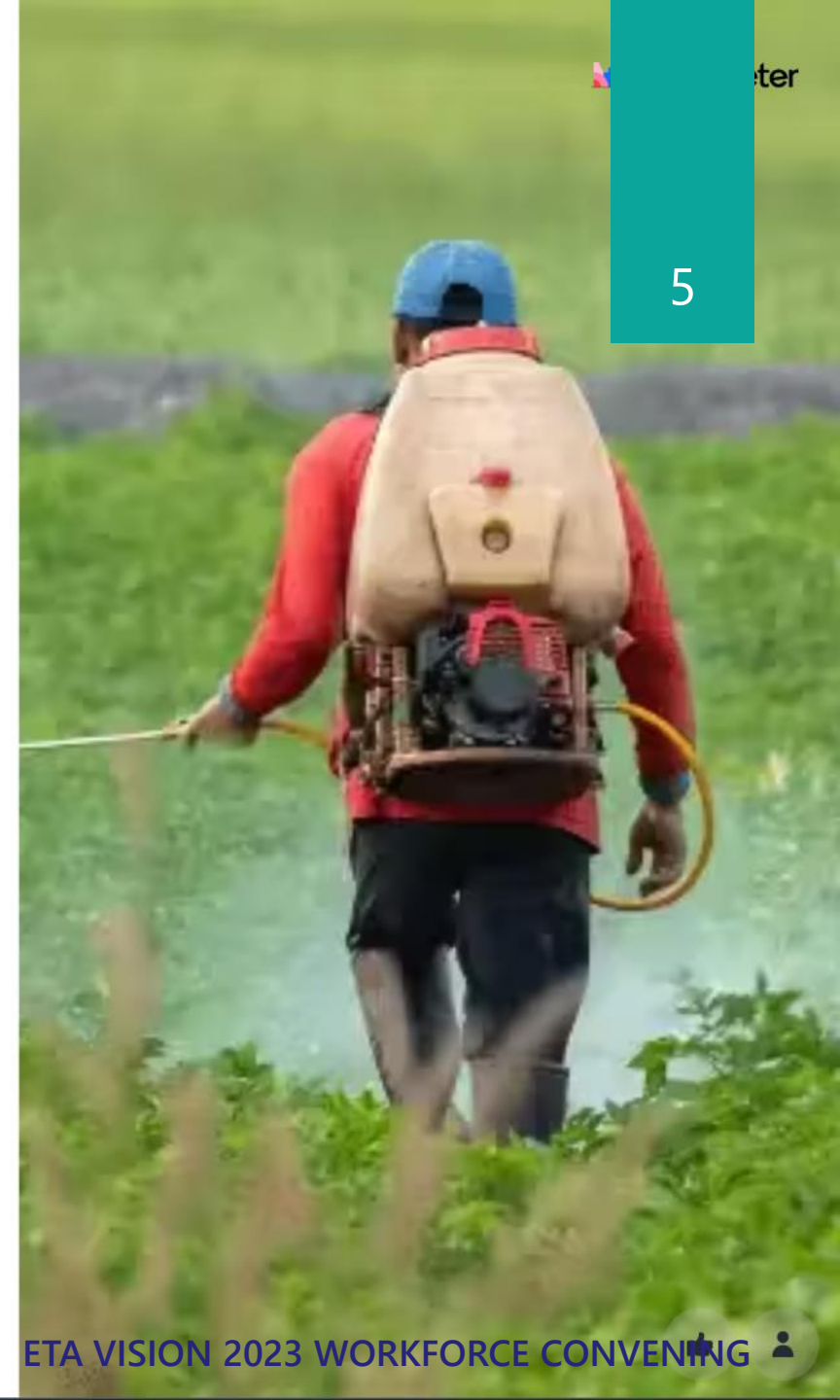


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What farmwork-related issues have you witnessed or been made aware of?



4





# Presenters

- Ray Garcia, Regional Monitor Advocate (Region 5)
- Maureen Mitchell, Regional Monitor Advocate (Region 3)
- Gerardo Aranda, State Monitor Advocate (Michigan)
- Felipe Pacheco, State Monitor Advocate (Georgia)

# POLL RESULTS

# What is the Monitor Advocate System?



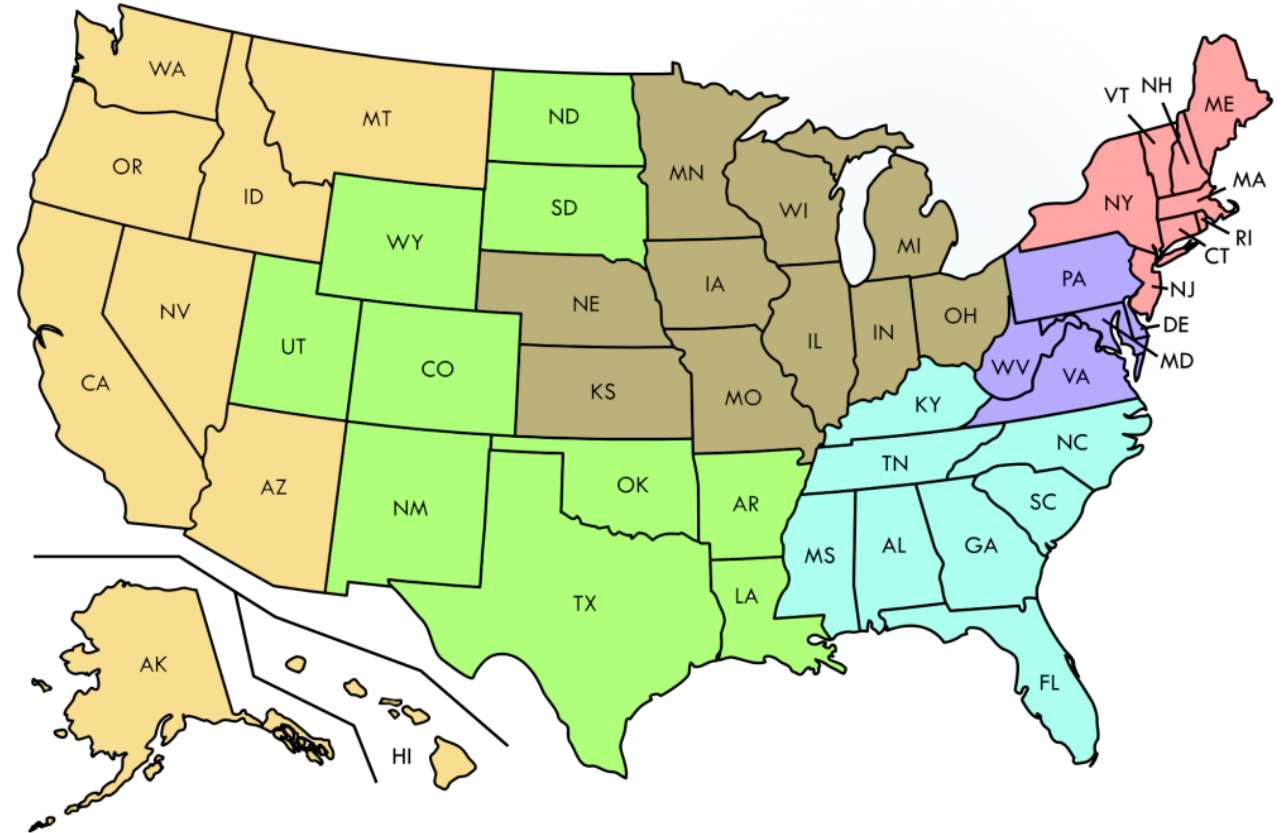
The Monitor Advocate System  
is not a program It is a  
compliance system within a  
grant.



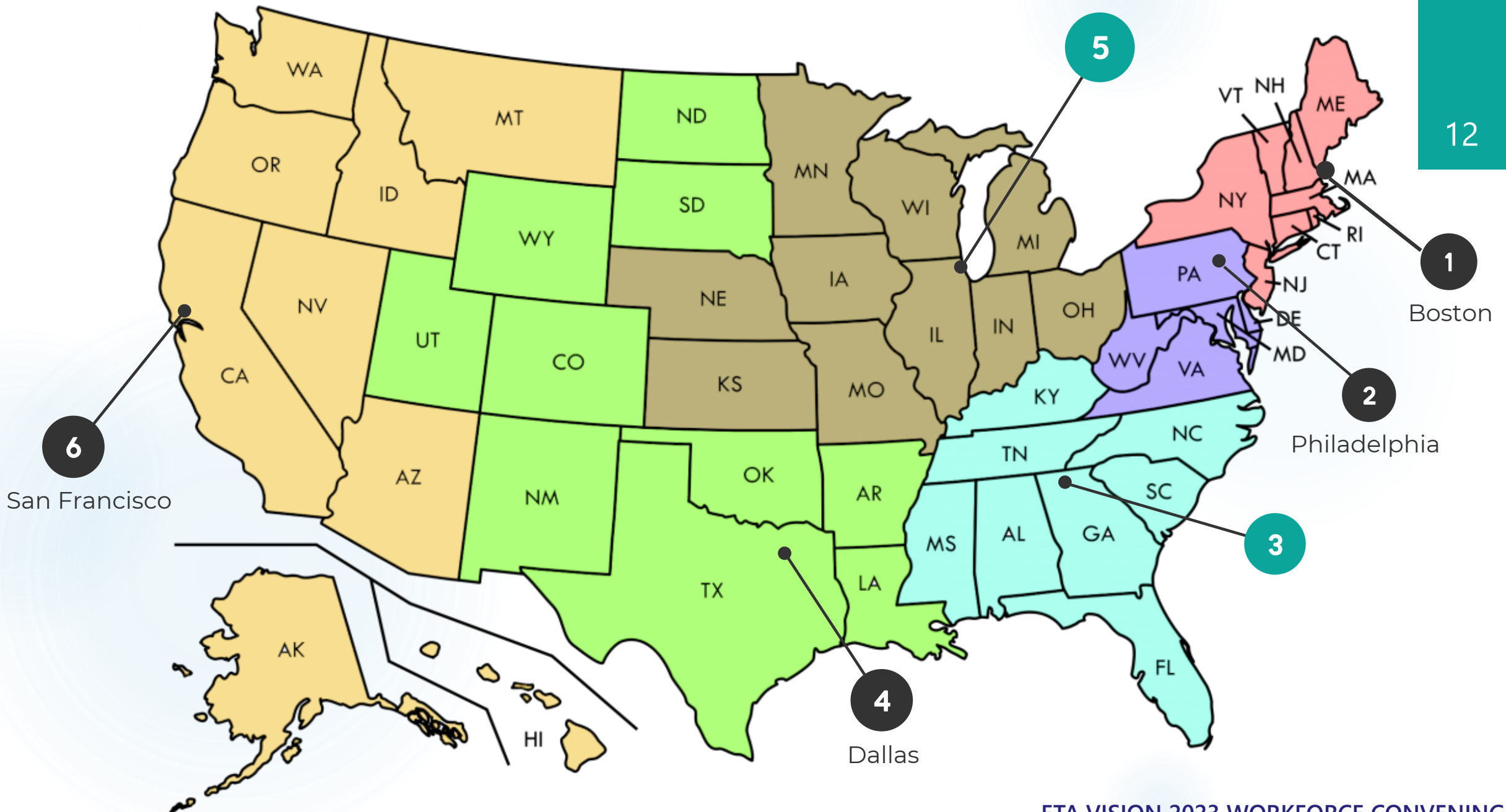
- The Department created the Monitor Advocate System to carry out requirements of the Judge Richey Court Order of 1974, which was a result of NAACP v. Brennan.
- The Department's implementing regulations require State Workforce Agencies (SWAs) to designate a State Monitor Advocate (SMA) who reviews state MSFW services on an ongoing basis.
- Additionally, at the federal level, there are six Regional Monitor Advocates (RMAs), who provide support to SMAs and also monitor SWA compliance.
- One National Monitor Advocate (NMA) oversees the entire system.
- ETA regulations regarding the Monitor Advocate System and MSFW services are located at 20 CFR 651, 653, 654, and 658.

# Exploring the Department of Labor ETA Regional Offices

ETA maintains six regional offices whose staff monitor programs, services and benefits provided under the Workforce Innovation and Opportunity Act, Unemployment Insurance Program, Trade Adjustment Assistance Program, and other targeted grant investments.





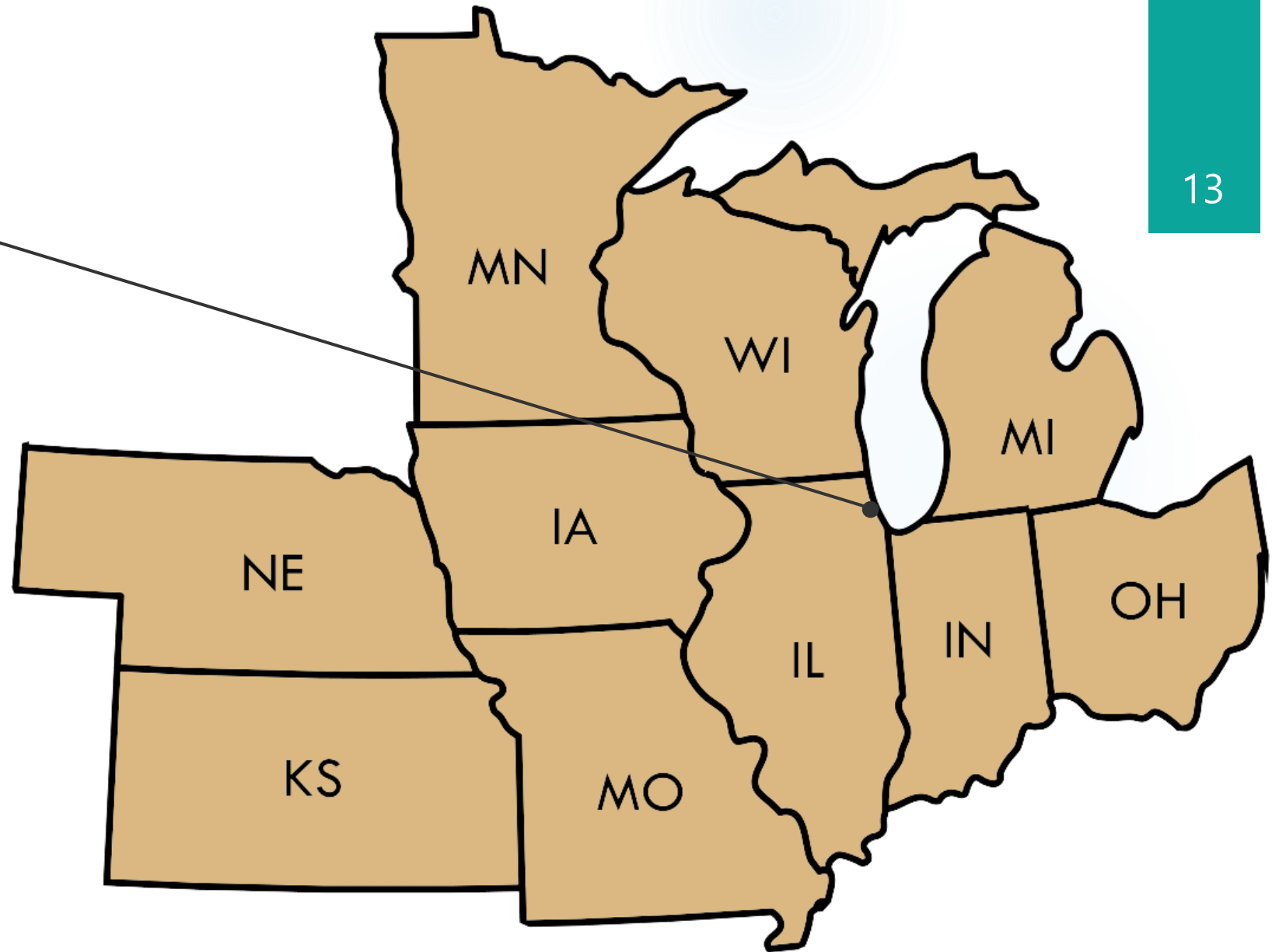


# DOL Region

5

## CHICAGO

- Illinois
- Indiana
- Iowa
- Kansas
- Michigan
- Minnesota
- Missouri
- Nebraska
- Ohio
- Wisconsin



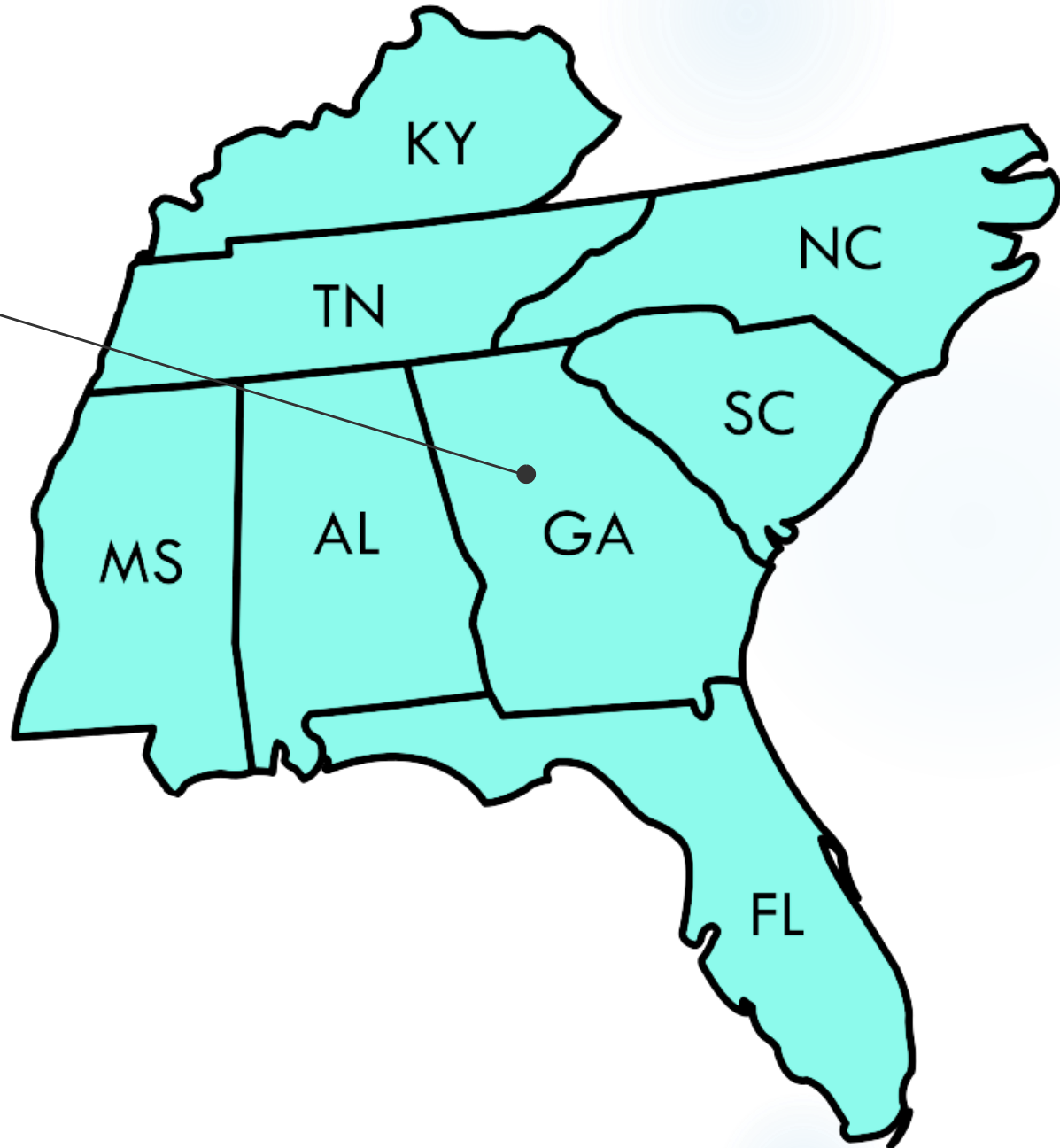
13

# DOL Region

3

ATLANTA

- Alabama
- Florida
- Georgia
- Kentucky
- Mississippi
- North Carolina
- South Carolina
- Tennessee



14

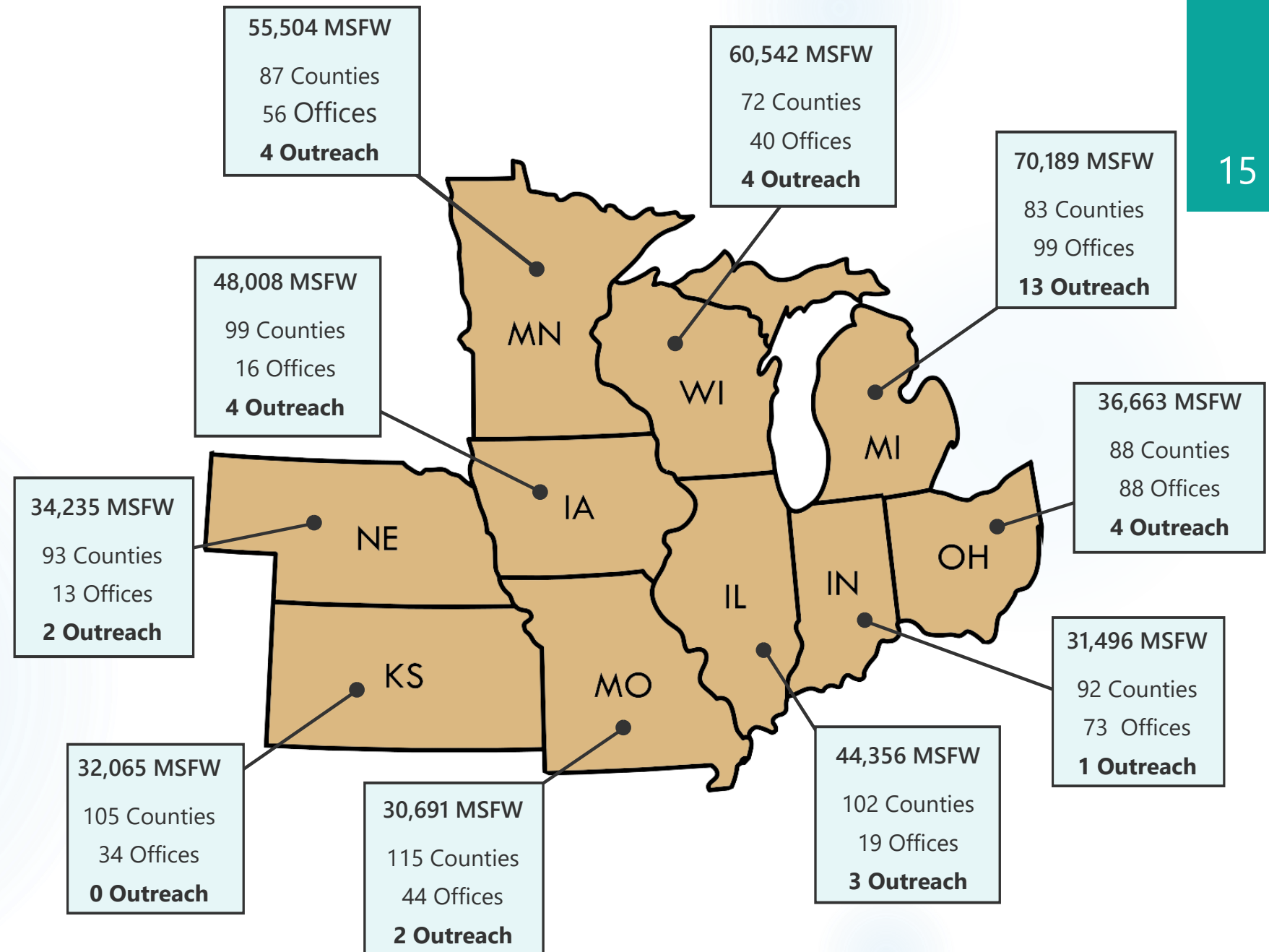


# REGION 5

- **443,749** estimated MSFWs \*
- **936** Counties
- **482** Offices
- **37** Outreach Workers
- **1:11,993** MSFWs

\*Estimate Top-Down Data

**\*Top-down.** Top-down farm worker estimation strategies begin with the most reliable data available, often farm operator expenses incurred by employers for workers that are hired directly and for contract labor brought to farms. These labor expense data from the Census of Agriculture (most recent is 2017) can be converted into hours worked by dividing them by the average hourly earnings of US crop workers (\$11.99 in 2017 from the NAWS) and US livestock workers (\$12.38 from the FLS).

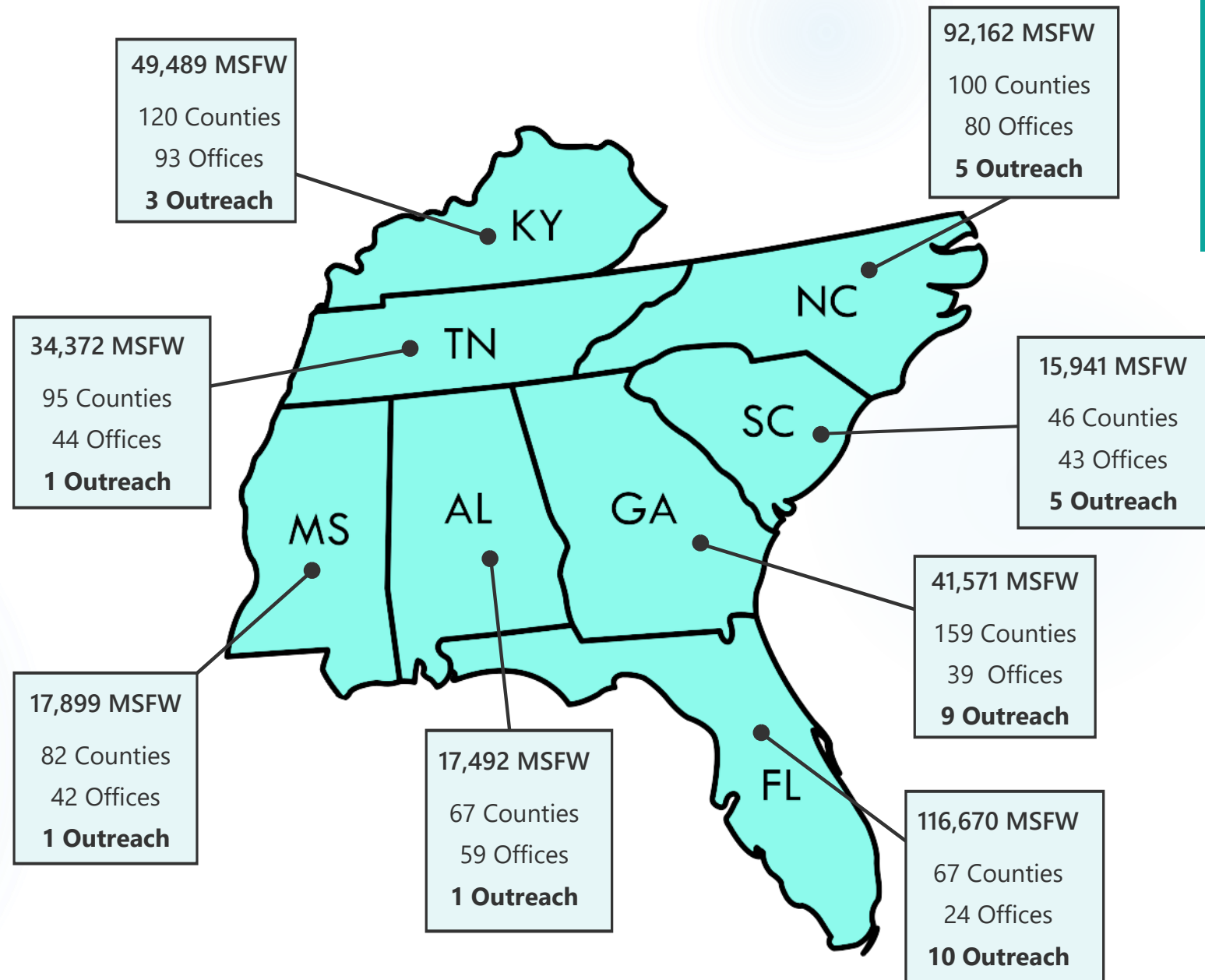


# REGION 3

- **376,596** estimated MSFWs \*
- **736** Counties
- **424** Offices
- **35** Outreach Workers
- **1:10,759** MSFWs

\*Estimate Top-Down Data

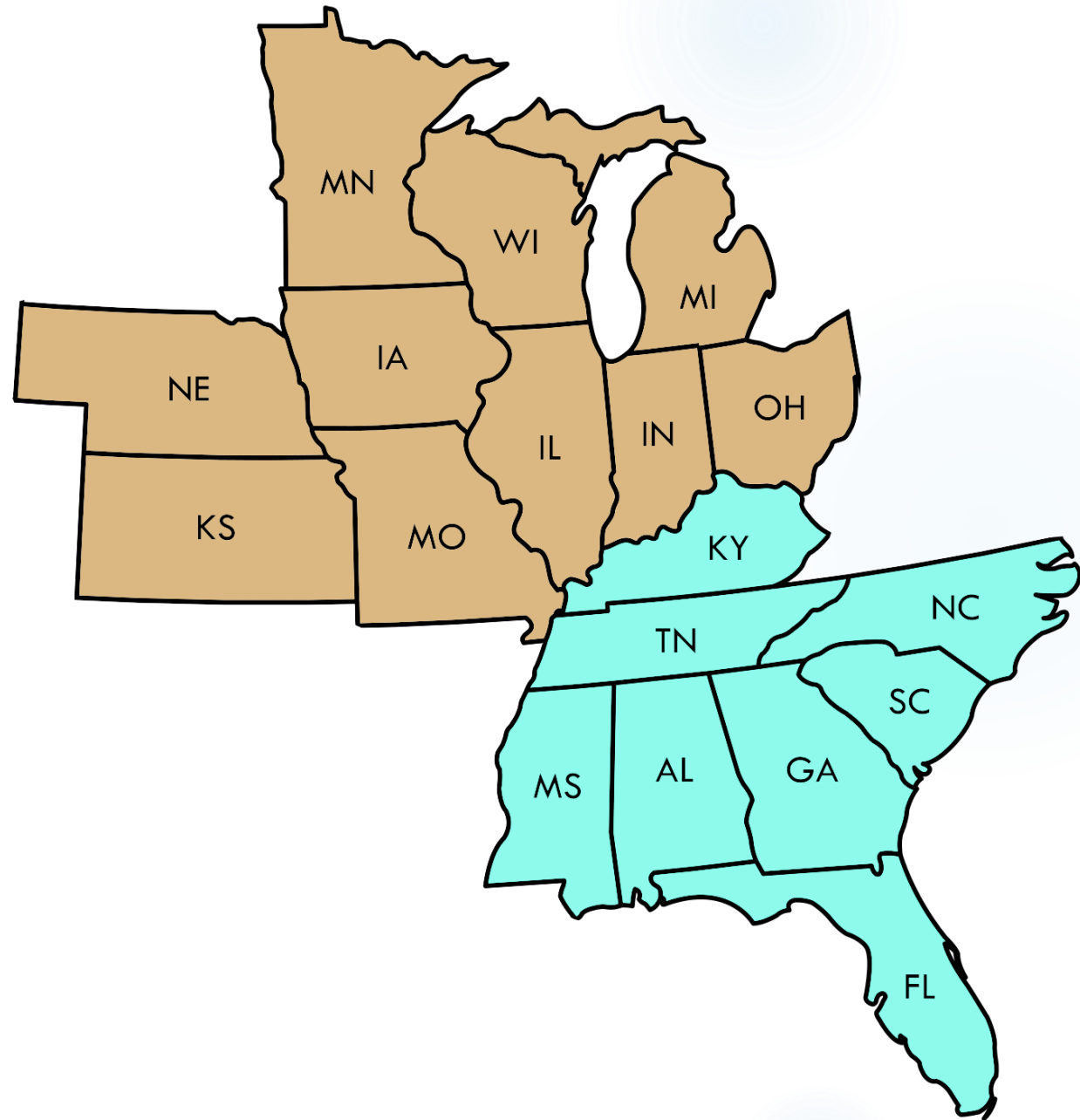
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# REGIONS

## 3 and 5

- **18 States**
- **820,345** estimated MSFWs
- **1,672 Counties**
- **906 Offices**
- **72 Outreach Workers**
- **1:11,393 MSFWs**



# Significant Migrant and Seasonal Farmworker (MSFW) States

Program Year 2023

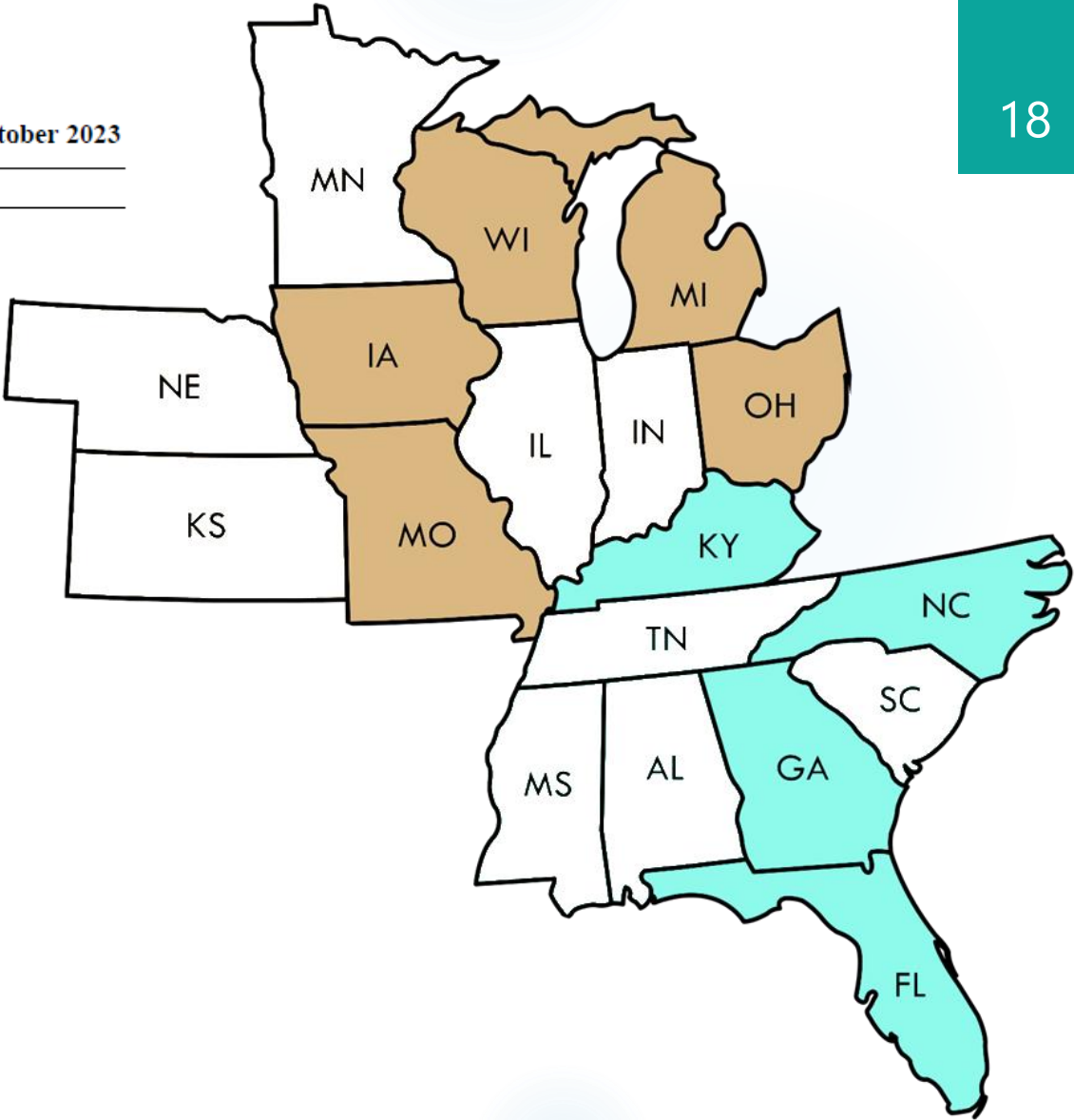
Updated October 2023

The United States Department of Labor, Employment and Training Administration

## I. Significant Migrant and Seasonal Farmworker (MSFW) States .<sup>1</sup>

The following States are designated as Significant MSFW States for program year (PY) 2023.

●	Arizona
	Arkansas
	California
	Colorado
●	Florida
●	Georgia
	Idaho
●	Iowa
●	Kentucky
●	Michigan
●	Missouri
	New Mexico
	New York
●	North Carolina
●	Ohio
	Oregon
	Puerto Rico
	Texas
	Washington
*	Wisconsin



# Significant MSFW States Defined

19

- Significant MSFW States are those States designated annually by the Department of Labor (the Department) and must include the 20 States with the highest number of MSFW participants. 20 CFR 651.10.

# Outreach Staffing Requirements

20

- SWAs must provide an **adequate number of outreach staff** to conduct MSFW outreach in their service areas. In the 20 states with the highest estimated year-round MSFW activity (significant MSFW states), there must be full-time, year-round outreach staff to conduct outreach duties. For the remainder of the states, there must be year-round part-time outreach staff, and during periods of the highest MSFW activity, there must be full-time outreach staff.  
[See 20 CFR 653.107\(a\)\(1\)-\(4\).](#)



# Getting to Know the Agricultural Outreach Plan (AOP)

WIOA★State Plan

## Program-Specific Requirements for Wagner-Peyser Program (Employment Services)

21

2 YEAR MODIFICATION

### Georgia PYs 2022-2023 (Mod) ⓘ

Published View

Download Plan

#### Plan Content

+ Overview

+ I. WIOA State Plan Type and Executive Summary

+ II. Strategic Elements

+ III. Operational Planning Elements

IV. Coordination with State Plan Programs

V. Common Assurances (For All Core Programs)

+ VI. Program-Specific Requirements for Core Programs

VII. Program-Specific Requirements for Combined State Plan Partner Programs

+ Performance Indicator Appendix

e. Agricultural Outreach Plan (AOP). 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 an assessment of need. An assessment need describes the unique needs of farmworkers in the area based on past and projected agricultural and farmworker activity in the State. Such needs may include but are not limited to: employment, training, and housing.

1. Assessment of Need. Provide an assessment of the unique needs of farmworkers in the area based on past and projected agricultural and farmworker activity in the State. Such needs may include but are not limited to: employment, training, and housing.
2. 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
3. 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

# Elements of the Agricultural Outreach Plan (AOP)

22

1. Assessment of need
2. Assessment of the agricultural activity in the State
3. Assessment of unique needs of farmworkers
4. Outreach activities
5. Services provided to farmworkers and agricultural employers through the one-stop delivery system
6. Other Requirements (Collaboration, Review, Data Assessment, Progress, State Monitor Advocate)

# Agricultural Outreach Plan (AOP) Review Process

23

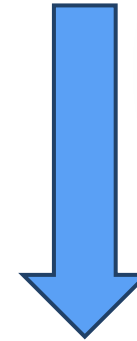
## State Monitor Advocate



Reviews and approves the SWA's  
Agricultural Outreach Plan (AOP).

20 CFR 653.108(g)(4)

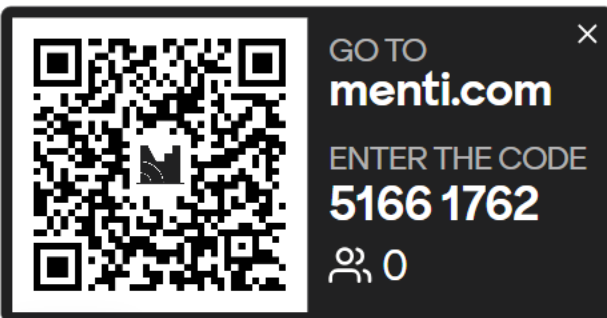
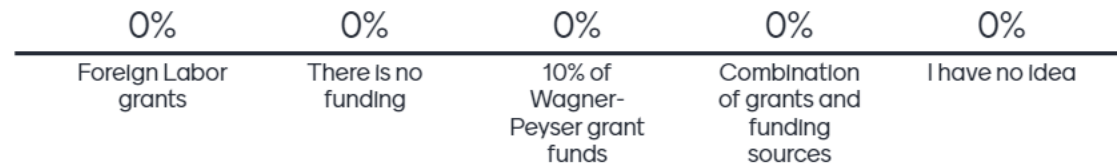
## ETA Regional Offices



Reviews and approves the state  
Agricultural Outreach Plan (AOP) to  
ensure it complies with 20 CFR 653.107  
and the State Plan Information Collection  
Request.

# Funding the Monitor Advocate System

# How can the Monitor Advocate System be funded?



# How can the Monitor Advocate System be funded?





# POLL RESULTS

# The Wagner-Peyser Act

## funds the Monitor Advocate System

- To provide services such as outreach to Migrant and Seasonal Farmworkers (MSFW), State Monitor Advocate (SMA) responsibilities, and others, State Workforce Agencies (SWA) must use Wagner-Peyser Act ES funding to provide employment services to MSFWs, as described at 20 CFR § 651, 653, 654, and 658.
- Refer to TEGL No. 15-22  
Appendix IV – Wagner-Peyser Act ES Allotment Activities

# History of the Monitor Advocate System

29

- For over 40 years, outreach workers and Monitor Advocates have provided important support to U.S. agricultural workers and employers throughout America.
- The Monitor Advocate System is a federal/state monitoring system that ensures migrant and seasonal farmworkers (MSFW) have equitable access to career services, skill development, and workforce protections offered by American Job Centers, so they may improve their living and working conditions.

# Key Components of the Monitor Advocate System

30

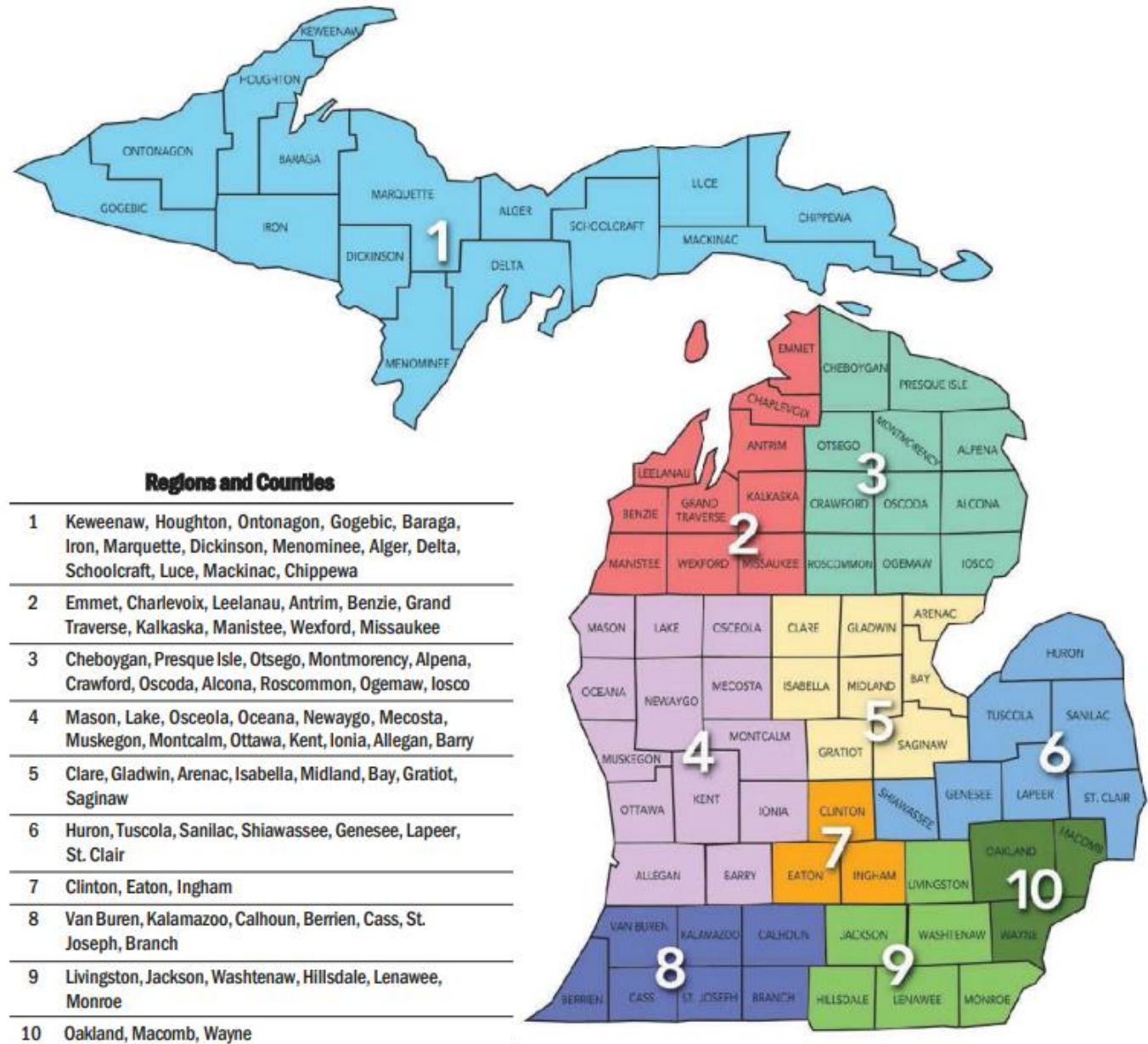
- Conducting outreach to MSFWs at their working, living, and gathering places.
- Monitoring services provided to MSFWs at American Job Centers.
- Facilitating the Employment Service and Employment-Related Law Complaint System, which helps resolve labor-related complaints.
- Promoting the Agricultural Recruitment System for U.S. workers, which connects job seekers who need employment to employers who need workers.

# Michigan Outreach Staffing Levels

## Agricultural Employment Liaison Assignments

Agricultural Recruitment System  
Hotline: 1-855-633-2373

Email: [SMAOffice@michigan.gov](mailto:SMAOffice@michigan.gov)

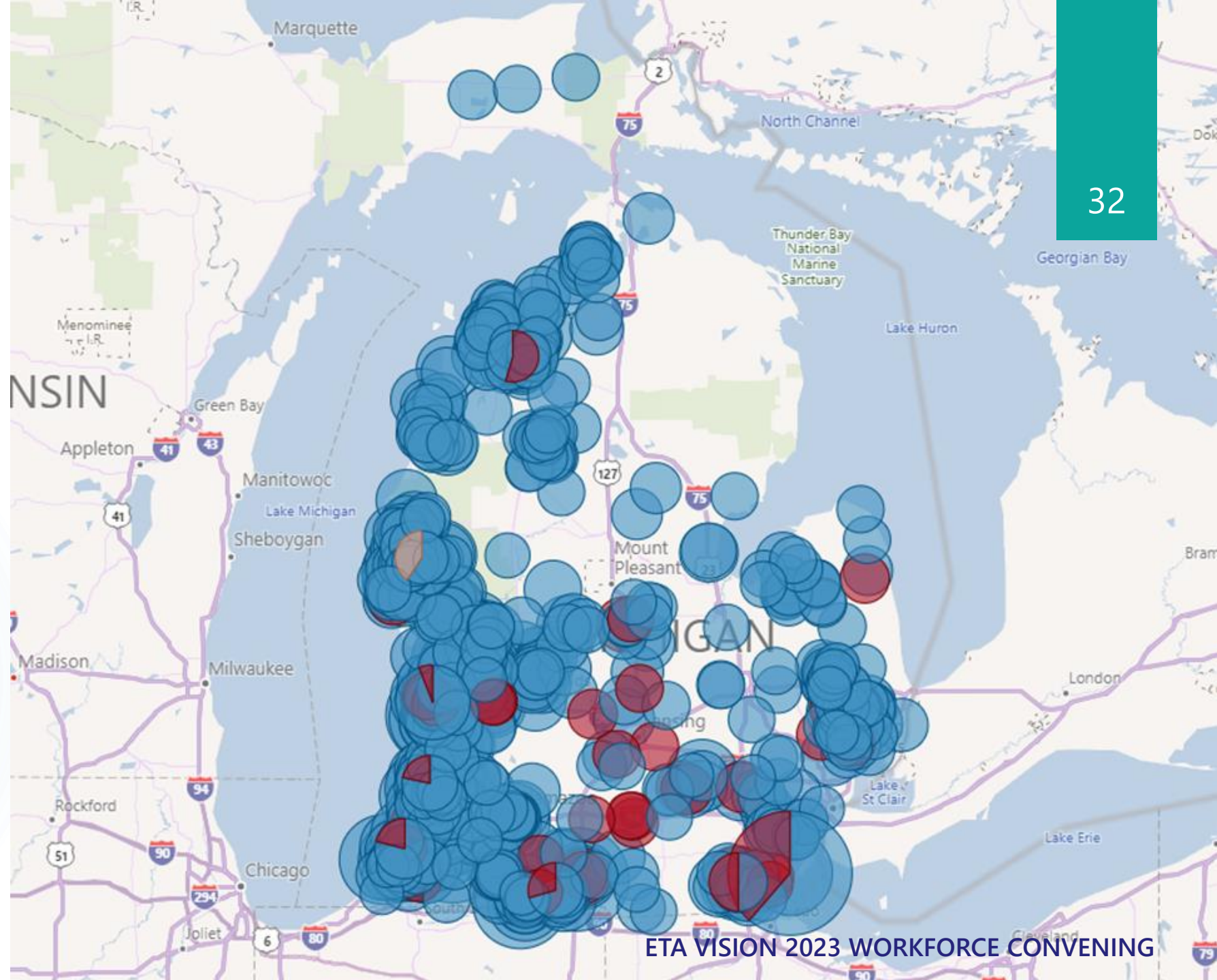




# Performance Data: Using Data to Drive Decisions and Improve Performance

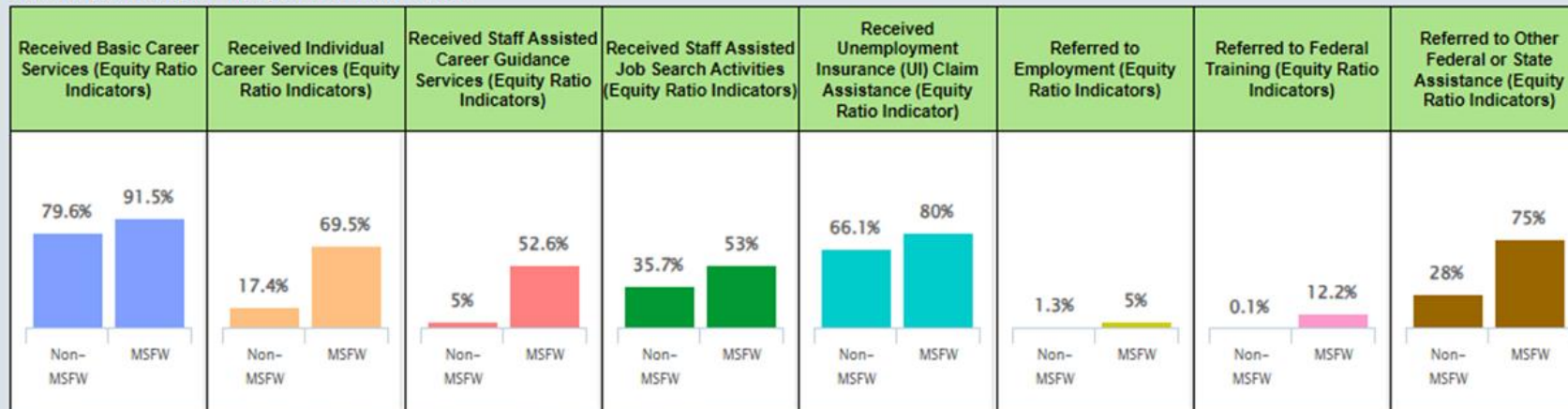
- What are the top 5 agricultural Commodities?
- Is there farmworker housing, how many units and what's the capacity?
- Are there seasonal farmworkers, estimate of the number?
- What other farmworker services are available?

[Microsoft Power BI \(powerbigov.us\)](https://powerbigov.us)





ETA-5148 (B) AES Report - Equity Ratio Indicators Percent



Report PY & Quarter  
PY 2023 Q2

Reporting Period  
10/01/2023 - 12/31/2023

Data Aggregation  
Program Year-To-Date:  
Statewide

Data Snapshot  
Data Extracted Oct 27, 2023 @  
12:12:00 AM

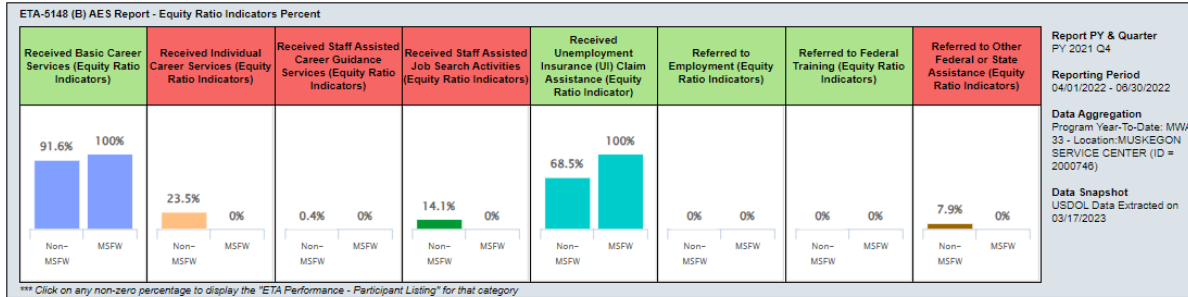
\*\*\* Click on any non-zero percentage to display the "ETA Performance - Participant Listing" for that category

**All Local Offices**

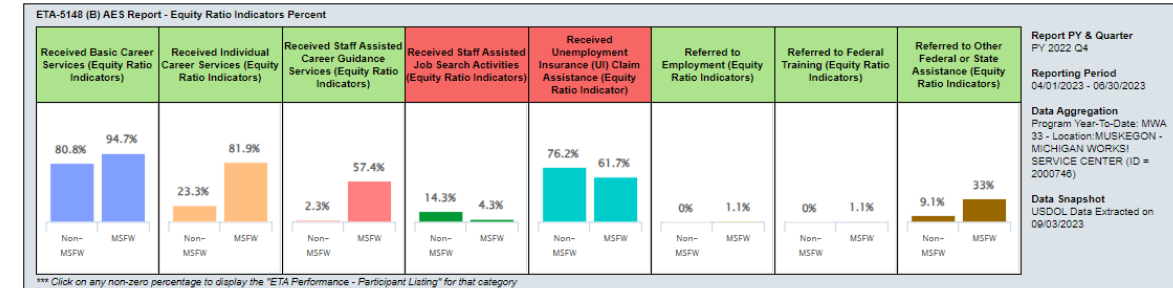
1st Qtr # of MSFW Contacts:	6725
1st Qtr # of Outreach Days by Staff:	420
1st Qtr # of Apparent Violations Reported:	3
1st Qtr # of Registrations Taken	1590
1st Qtr # of Referrals to a Job	77
1st Qtr # of Complaints Taken	2
1st Qtr # of Acces Refused by Employer	0
1st Qtr # of Employer Contacts/Visits	470
1st Qtr # of H-2A Contacts	3276
1st Qtr Outreach Contacts per Outreach Staff Day Worked	

# Staffing Non-Significant MSFW AJC's

34



	Description	Non-MSFW	MSFW	% of Non-MSFW Receiving	% of MSFW Receiving	Met Equity Ratio
Row	A. EQUITY RATIO INDICATORS COUNTS (ERI)					
	Column #	1	2	3	4	5
1	Total Participants (07/01/2021 - 06/30/2022)	1,693	5	-	-	-
2	Received Basic Career Services (Equity Ratio Indicators)	1,623	5	91.6	100.0	Yes
3	Received Individual Career Services (Equity Ratio Indicators)	390	0	23.5	0	No
4	Received Staff Assisted Career Guidance Services (Equity Ratio Indicators)	7	0	0.4	0	No
5	Received Staff Assisted Job Search Activities (Equity Ratio Indicators)	235	0	14.1	0	No
6	Received Unemployment Insurance (UI) Claim Assistance (Equity Ratio Indicators)	1,139	5	68.5	100.0	Yes
7	Referred to Employment (Equity Ratio Indicators)	0	0	0	0	Yes
8	Referred to Federal Training (Equity Ratio Indicators)	0	0	0	0	Yes
9	Referred to Other Federal or State Assistance (Equity Ratio Indicators)	132	0	7.9	0	No
10	Received Job Development	0	0	0	0	Yes
Row	B. MINIMUM SERVICE LEVEL INDICATORS (MSLI)					
	Column #	1	2	3	4	5
1	Total Exits 2nd quarter after exit (07/01/2020 - 06/30/2021)	532	3	-	-	-
2	Employed in 2nd quarter after exit	317	2	59.6	66.7	Yes
3	Median Earnings in 2nd quarter after exit	\$5,903	\$7,071	-	-	Yes
4	Total Exits 4th quarter after exit (01/01/2020 - 12/31/2020)	791	4	-	-	-
5	Individuals placed long term in non-agricultural jobs	272	2	34.4	50.0	Yes



	Description	Non-MSFW	MSFW	% of Non-MSFW Receiving	% of MSFW Receiving	Met Equity Ratio
Row	A. EQUITY RATIO INDICATORS COUNTS (ERI)					
	Column #	1	2	3	4	5
1	Total Participants (07/01/2022 - 06/30/2023)	2,592	94	-	-	-
2	Received Basic Career Services (Equity Ratio Indicators)	2,099	89	80.8	94.7	Yes
3	Received Individual Career Services (Equity Ratio Indicators)	597	77	23.3	81.9	Yes
4	Received Staff Assisted Career Guidance Services (Equity Ratio Indicators)	58	54	2.3	57.4	Yes
5	Received Staff Assisted Job Search Activities (Equity Ratio Indicators)	368	4	14.3	4.3	No
6	Received Unemployment Insurance (UI) Claim Assistance (Equity Ratio Indicators)	1,951	59	76.2	61.7	No
7	Referred to Employment (Equity Ratio Indicators)	0	1	0	1.1	Yes
8	Referred to Federal Training (Equity Ratio Indicators)	0	1	0	1.1	Yes
9	Referred to Other Federal or State Assistance (Equity Ratio Indicators)	234	31	9.1	33.0	Yes
10	Received Job Development	0	1	0	1.1	Yes
Row	B. MINIMUM SERVICE LEVEL INDICATORS (MSLI)					
	Column #	1	2	3	4	5
1	Total Exits 2nd quarter after exit (07/01/2021 - 06/30/2022)	1,523	6	-	-	-
2	Employed in 2nd quarter after exit	1,141	5	74.9	83.3	Yes
3	Median Earnings in 2nd quarter after exit	\$8,369	\$11,697	-	-	Yes
4	Total Exits 4th quarter after exit (01/01/2021 - 12/31/2021)	879	4	-	-	-
5	Individuals placed long term in non-agricultural jobs	442	0	50.5	0	No





# Power of Collaboration

35

Visited Farmworkers in Blueberry, Cherry Asparagus, Apples and Vegetables

MSFW Joint Outreach, NFJP, MEP, LEO AES



SMA and NFJP staff at Farmworker Welcome Event



MSFW Outreach Planning Meeting-NFJP, MEP, LEO AES

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# Introduction to Partner Agency Collaboration

36

- Importance of collaboration between different stakeholders
  - Collaboration among different stakeholders like government agencies, employers, non-profits, and community groups leads to the creation of more realistic solutions addressing the complex challenges faced by MSFWs. By pooling resources and expertise, stakeholders can devise strategies that cater to the multi-dimensional needs of the MSFW community, encompassing legal rights, health and safety, skill development, and economic stability.
- Active MOU's with NFJP Telamon and NFJP Housing Grantee
  - Collaborative efforts allow for the efficient utilization and allocation of resources. By working together, stakeholders can leverage each other's strengths, share the financial, human, and material resources, and avoid duplication of efforts, leading to more effective and cost-efficient service delivery to MSFWs.



# Role of NFJP

37

## ■ Objective of the National Farmworker Jobs Program

- The National Farmworker Jobs Program (NFJP) plays a pivotal role in enhancing the employability and job retention of migrant and seasonal farmworkers. Through tailored training programs and employment assistance, NFJP helps MSFWs secure stable, high-quality employment, fostering their economic self-sufficiency.


## ■ How NFJP can collaborate with the Monitor Advocate System

- NFJP acts as a staunch advocate for the rights of MSFWs, educating them on their legal entitlements, workplace safety standards, and available support services. By disseminating crucial information and resources, NFJP empowers MSFWs to advocate for their rights and access the assistance they need to thrive in their working and personal lives.

# NFJP Success Stories

38


## From MSFW to CDL Driver



Their Vision,  
Our Mission

### National Farmworker Jobs Program Success Story


**Blanca Arceo – Career Advisor – Teisa Velazquez**



*Blanca joined Telamon Georgia NFJP as a single parent of five. She has an extensive background in farmwork. She supported her family picking different crops at Maldonado Harvesting. During that time at the farm Blanca learned about Telamon and the NFJP program. Blanca's main goal was to become a Truck Driver to be able to obtain a skill she could utilize to remain self-sufficient, and become financially stable to provide for her family.*


*After various Interests and Aptitude Assessments it was decided that Blanca would be a good fit for the program. The career advisor worked on her goal plan, and helped her enroll in Occupational Training for a Commercial Driver's License (CDL) at Georgia Driving Academy. Although Blanca could start the training she had a few obstacles standing in her way. Her family was very supportive and excited to see their daughter on the right path. Sadly, her family could not give her financial support, and were unable to watch her children during her training. To overcome these obstacles her career advisor was able to help her with resources and supportive services to begin the training. Through her training Blanca received financial support, motivating career counseling and uplifting guidance. "It was very hard for me to be away from my kids for this long, but I am here for them and our future thanks to Mrs. Teisa for always supporting me to the end, she was my rock," said Blanca.*

*After three weeks of hard work, dedication and determination Blanca completed the training and obtained her Commercial Driver's License. Blanca has a bright future ahead of her, and we are excited to see her start this new career journey as a Truck Driver.*



*"I am always going to be grateful for Telamon and Mrs. Teisa for the help and support. God Bless you all!" - Blanca. A*

## From MSFW to Legal Assistant




Telamon Corporation  
GEORGIA

Jacqueline Rodriguez is the older daughter of three, her mom Blanca Monroy has been working as a seasonal farm worker since Jacqueline was a little girl, and because her mother has been a seasonal farmworker Jacqueline qualified for assistance. Jacqueline graduated from Berrien High School in Nashville Georgia on May 2018 with outstanding grades.


When Jacqueline Rodriguez enrolled in Telamon, she had just completed her first year of college at Georgia Military College in Valdosta Georgia and she was unemployed at the time. During initial assessments and discussions, Jacqueline stated that her dream was to become a lawyer, and it was her goal to complete her final year of school. However, because her family was struggling financially due to a bad season and lack of workdays, she was planning to quit school. Jacqueline had initially enrolled to find a full-time job to be able to pay her school bills. After discussing the work experience program and the benefits included, Jacqueline gained hope to continue chasing her dreams.

Jacqueline and her case manager worked on her goal plan. Which was to get into a highly regarded law firm called George McCranie Law firm, located in Valdosta Georgia. The Law firm was able to assist Jacqueline, she met with the assistant manager Cindy Gonzalez for an interview and later received a job offer. Jacqueline started working for George McCranie Law firm Monday, April 4<sup>th</sup> of 2022. Jacqueline will start working part-time to gain work experience, with a pay rate of \$10.00 per hour.

During her first month of collaborating with the firm, Jacqueline shared that she was learning well. She was assisting customers and felt good to be able to help others. Cindy Gonzalez was very pleasant with Jacqueline's work technique and how responsible she was. A few weeks later, the law firm decided to hire Jacqueline full-time. Jacqueline started working on July 25<sup>th</sup> of 2022 with a pay rate of \$12.00 per hour. Now that she is employed full-time, she was able to pay part of her school bills. She is on the right track and eager to reach her goal.



*"It has been a wonderful experience working with Telamon. They helped me reach my goals and helped me get the dream job that I have had since I was 15 years old. Telamon has opened doors for me in my life and gave me the opportunity to continue to better myself. I am thankful for my experience with them. Teisa and her team were always very attentive to my needs and helped me each step of the way. They are incredibly good people, and I am sincerely grateful for all the work they did for me." Jacqueline Rodriguez*



Telamon Corporation  
GEORGIA



# Role of Wage and Hour Division

39

## ■ Objective of the Wage and Hour Division

- The Wage and Hour Division (WHD) primarily ensures employers comply with wage laws, while the Monitor Advocate System (MAS) ensures migrant and seasonal farmworkers (MSFWs) have equitable access to employment services. Together, they form a robust framework to uphold the rights and welfare of MSFWs.

## ■ How the Wage and Hour Division can collaborate with the Monitor Advocate System

- Through collaborative efforts, the WHD and MAS work to identify wage discrepancies, educate employers and MSFWs on wage laws, and facilitate the resolution of wage-related grievances, contributing to a fair and compliant agricultural labor market.

# Benefits of Collaboration

40

- Streamlined resolution of labor-related grievances
  - Collaborative efforts between MAS and partner agencies promote adherence to legal and regulatory requirements, thereby fostering a culture of compliance among employers. This collaboration also enhances accountability by establishing clear channels for reporting and addressing grievances, which is crucial for the protection of MSFWs' rights.
- Shared resources and knowledge
  - The collaboration facilitates a rich exchange of knowledge and best practices among MAS and partner agencies. This sharing of insights leads to enhanced capacity for all involved, fostering continuous improvement in the strategies employed to support and advocate for MSFWs.
- Improved service delivery to MSFWs
  - Collaboration between the Monitor Advocate System (MAS) and partner agencies significantly amplifies the outreach and support available to Migrant and Seasonal Farm Workers (MSFWs). By pooling resources and expertise, these collaborations ensure that a larger number of MSFWs are informed about their rights and have access to essential services.



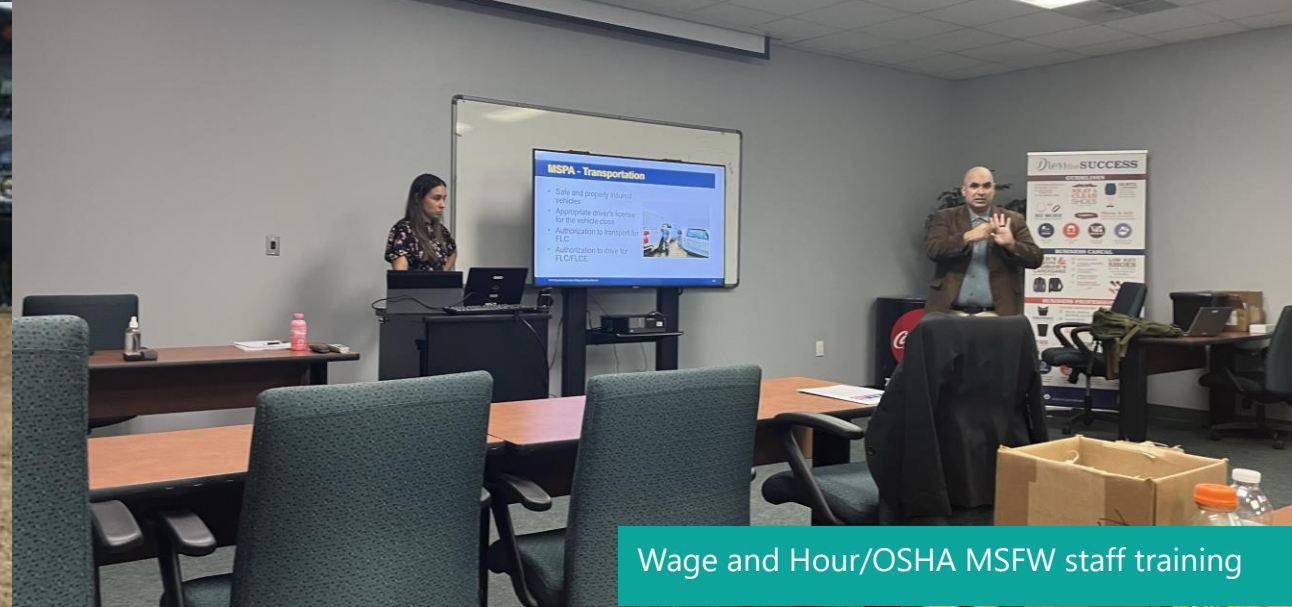


41

Outreach and partnership with EEOC



Wage and Hour field investigation in Michigan



Wage and Hour/OSHA MSFW staff training



# Future Steps and Recommendations

42

- Recommendations for fostering collaboration between the Monitor Advocate System, NFJP, and Wage and Hour Division
  - Organizing joint outreach programs to MSFW communities to educate them on their rights, available services, and resources. This can involve hosting workshops, information sessions, and community events collaboratively.
- Exploring further areas of collaboration to enhance MSFW awareness and support.
  - Conducting collaborative research to understand the evolving needs of MSFWs and sharing data among the agencies to inform policy and program development. This could help in tailoring interventions to meet the actual needs of MSFWs.
- Commitment to ongoing education and advocacy to foster a supportive environment for MSFWs.
  - Establishing a structured referral system among the three agencies to ensure that MSFWs are directed to the appropriate agency based on their needs and issues. This would ensure a streamlined support system for the MSFWs.

# Helpful Resources

43

- [Monitor Advocate System Website](#)
- [Monitor Advocate System – OnePager](#)
- [Monitor Advocate National Directory](#)
- [Significant Migrant and Seasonal Farmworker \(MSFW\) States](#)
- [Employment Service and Employment Related Law Complaint System Poster \(English\)](#)
- [Employment Service and Employment Related Law Complaint System Poster \(Spanish\)](#)
- Noteworthy ETA Advisories
  - [TEGL 08-23](#)
  - [TEGL 04-23](#)
  - [TEGL 08-17](#)
  - [TEGL 15-22](#)
  - [TEGL 15-22 Appendix IV – Wagner-Peyser Act ES Allotment Activities](#)

# Contact Information

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# Questions?