

**Vermont
Agricultural Outreach Plan
Program Year (PY) 2014**



**Vermont Department of Labor
Workforce Development Division
Director: Rose Lucenti**

Vermont WIA/W-P Annual Agricultural Outreach Plan PY 2014 -2015

A. Assessment of Need

- a. A review of the previous year's agricultural activity in the state.
 - Agricultural activity in the state has not changed significantly from the previous year. Productivity has varied depending on the weather, the apple crop appeared to be the most impacted by the dry followed by wet conditions at harvest time.
 - The vegetable and fruit growers have been investigating and implementing technical improvements in the use of greenhouses. The University of Vermont Extension Service has been providing information and assistance with this activity.
 - With the increase in diversity for the agricultural employers comes the complication of meeting the requirements of the Fair Labor Standards Act and meeting the Federal guidelines for agricultural employment being investigated by USDOL Wage & Hour. The Vermont Department of Labor is working with the Agency of Agriculture and the private sector to provide informational meetings on the labor laws for agricultural employers.
 - Primary seasonal crops for the State are vegetables, fruits, berries, and apples.

- b. A review of the previous year's MSFW activity in the State:
 - The MSFW activity in Vermont is extremely low. At the end of the 4th quarter of PY2013 calendar year 21 of the approximately 25,000 registrants in the VJL MIS system identified themselves as MSFWs. The majority of identified crop workers (about 400) in the state are through the H-2A program and so are not included in the MSFW count.
 - Most of the seasonal farm work in the State is in the area of vegetables, strawberries, raspberries, blueberries, and apples. The majority of seasonal workers hired were local and were able to return to their permanent place of residence at the end of the work day.

- c. A projected level of agricultural activity in the State for the coming year.
 - Based on the results of the previous years no significant change is expected in the base agricultural, crop, and horticultural activity in Vermont. The majority of agricultural activity continues to be from the small family farm producers.
 - The growth in the production of "cold climate" grapes continues. The University of Vermont Extension Service has developed, in conjunction with other Universities, training and support for farmers in the area of "cold climate grape production" for Wineries and Vineyards. Vermont Technical College has added a certification program in "cold climate viticulture" to their curriculum.
 - There is a trend towards business diversity by the producers in the State. This includes:
 - Partnering with the tourist industry to develop a specialty market, "agritourism". The official website of the Vermont Farms Association, <http://www.vtfarms.org/>, lists farms in the association open to the public, farm stays, group tours and a calendar of events.
 - The Vermont Grape and Wine Council web site, <http://www.vermontgrapeandwinecouncil.com/>, advertises tours and events demonstrating the "cold climate grape production", and specialized associated products being marketed.
 - This trend has caused confusion amongst the agricultural employers with respect to the basic labor laws, Fair Labor Standards Act, particularly in the use of the overtime exemption for and definition of agricultural workers.

- Additional programs, included in the Governors Strategic Plan (December 2012), Priority 6 – Working Landscape, outlines the objectives that will help maintain and grow the overall agricultural industry in Vermont.
 - The Vermont Agency of Agriculture received a USDA grant to work with four food “hubs” to support 56 schools in a “Farm to Plate” program and programs to encourage institutions, such as schools and hospitals to use local produce. Since the creation of the “Farm to Plate” program in 2011 there has been significant increase in the program.

WCAX CBS local news reports:

SOUTH BURLINGTON, Vt. - Farm to Plate estimates that Vermonters spent about \$100 million per year on local food.

That's out of the \$2 billion total. Farm to Plate wants to double that in the next six and a half years.

By 2020, leaders want Vermonters to spend \$200 million on local food a year. The Program's Director Erica Campbell tells us this movement is already paying off for our economy.

- The Community Supported Agriculture, CSA, program, (<http://nofavt.org/find-organic-food/csa-listing>), as the name implies, is a form of direct sale that invites consumers to directly support a farm or group of farms by enrolling in a seasonal share in the farms’ operations. Growth continues in this program, especially with the small farms where packing and shipping to larger companies selling and distributing produce.
- The growth in organic production of crops results in specialized local markets to health food stores and organic food distributors also works to sustain the vegetable and berry production.
- U.S. Secretary of Labor Hilda Solis announced, October 3, 2012, a grant that will enable a new institute at the Vermont Technical College (VTC) to establish certificate and degree programs for careers in agriculture, food production, waste disposal and energy production. New programs are being introduced, see news article below.

Monday, March 17, 2014

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Randolph — Vermont Technical College has added two agriculture programs through its Institute for Applied Agriculture and Food Systems. The Summer Diversified Agriculture Program and the Cold Climate Viticulture Series will be offered for the first time this spring and summer. “The Institute uses a cooperative learning model to provide programs resulting in high-wage, high-skill employment in our state’s most important sectors – agriculture and food systems,” Phil Conroy, president of Vermont Tech, said in a recent news release. “These two summer programs offer individuals a unique opportunity to become qualified and skilled experts in diversified agriculture and viticulture.” The Institute, which provides hands-on education to students, farmers, and agricultural specialists, is made possible by a \$4.6 million Department of Labor grant, the college said.

<http://www.vnews.com/news/11113521-95/vtc-adds-two-new-agriculture-programs>

- All of these programs assist in sustaining agriculture in Vermont and are beginning to grow the industry. They also create a generation of new jobs requiring additional and specialized education which attract younger workers and employers into the business.

d. Projected number of MSFWs in the State.

- With the nature of the agricultural business in the State of Vermont, as described above, there will not be a population of migrant workers traveling to harvest the crops in this program year. The workers will come from the local community and return to their permanent residence in the same day. Some of the workers may meet the guidelines of seasonal farm workers, that number is anticipated to be approximately 100 or less. This takes into account information from PathStone, the NJFP WIA 167 grantee. PathStone's input for the current PY 3rd quarter indicates 0 migrant farmworkers and 15 seasonal farmworkers. Their annual estimate is to enroll 48 seasonal farmworkers in their program.

e. A statement of the consideration given to the State Monitor Advocates (SMA) recommendations.

- The State Monitor Advocate will continue to handle all activity, including Review of the ETA-790 application and SWA job orders, associated with H-2A Labor Certification Program.
- It is anticipated that approximately 65 job orders will be placed to hire approximately 400 workers to work primarily with the crop activity in vegetables, strawberries, raspberries, blueberries, and apples. As of the end of April, 2014, 34 job orders have been processed and 28 pre-occupational housing inspections have been completed.
- The SMA will work with the Vermont Department of Labor Career Resource Centers to ensure that local US domestic workers are aware of, and referred to, the agricultural positions as appropriate.
- The SMA will notify the Vermont Department of Labor Career Resource Centers staff of registrants who register as MSFW in the Vermont job bank (VJL). A note has been sent to each Regional Office Manager listing the registered MSFWs and requesting that their staff contact them and offer services as appropriate. This is designed to increase "equity" measurements and make the MSFW program more visible to the Career Resource Center Staff.
- The SMA will provide training to the Vermont Department of Labor Career Resource Center staff, and conduct office reviews to assure that they understand and apply the requirements and regulations for services to MSFWs.
- The JS Complaint System in each of the Vermont Department of Labor Career Resource Center will be monitored by the SMA who will provide quarterly reports of the complaints and current status.

B. Outreach Activities.

Outreach activities will be conducted by the SMA and Vermont Department of Labor Career Resource Center staff in an attempt to contact as many Migrant and Seasonal Farmworkers as possible. The Vermont Department of Labor Workforce Development Division will perform this activity primarily in partnership with the WIA 167 grantee, PathStone, and the Vermont Agency of Agriculture.

- a. Numerical goals for the number of MSFWs to be contacted during the fiscal year by Wagner-Peyser staff.
 - The SMA will make at least 20 contacts with seasonal farm workers to make sufficient penetration into the temporary farm worker community.
 - PathStone Corporation will make approximately 100 contacts with seasonal farm workers with a projected goal of enrolling a total of 48 participants.

- b. Numerical goals for the staff days to be used for outreach in the fiscal year.
 - The SMA anticipates using 6 staff days for outreach to migrant and seasonal farmworkers during the fiscal year.
 - PathStone Corporation plans to contact between 50 and 70 farm workers and utilize between 96 and 104 staff days in the fiscal year.

- c. Level of Wagner – Peyser funding to be used for outreach in the fiscal year.
 - The SMA is a full time Employer Resource Consultant for the Workforce Development Division. Between his responsibilities with the Labor Certification (H-2A) program, regular employer outreach as an ERC, and the time used by the Vermont Department of Labor Career Resource Center Staff, approximately one FTE will be charged to Wagner – Peyser funding.

- d. Tools which will be used to conduct outreach activity.
 - Outreach will primarily be by personal contact, usually through visiting and meeting with H-2A employers and employees. Work with Agency of Agriculture and Growers Associations to expand contacts as necessary including attendance at growers and producers association meetings.
 - The Vermont Department of Labor, the Vermont Agency of Agriculture, and USDOL Wage & Hour, plan to offer more Agricultural Employer Information sessions throughout the year to assist employers adapt to the changing market while following the labor regulations. A topic of concern, as younger workers and college students enter the agriculture workforce are the regulations regarding internships.
 - Through the Vermont Department of Labor Career Resource Centers and review of the MIS system that records registrants who believe they are MSFWs. Partnering with PathStone on distribution of their literature, employee, and employer contacts.

C. Services provided to MSFWs through the Vermont Department of Labor Career Resource Centers.

- a. How will the Vermont Department of Labor Career Resource Centers provide core, intensive, and training services required under WIA Title 1 to MSFWs?
 - MSFWs will be provided the services through the Vermont Department of Labor Career Resource Centers equivalent to non MSFW clients.
 - Referrals to training services will be made by partner organizations and agencies such as PathStone, the Refugee Resettlement Program, and equivalent local support groups.
 - Registration of clients in the MIS system will be tracked and registrants identifying themselves as MSFW will be contacted and services offered.
 - In the event that lack of English language skills is identified as a barrier to services, and/or training, translation services will be offered in the Vermont Department of Labor Career Resource Centers.

D. Services Provided to Agricultural Employers through the Vermont Department of Labor Career Resource Centers.

- a. Describe efforts that will be taken to provide services to agricultural employers in States with an adequate supply of U.S. workers and in those States where a shortage is anticipated.
- The partnership with the Agency of Agriculture and offering employer information sessions will identify additional agricultural employers and an opportunity to provide an explanation of services for employers.
 - An emphasis will be made to make sure that the Vermont Department of Labor Career Resource Centers and Business Outreach and Employer Resource Consultant staff recognize that agricultural employers can use our services, particularly on a seasonal basis.
 - Summer youth programs administered by VDOL provide good contacts with agricultural employers due to the seasonal and skill level requirements of entry level jobs. Sharing of contacts within VDOL will expand ongoing opportunities to work with those employers.

E. Data Analysis

- a. Previous years history as of 9/30/2013.

Migrant Indicators of Compliance							
		MSFW (number)	MSFW (percent)	Non- MSFW (number)	Non- MSFW (percent)	Equity	
Part Three							
A	Total Applications	9	100.00	12525	100.00		
1	Referred to Employment	0	0.00	1140	9.10	No	
2	Received Staff Assisted Services	3	33.33	5563	44.42	No	
3	Referred to Support Service	0	0.00	1290	10.30	No	
4	Career Guidance	0	0.00	143	1.14	No	
5	Job Development Contact	0	0.00	1	0.01	No	
						Compliance Indicator	Compliance Level
Part Four							
1	Placed in Job	0	0.00	60	0.48	No	42.5
2	Placed \$.50 above min Wage	0	0.00	37	0.30	No	14
3	Placed in Long Term non-ag Job	0	0.00	49	0.39		

b. Current year results as of 12/31/2014

Migrant Indicators of Compliance							
		MSFW (number)	MSFW (percent)	Non- MSFW (number)	Non- MSFW (percent)	Equity	
Part Three							
A	Total Applications	<u>17</u>	100.00	21548	100.00		
1	Referred to Employment	<u>2</u>	11.76	1951	9.05	Yes	
2	Received Staff Assisted Services	<u>9</u>	52.94	10111	46.92	Yes	
3	Referred to Support Service	<u>1</u>	5.88	2446	11.35	No	
4	Career Guidance	0	0.00	337	1.56	No	
5	Job Development Contact	0	0.00	2	0.01	No	
						Compliance Indicator	Compliance Level
Part Four							
1	Placed in Job	<u>1</u>	5.88	164	0.76	No	42.5
2	Placed \$.50 above min Wage	0	0.00	117	0.54	No	14
3	Placed in Long Term non-ag Job	0	0.00	129	0.60		

c. Plan for upcoming year.

- o The plan for the upcoming year is to continue the improvement shown from last year to the current measurements (previous two charts).
- o No significant change is expected in the job orders received.

F. Other Requirements.

- a. The covering State Monitor Advocate has written this plan.
- b. This plan was sent to the WIA 167 grantee, PathStone Corporation, for review, comment, and verification of their participation in the plan.
 - o An MOU between The Vermont Department of Labor Workforce Development Division and PathStone Corporation remains in place. A review of the MOU will be conducted with PathStone and updates made as agreed.
- c. The plan was posted on the VDOL web site, www.labor.vermont.gov, for public review and comment on 04/30/2014.

G. Sources of support for this report:

- a. Input from the State Monitor Advocate (SMA) on past activity, current field activity experience gained by the covering SMA with the H-2A program, employer and Vermont Department of Labor Career Resource Center Office visits.
- b. Partnership, discussions, and meetings with the Regional USDOL Wage & Hour staff.
- c. UVM Extension Service, Dr. Vern Grubinger, vernon.grubinger@uvm.edu, fruits and berries production specialist.
- d. Fruit, Vegetable, and Berry Producers Association websites and meetings.
- e. Vermont Agency of Agriculture, Secretary Chuck Ross and staff.
- f. VDOL Labor Market Information staff.