

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

All program-specific requirements provided for the Workforce Innovation Opportunity Act (WIOA) core programs in this section must be addressed for either a Unified or Combined State Plan.

### **A. Employment Service Staff.**

- 1. Describe how the State will staff the provision of labor exchange services under the Wagner-Peyser Act, such as through State employees, including but not limited to state merit staff employees, staff of a subrecipient, or some combination thereof.**

California uses state-merit staff to provide labor exchange services under the Wagner-Peyser Act.

- 2. Describe how the State will utilize professional development activities for Employment Service staff to ensure staff is able to provide high-quality services to both jobseekers and employers.**

The State will provide professional training and development for Employment Services staff using a multi-modality approach (e.g., conduct classroom training, create online training modules, host webinars, disseminate instructional videos, etc.) Training and development activities seek to raise staff's knowledge, skill, and competence level in specific program areas e.g., Migrant and Seasonal Farmworkers (MSFW), Trade Adjustment Assistance Act (TAA), and Veteran Services to ensure staff is able to provide high-quality services to job seekers, employers, and WIOA partners.

Training will ensure that all Employment Services staff will have the knowledge base and skill set to successfully administer Wagner-Peyser programs and operate the CalJOBS<sup>SM</sup> labor exchange system. Further, comprehensive training will give Employment Services (ES) staff a thorough understanding of the services and resources at their disposal to competently and effectively serve the job seekers and employers of California, while meeting performance goals and compliance guidelines as outlined in WIOA.

- 3. Describe strategies developed to support training and awareness across core programs and the Unemployment Insurance (UI) program and the training provided for ES and WIOA staff on the identification of UI eligibility issues and referral to UI staff for adjudication.**

These strategies include:

- Provided training to Wagner-Peyser and WIOA staff on core programs, including TAA, Veterans programs, MSFW, and Youth and Dislocated Worker programs.
- Developed and provided trainings on UI program-related activities, including California Training Benefits (CTB), Trade Readjustment Allowance (TRA) benefits, Personalized Job Search Assistance (PJSA), and Reemployment Services and Eligibility Assessments (RESEA). Additionally, the trainings include UI claim filing eligibility basics, UI claim management, maneuvering UI's public-facing computer system, and

understanding notices sent to claimants. Employment Services and WIOA staff are trained on identification of potential UI eligibility issues that may arise from the PJSA or RESEA and how to refer these potential issues to UI staff for adjudication.

**B. Explain how the State will provide information and meaningful assistance to individuals requesting assistance in filing a claim for unemployment compensation through one-stop centers, as required by WIOA as a career service.**

California will meet the needs of customers requesting assistance in filing UI claims by providing direct in-person customer assistance and guidance. These dedicated America's Job Center of California<sup>SM</sup> (AJCC) staff are located in 45 Local Workforce Development Areas (Local Areas) and are trained to assist customers with completing an application for UI benefits through eApply4UI, UI Online, or telephone, along with providing information on the UI program. Additionally, the AJCCs offer resource rooms with staff that can help guide customers through alternate methods of finding a resolution to their inquiries available in UI Online, AskEDD (Employment Development Department), and the EDD's website.

- Dedicated AJCC staff, trained in providing meaningful UI program assistance are available in 45 local development areas across the state of California.
- The eApply4UI application guides the customer through a series of online questions to file their initial or reopen an existing claim.
- The UI Online<sup>SM</sup> allows existing claimants to reopen their claim, along with many other user-friendly features to help customers manage their UI claims. In an effort to improve customer service to UI claimants and enhance the functionality of UI Online, the EDD began working on building components in UI Online to include the current eApply4UI application for new claim filing capabilities.
- Ask EDD provides customers with categories containing information specific to common questions and also allows customers an opportunity to send online questions to UI staff.
- EDD website offers dedicated web pages to access unemployment-related services and information, including YouTube videos and Frequently Asked Questions.

When these dedicated AJCC staff, trained to provide in-person meaningful assistance in the UI program, have exhausted all available options within the AJCC to provide assistance, phones are available in the AJCC offices to directly access UI services. The "UI Direct" phone lines connect customers to UI Center merit staff and are available from 8 am to 5 pm (PST) to serve the state of California customers that require more detailed UI merit staff assistance. The UI Direct phone line service is offered only in the AJCCs and in cases where all other direct in-person attempts, by trained AJCC staff, to provide meaningful UI assistance have been exhausted.

**C. Describe the State’s strategy for providing reemployment assistance to UI claimants and other unemployed individuals.**

California is committed to operating a customer-centric approach to delivering services, aligned with WIOA, for providing reemployment assistance to UI claimants and dislocated workers including:

- Screening the UI applicant pool to identify those individuals that are most likely to exhaust benefits.
- Providing a direct referral to an AJCC orientation or workshop.
- Directing UI customers that are required to seek work to register in the state work search system CalJOBS<sup>SM</sup>.
- Providing the job seeker, not only job search assistance, but information on the AJCC services and work search assistance videos.
- Identifying dislocated workers who are impacted by foreign trade and ensuring that they receive the applicable employment and case management services.
- Encouraging job seekers to attend an AJCC orientation and refer them to subsequent services, as appropriate. These services include basic and individualized career services, training services, and supportive services. Staff at the AJCCs assist job seekers with conducting skills assessments, developing individual employment plans, and career planning. Job seekers are provided access to job search workshops and activities such as developing résumés and cover letters, searching and applying for job openings, and mock interviews. Finally, job seekers at the AJCCs are provided with access to training, education, and work experience opportunities.

Both UI and Wagner-Peyser program representatives will be involved in the Memorandum of Understanding (MOU) negotiations with Local Area partners to identify an appropriate service delivery model. The EDD programs, including UI, are committed to their roles as partners within the AJCC and consistently collaborate internally and with the Local Areas to support the implementation of WIOA.

**D. Describe how the State will use Wagner-Peyser Act funds to support UI claimants, and the communication between the Employment Service and UI, as appropriate, including the following:**

**1. Coordination of and provision of labor exchange services for UI claimants as required by the Wagner-Peyser Act;**

Currently, the EDD requires all UI claimants (job seekers) to register into the state’s labor exchange system, CalJOBS<sup>SM</sup>, and create a resume. Once registered, job seekers have access to all of the online features, such as: searching for jobs, identifying employment trends and occupational information, using the virtual recruiter to automatically receive alerts of new jobs that match the job skills in their resume, having their resume viewable by employers registered in the system, and accessing local education providers and programs.

In addition, job seekers receive information on the Wagner-Peyser services available at the AJCCs. Job seekers can conduct self-service activities by using resources such as computers and phones to conduct job searches and create a resume through CalJOBS<sup>SM</sup>, respond to employment opportunities, manage their UI claim through the EDD website, etc. In addition to self-service options, claimants can also receive staff-assisted services, such as job search workshops, assistance with access and navigating the CalJOBS<sup>SM</sup> system, individualized labor market information, referral to veteran services, and referral to education, training, and supportive services.

Both UI and Wagner-Peyser program representatives will be involved in the MOU negotiations with Local Area partners to identify the appropriate service delivery model. The EDD programs are committed to their roles as partners within the AJCC and consistently collaborate internally and with the Local Areas to support the implementation of WIOA. These two partners are also coordinating internally within the EDD, as this department administers both of these programs.

**2. Registration of UI claimants with the State’s employment service if required by State law;**

The California Unemployment Insurance Code, Section 1253(b) and the California Code of Regulations (CCR), Title 22, Section 1253(b)-1, contain provisions that mandate the claimant, unless exempt, to register for work by entering a resume on CalJOBS<sup>SM</sup> within 21 days after filing a UI claim.

When an individual files a UI claim, the EDD mails the *Notice of Requirement to Register for Work*, DE 8405, to the claimant providing the requirement to register in CalJOBS<sup>SM</sup>, including the address and telephone number of their local AJCC. Additionally, the notice advises that failure to comply may result in denial of UI benefits. The UI claimant can walk in or call the local AJCC for technical support on entering a resume on CalJOBS<sup>SM</sup>.

The EDD automatically starts an account in CalJOBS<sup>SM</sup> for all-new UI claimants and generates notices to claimants that fail to enter a resume within 21 days. These notices require claimants to attend a Personalized Job Search Assistance (PJSA) workshop at a local AJCC. This workshop is designed to provide UI claimants with employment services available through the AJCC, including entering a resume in CalJOBS<sup>SM</sup> if not previously done, and to respond to questions about their work search. Failure to attend the PJSA will result in the UI claimant having a stop-pay alert activated on their claim record for determination by UI staff.

**3. Administration of the work test for the State unemployment compensation system, including making eligibility assessments (for referral to UI adjudication, if needed), and providing job finding and placement services for UI claimants; and**

California Code of Regulations [22 CCR § 1253 (b)-1] require a claimant to register for work, as a condition of eligibility unless good cause is established, by entering a resume in CalJOBS<sup>SM</sup> within 21 days after filing a claim for unemployment benefits. Regulations allow the department to waive the registration requirement for claimants that meet specific criteria (such as, union member in good standing, definite return to work date, participating in a CTB program, etc.). If the claimant does not comply with the registration requirement,

the EDD schedules the claimant for a PJSA or Reemployment Services and Eligibility Assessment (RESEA) appointment to review registration of work within CalJOBS<sup>SM</sup> and efforts to search for work. During the assessment, the claimant is referred to a minimum of one additional subsequent service. The EDD also established a virtual platform to deliver PJSA/RESEA workshops and career services, and is looking to further expand these virtual services to better assist claimants throughout the state.

Failure to attend the PJSA or RESEA and subsequent services, along with meeting the registration requirement in CalJOBS<sup>SM</sup>, are referred to UI adjudication and may result in a denial of UI benefits.

**4. Provision of referrals to and application assistance for training and education programs and resources.**

The EDD provides all UI customers information on the California Training Benefits (CTB) program, work search requirements, and CalJOBS<sup>SM</sup> registration, and refers these individuals to their local AJCC to obtain employment and training services. At the AJCC, mandatory reemployment workshops connect UI customers with employment services provided under WIOA Title III. In addition, these workshops serve as an access point to inform customers about WIOA Title I and other partner programs and services. This collaborative partnership facilitates a streamlined referral process for UI customers to WIOA programs and services within the AJCC system.

The CTB program allows eligible UI customers to further their education, upgrade their skills, and/or learn a new trade to be more competitive in the labor market while receiving UI benefits. Under the CTB program, the traditional role of UI changes from that of partial wage replacement while the individual looks for work, to one of assisting the individual in training or retraining in an effort to return to full employment. UI customers may be eligible for the program if the individual is attending training authorized by WIOA, Employment Training Panel, Trade Adjustment Assistance, or CalWORKS, if the program and provider are listed on the Eligible Training Provider List, if the individual is an active journey-level union member attending union approved industry-related training, and more. Staff in the AJCCs can provide application assistance to UI customers interested in the CTB program.

**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.**

**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.**

California's Agricultural Outreach Plan (Ag Plan) sets policies and procedures for providing Wagner-Peyser services to the agricultural community, specifically MSFWs. The EDD provides these services through AJCC locations. The EDD ensures that MSFWs receive the full range of employment, training, and educational services on a basis which is qualitatively equivalent and quantitatively proportionate to services provided to non-MSFWs. This Ag Plan is submitted in accordance with the regulations at 20 CFR 653.107(d) to include:

- a. Assessment of the unique needs of MSFWs in the area based on past and projected agricultural and MSFW activity in the State;
  - b. Assessment of available resources for outreach;
  - c. Proposed outreach and planned activities including strategies on how to contact MSFWs, activities planned for providing the full range of employment, and training services to the agricultural community;
  - d. Compliance assurance with requirements under 20 CFR 653.111 for Significant, Multilingual, and Special Circumstance (Designated) MSFW AJCC offices;
- 2. Provide an assessment of the agricultural activity in the State: 1) identify 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) Identify any economic, natural, or other factors that are affecting agriculture in the State or any projected factors that will affect agriculture in the State.**

#### **Value of Agricultural Production**

The value of total agricultural production in California, crop and livestock production combined, totaled \$49.9 billion in 2019. This ranked California as the nation's largest agricultural producer in 2019, outpacing Iowa (\$27.5 billion) and Nebraska (\$21.4 billion). California alone accounted for about one-eighth (13.5 percent) of the national agricultural production. California was far and away the nation's leader in crop production in 2019, with crops produced valued at \$37.6 billion. The state accounted for 19.4 percent of the value of total U.S. crop production. In contrast, Illinois and Iowa were the second and third largest crop producing states in 2019, combining for 14.1 percent of total U.S. crop production. California's livestock production was valued at \$12.3 billion in 2019, third highest among all states after Texas and Iowa.

Table 1 shows the nation's largest agriculture, crop, and livestock producing states in 2019.

**Table 1**  
**Largest Agricultural Producing States in the United States in 2019**  
(Values are expressed as millions of dollars)

	Total		Crop Production Only			Livestock Production Only		
	Value	Share of U.S. Total	Value	Share of U.S. Total	Value	Share of U.S. Total		
<b>U.S.</b>	<b>\$369,321</b>	<b>-</b>	<b>U.S.</b>	<b>\$193,328</b>	<b>-</b>	<b>U.S.</b>	<b>\$175,993</b>	<b>-</b>
CA	\$49,938	13.5%	CA	\$37,599	19.4%	TX	\$14,356	8.2%
IA	\$27,488	7.4%	IL	\$13,787	7.1%	IA	\$14,005	8.0%
NE	\$21,436	5.8%	IA	\$13,483	7.0%	CA	\$12,339	7.0%
TX	\$21,249	5.8%	NE	\$ 9,537	4.9%	NB	\$11,899	6.8%
MN	\$16,633	4.5%	MN	\$ 8,784	4.5%	KS	\$ 9,722	5.5%
IL	\$16,318	4.4%	TX	\$ 6,893	3.6%	WI	\$ 7,902	4.5%
KS	\$16,301	4.4%	IN	\$ 6,856	3.5%	MN	\$ 7,849	4.5%
WI	\$11,247	3.0%	WA	\$ 6,635	3.4%	NC	\$ 7,419	4.2%
NC	\$10,603	2.9%	KS	\$ 6,579	3.4%	GA	\$ 5,437	3.1%
IN	\$10,587	2.9%	ND	\$ 6,360	3.3%	OK	\$ 5,296	3.0%

California’s agricultural production has increased in value by \$0.3 billion (1.0 percent) from 2018 to 2019. Crop production in California has decreased by \$0.2 billion (0.5 percent) in value over the year. Total livestock productions has increased in 2019 by \$0.5 billion (4.5 percent). Over the seven-year period from 2013 through 2019, California’s agricultural production has decreased in value by \$1.7 billion (3.2 percent). Crop production decreased by \$1.2 billion (3.1 percent), and the livestock production has decreased by \$0.5 billion (3.6 percent) over the seven-year period.

In 2019, crop production accounted for 75.3 percent of total agricultural production in California. By commodity group, fruit and nut products were valued at \$21.4 billion in 2019, comprising over one-third (42.9 percent) of the total value of the state’s agricultural products and more than half (57.0 percent) of the value of the crops produced in the state. Vegetables and melons were valued at \$8.2 billion, accounting for over one-fifth of the value of crops produced in California.

Livestock and livestock products made approximately one-fourth (24.7 percent) of the total value of California’s agricultural production in 2019. Dairy products were valued at \$7.3 billion, comprising almost three-fifths (59.5 percent) of total value of the state’s livestock products. “Meat Animals” (cattle and calves and hogs) and poultry and egg products were valued at \$3.1 and \$1.3 billion, respectively in 2019.

On an individual commodity basis, milk and cream (dairy products) was California’s leading commodity in 2019, with cash receipts totaling \$7.3 billion. Shelled almonds and grapes were California’s second and third most valuable commodities, with cash receipts totaling \$6.1 billion and \$5.4 billion, respectively. The cash receipts of seven other California commodities exceeded \$1 billion in 2019: cattle and calves, berries, pistachios, lettuce, walnuts, tomatoes, and flowers. Only eight of California’s 20 most valuable commodities in 2019 decreased in value from the prior year. Table 2 shows California’s twenty most valuable agricultural commodities in 2019, as well as their value and ranking in 2018.

**Table 2**  
**California’s Top 20 Agricultural Commodities in Value, 2018-2019**  
(Cash receipt values are expressed as millions of dollars)

Commodity	2018		2019	
	Value	Rank	Value	Rank
Dairy Products, Milk	\$ 6,371	1	\$ 7,341	1
Almonds	\$ 5,603	3	\$ 6,094	2
Grapes	\$ 6,260	2	\$ 5,412	3
Miscellaneous Crops	\$ 4,273	4	\$ 4,287	4
Cattle & Calves	\$ 3,189	5	\$ 3,064	5
Strawberries	\$ 2,086	7	\$ 2,221	6
Pistachios	\$ 2,616	6	\$ 1,939	7
Lettuce	\$ 1,787	8	\$ 1,824	8
Walnuts	\$ 917	13	\$ 1,286	9
Tomatoes	\$ 1,198	10	\$ 1,174	10
Floriculture	\$ 1,216	9	\$ 1,015	11
Rice	\$ 780	14	\$ 897	12
Broilers	\$ 965	12	\$ 843	13
Carrots	\$ 655	18	\$ 810	14
Hay	\$ 766	15	\$ 787	15
Broccoli	\$ 679	17	\$ 786	16
Oranges	\$ 1,093	11	\$ 699	17
Lemons	\$ 682	16	\$ 688	18
Tangerines	\$ 556	19	\$ 680	19
All other animals & products	\$ 553	20	\$ 553	20

*Total value is based on U.S. Department of Agriculture (USDA) Economic Research Service cash receipts.*

Source: USDA, National Agricultural Statistics Service, Pacific Region-California; California Agricultural Statistics 2019-2020 Crop Year



On a cash receipt basis, California produced all of the nation’s almonds, walnuts, pistachios, garlic, plums and prunes, olives, honeydews, artichokes, kiwifruit, and celery in 2019. Nine additional California commodities comprised more than four-fifths (80.0 percent) of national cash receipts: avocados, tangerines, broccoli, carrots, grapes, cotton lint, strawberries, raspberries, and lemons. Cauliflower and apricots accounted for more than three-quarters (75.0 percent) of national cash receipts. Accounting for more than half was spinach, tomatoes, cabbage, cantaloups, safflower, dates, peaches, and lettuce. Table 3 shows the shares of cash receipts for California commodities as a share of national totals.

**Table 3**  
**Leading California Agricultural Commodities in 2019: California Cash Receipts as a Percent of the Nation’s Receipts**  
 (Values are expressed as millions of dollars)

Commodity	Value of California Receipts	Value of U.S. Receipts	California's Share of U.S. Receipts (%)
Almonds	\$ 6,094	\$ 6,094	100.0
Pistachios	\$ 1,938	\$ 1,938	100.0
Walnuts	\$ 1,286	\$ 1,286	100.0
Celery	\$ 475	\$ 475	100.0
Garlic	\$ 327	\$ 327	100.0
Plums and Prunes	\$ 252	\$ 252	100.0
Olives	\$ 130	\$ 130	100.0
Nectarines	\$ 129	\$ 129	100.0
Kiwifruit	\$ 86	\$ 86	100.0
Artichokes	\$ 79	\$ 79	100.0
Honeydews	\$ 59	\$ 59	100.0
Tangerines	\$ 680	\$ 701	97.0
Grapes	\$ 5,412	\$ 5,720	94.6
Lemons	\$ 688	\$ 731	94.2
Carrots	\$ 810	\$ 864	93.8
Avocados	\$ 373	\$ 399	93.6
Cotton lint, Long staple	\$ 372	\$ 410	90.7
Broccoli	\$ 786	\$ 873	90.1
Raspberries	\$ 386	\$ 432	89.4
Strawberries	\$ 2,221	\$ 2,529	87.9
Apricots	\$ 40	\$ 51	78.7
Cauliflower	\$ 366	\$ 466	78.6
Spinach	\$ 389	\$ 527	73.8
Tomatoes	\$ 1,174	\$ 1,600	73.4
Cabbage	\$ 321	\$ 495	64.8
Cantaloupes	\$ 193	\$ 303	63.5

Safflower	\$ 28	\$ 45	62.4
Dates	\$ 137	\$ 224	61.4
Peaches	\$ 296	\$ 519	57.1
Lettuce	\$ 1,824	\$ 3,491	52.3

Source: USDA, Economic Research Service

The estimated value of California’s exported agricultural products totaled \$23.5 billion in 2019. In terms of value, California’s exports comprised over one-sixth (17.3 percent) of total U.S. agricultural exports in 2019. California was the nation’s top agricultural exporter in 2019, with exports over twice of those of Iowa. Table 4 shows the estimated value of the top ten states in terms of agricultural exports from 2014 through 2019.

**Table 4**  
**Largest Agricultural Exporting States in the United States: 2014-2019**  
(Estimated values are expressed as millions of dollars)

	2014	2015	2016	2017	2018	2019
<b>U.S.</b>	<b>\$149,953</b>	<b>\$133,016</b>	<b>\$134,629</b>	<b>\$138.127</b>	<b>\$138,916</b>	<b>\$135, 950</b>
CA	\$ 23,931	\$ 22,844	\$ 21,799	\$ 22,657	\$ 23,305	\$ 23,463
IA	\$ 11,197	\$ 9,987	\$ 11,006	\$ 10,367	\$ 10,647	\$ 10,009
IL	\$ 9,836	\$ 8,034	\$ 8,300	\$ 8,067	\$ 8,488	\$ 7,838
MN	\$ 7,386	\$ 6,339	\$ 7,038	\$ 6,955	\$ 6,943	\$ 6,367
TX	\$ 6,274	\$ 5,739	\$ 5,785	\$ 6,889	\$ 6,883	\$ 6,300
NE	\$ 7,235	\$ 6,479	\$ 6,679	\$ 6,349	\$ 6,802	\$ 6,294
KS	\$ 4,627	\$ 4,163	\$ 4,717	\$ 4,829	\$ 4,882	\$ 4,938
IN	\$ 5,810	\$ 4,706	\$ 4,543	\$ 4,755	\$ 4,649	\$ 4,472
ND	\$ 4,899	\$ 3,817	\$ 4,614	\$ 4,400	\$ 4,246	\$ 4,088
MO	\$ 4,342	\$ 3,611	\$ 3,554	\$ 4,072	\$ 3,939	\$ 3,759

Source: USDA, Economic Research Service

California’s agricultural exports increased by \$0.2 billion (0.7 percent) from 2018 to 2019. During the recent economic expansion, California’s agricultural exports increased \$3.3 billion (16.2 percent) from 2012 through 2019. Tree nuts were California’s most valuable export crop in 2019 with an estimated value of \$8.5 billion, followed by “other plant products” which includes sweeteners, plantings seeds, cocoa, coffee, and other processed foods (\$3.4 billion), fresh fruits (\$2.8 billion), and processed fruits (\$2.4 billion).

Fresno was the largest agriculture producing county in California in 2019, with agricultural production valued at \$7.7 billion. The value of agricultural production exceeded \$4 billion

each in Fresno, Kern, Tulare, and Monterey counties and exceeded \$2.0 billion each in Stanislaus, Merced, San Joaquin, Kings, and Imperial counties. A total of 14 California counties each produced agricultural products valued at more than \$1 billion in 2019. These counties are shown in Table 5.

The value of agricultural production decreased from 2018 to 2019 in 6 of California's 14 largest agricultural counties. The largest over-the-year decrease in agricultural production was for Imperial County (9.4 percent), which was followed by Ventura, Kings, Fresno, Madera, and San Diego counties. In contrast, the value of agricultural production over-the-year was increased in Santa Barbara (6.6 percent), Tulare, Monterey, Kern, San Joaquin, Riverside, and Merced counties; Stanislaus County experienced no over the year change.

**Table 5**  
**Top California Counties as Ranked by Gross Value of Agricultural Production:**  
**2018-2019**

(Values are expressed as millions of dollars)

County	2018		2019		Percent Change: 2018 to 2019
	Value	Rank	Value	Rank	
Fresno	\$ 7,942	1	\$ 7,715	1	-12.9%
Kern	\$ 7,470	2	\$ 7,693	2	3.0%
Tulare	\$ 7,113	3	\$ 7,509	3	5.6%
Monterey	\$ 4,259	4	\$ 4,427	4	3.9%
Stanislaus	\$ 3,528	5	\$ 3,527	5	0.0%
Merced	\$ 3,252	6	\$ 3,271	6	0.6%
San Joaquin	\$ 2,594	7	\$ 2,638	7	1.7%
Kings	\$ 2,281	8	\$ 2,188	8	-4.1%
Imperial	\$ 2,226	9	\$ 2,016	9	-9.4%
Madera	\$ 2,056	11	\$ 1,999	10	-2.8%
Ventura	\$ 2,103	10	\$ 1,998	11	-5.0%
San Diego	\$ 1,770	12	\$ 1,754	12	-0.9%
Santa Barbara	\$ 1,522	13	\$ 1,622	13	6.6%
Riverside	\$ 1,299	14	\$ 1,321	14	1.7%

Source: CDFA, California Agricultural Statistical Review 2019-2020; *County Rank by Gross Value of Agricultural Production, 2018-2019*; County Agricultural Commissioners' Reports and State Board of Equalization, Timber Tax Division

### **Agricultural Employment in California**

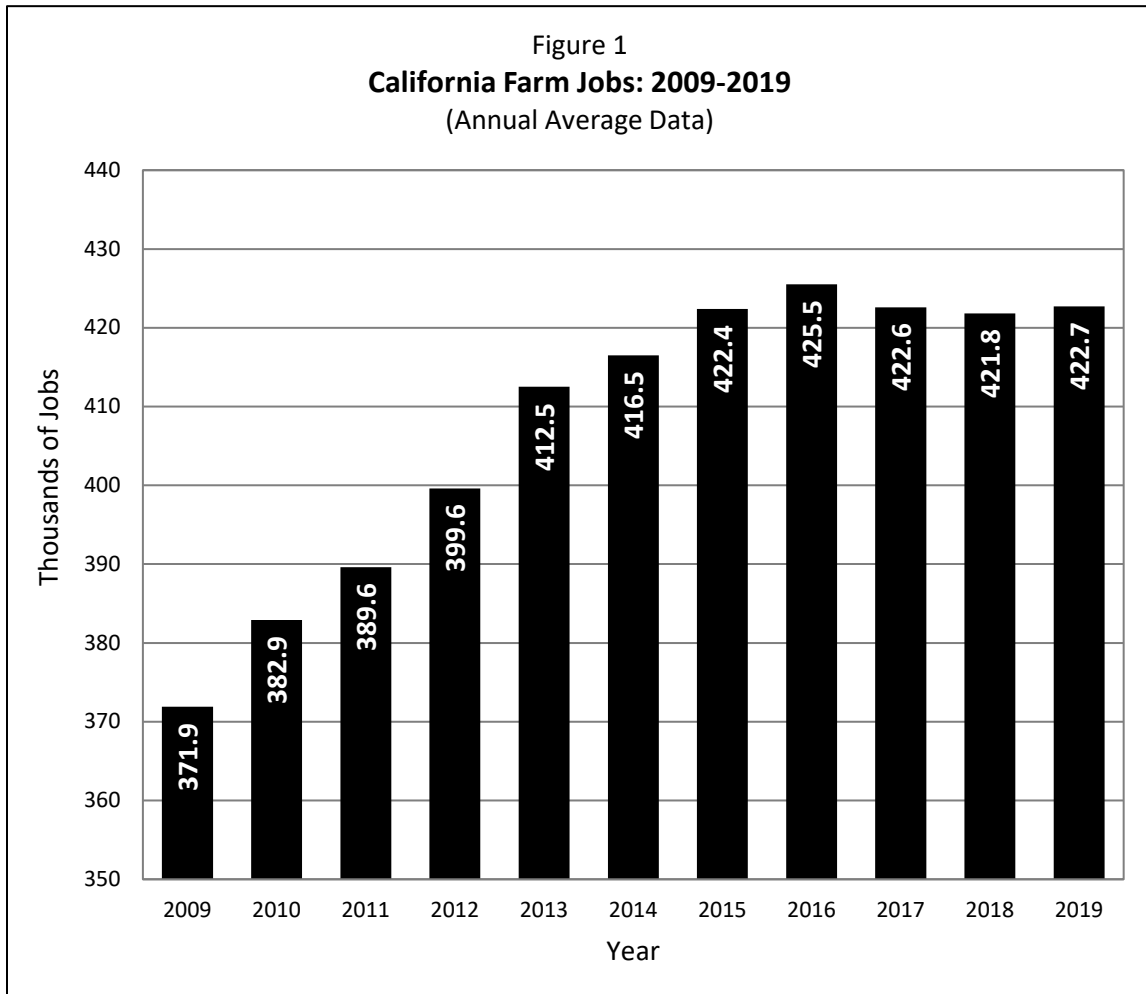
Employment in agriculture is inherently difficult to estimate because agricultural production, and in particular crop production, is characterized by seasonal spikes in the demand for farm labor, some of which are often of short duration. For example, most crops must be planted at certain times of the year, weeded and pruned, and perhaps most importantly harvested and prepared for market as they ripen. As a result, California

agriculture-based employers have traditionally employed large numbers of seasonal, and often migrant farmworkers who move from farm to farm and region to region. However, official estimates of agricultural employment are derived from a survey of agricultural establishments that participate in the unemployment insurance system and are thus more likely to count more permanent agricultural workers than MSFWs

According to official estimates from EDD, payrolls in California’s farm sector totaled 422,700 jobs in 2019. Farm jobs made up just 2.4 percent of California’s total industry employment in 2019.

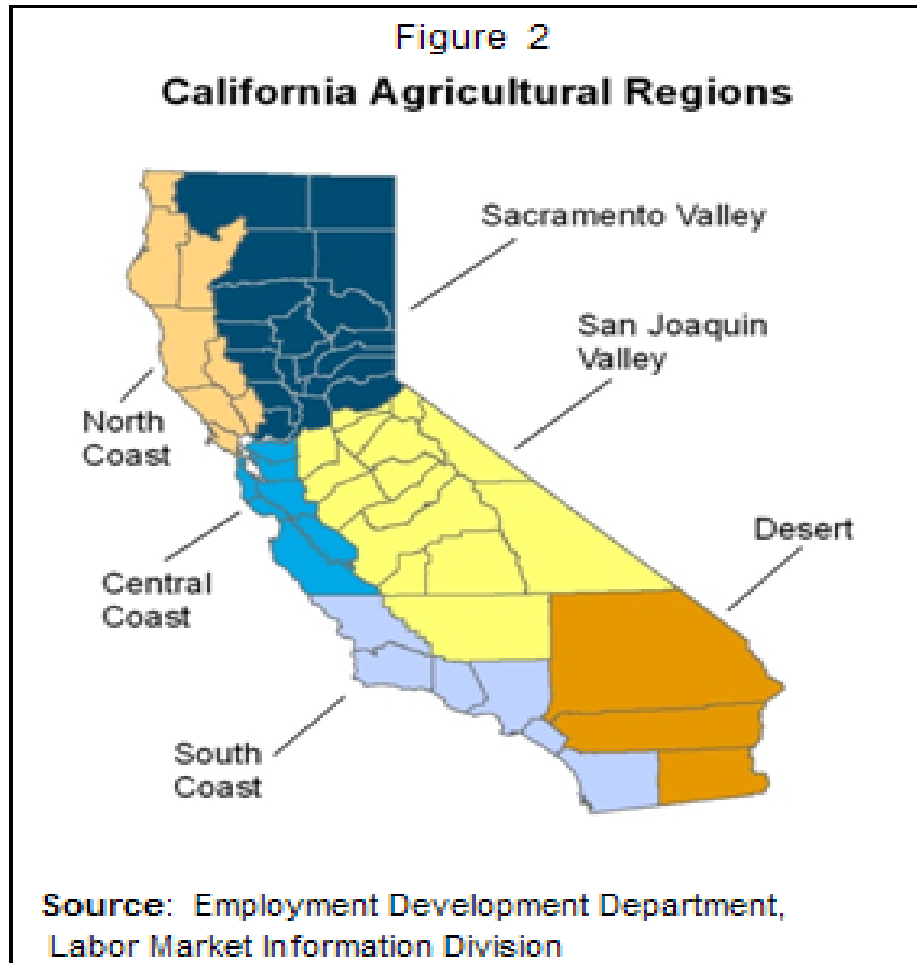
On an annual average basis, California farm payrolls increased by 900 jobs (0.2 percent) from 2018 to 2019, and decreased by 800 jobs (0.2 percent) from 2017 to 2018. Total farm employment has been remarkably stable over the last decade amidst year-to-year variability. From 2009 through 2019, annual average total farm employment in California grew by 50,800 jobs (13.7 percent), an average of 5,000 jobs per year.

Figure 1 shows the number of estimated farm jobs in California from 2009 through 2019.



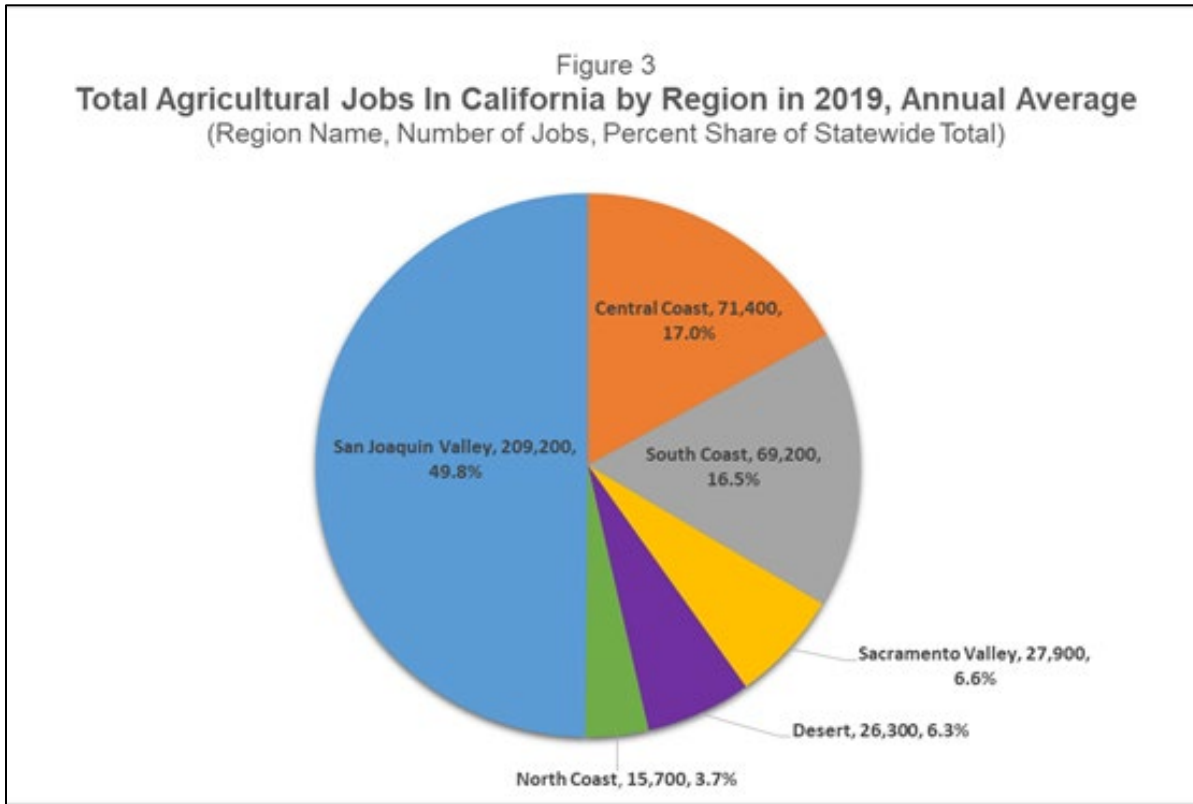
Source: EDD, Current Employment Statistics Data

California agricultural employment estimates are broken out into six regions: Central Coast, Desert, North Coast, Sacramento Valley, San Joaquin Valley, and South Coast. These regions are displayed on the map in Figure 2.



Almost half (49.8 percent) of California’s agricultural jobs were in the San Joaquin Valley Region in 2019. Employers in the Central Coast and South Coast regions accounted for one-third (33.5 percent) of the state’s agricultural jobs. Individually, the Central Coast and South Coast Regions accounted for 17.0 and 16.5 percent of total agricultural employment, respectively. California’s remaining agricultural jobs were distributed across the smaller Sacramento Valley, Desert, and North Coast Regions, each of which accounted for less than 7.0 percent of the state’s agricultural jobs.

Figure 3 displays the distribution of California agricultural jobs by region in 2019 by number and as a percentage share of total agricultural employment.



Source: Employment Development Department, Agricultural Employment Data Series.

\*Percentage will not sum due to rounding.

Figure 4 displays the distribution of California agricultural employment by county for 2017.



Table 6 shows the mean and median wages of selected agricultural occupations in California in the first quarter of 2019, with the occupations ranked by mean annual wage. The data were derived from information collected through the Occupational Employment and Wage Statistics (OEWS) Program, a federally sponsored survey program conducted through a cooperative agreement between the federal Bureau of Labor Statistics and the EDD.

**Table 6**  
**Agricultural Wages by Occupation in California: First Quarter 2019**

SOC Code	Occupational Title	May 2018 Employment Estimates	2019 - 1st Quarter Wages			
			Mean Hourly Wage	Mean Annual Wage	Median Hourly Wage	Median Annual Wage
11-9013	Farmers, Ranchers, and Other Agricultural Managers	1,460	\$44.92	\$93,446	\$38.69	\$80,469
13-1074	Farm Labor Contractors	160	\$27.90	\$58,023	\$26.50	\$55,128
45-2011	Agricultural Inspectors	1,930	\$24.43	\$50,818	\$22.26	\$46,291
45-1011	First-Line Supervisors of Farming, Fishing, and Forestry Workers	6,790	\$23.17	\$48,183	\$20.09	\$41,784
45-2021	Animal Breeders	250	\$19.25	\$40,044	\$17.36	\$36,107
45-2099	Agricultural Workers, All Other	1,790	\$18.70	\$38,895	\$15.52	\$32,261
45-2091	Agricultural Equipment Operators	5,740	\$15.74	\$32,739	\$14.72	\$30,623
45-2093	Farmworkers, Farm, Ranch, and Aquacultural Animals	2,510	\$15.41	\$32,048	\$14.23	\$29,606
45-2092	Farmworkers and Laborers, Crop, Nursery, and Greenhouse	194,850	\$12.83	\$26,696	\$11.85	\$24,661
45-2041	Graders and Sorters, Agricultural Products	9,680	\$12.30	\$25,577	\$11.91	\$24,794

Source: Employment Development Department, OEWS Survey

Most California farmworkers earn low wages. The median annual wage in the three largest non-supervisory agricultural occupational groups, in terms of employment, was around \$30,000 or less in the first quarter of 2019: agricultural equipment operators (\$30,623); graders and sorters, agricultural products (\$24,794); and farmworkers and laborers, crop, nursery, and greenhouse (\$24,661). According to OEWS employment estimates, these three occupational groups comprised 93.4 percent of total agricultural employment.



Farmers, ranchers, and other agricultural managers, with a median annual wage of \$80,469, earned the highest wages in agriculture. This occupational group comprised just 0.6 percent of overall agricultural employment in May 2018. The next highest paying agricultural occupations were: farm labor contractors (\$55,128); agricultural inspectors (\$46,291); and first-line supervisors of farming, fishing, and forestry workers (\$41,784).

### **The Impacts of COVID-19 and Agricultural Technology on Today's Farm Workforce**

Research has shown that the coronavirus disease 2019 (COVID-19) pandemic and advances in agricultural technology have had an impact on the day-to-day operations of California's agriculture employers and their respective employees. COVID-19 has increased the number of health-related safety options available to workers, and advanced agricultural technology has accelerated the usage of mechanization and reduced reliance on manual labor in some aspects of farm production.

Research undertaken by the University of California (UC) Davis found that following the issuance of the stay-at-home orders in March 2020, most farm employers took immediate steps to reduce the spread of COVID-19 amongst its workforce and, with the help of government assistance, these steps are ongoing. The steps taken by agriculture businesses included, but were not limited to, the following: updating their injury and illness prevention programs, discouraging sick employees from reporting to work, implementing physical distancing while working and during breaks, and the distribution of personal protective equipment (PPE).<sup>1</sup> These steps were taken in addition to pre-pandemic safety protocols, such as the wearing of hairnets and gloves to promote food safety. Public health officials have also supported employer efforts to educate farmworkers about COVID-19 and how to avoid being infected and transmitting the disease.

Advancements in agricultural technology have increased its use on California farms over the years as a means for developing the most cost-effective methods for the growing, harvesting, and delivering of agricultural goods. UC Davis research suggests that rising labor costs (i.e., increase in minimum wage) and declining machinery costs are accelerating the mechanization of various agricultural commodities such as the canning of peaches and raisin production.<sup>2</sup> In addition, through the use of aerial imaging (i.e., satellite imaging, drone technology), farmers can view crop variations, target issues with farm acreage, and/or predict crop yields more accurately, thus increasing profits and reducing food waste.<sup>3</sup> Trends such as these are likely to continue and expand over the long term.

The current means of data collection conducted at the state and federal level do not allow for an accurate estimate of the net employment impact of mechanization on the farm workforce, but qualitative data from various members of the farm industry (e.g., farm labor contractors, farmers, consultants) have reported its relative impact on employment.

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<sup>1</sup> Martin, Philip L., COVID-19 and California farm labor. California Agriculture. Volume 74, Number 2, April-June 2020.

<sup>2</sup> Martin, Philip L., COVID-19 and California farm labor. California Agriculture. Volume 74, Number 2, April-June 2020.

<sup>3</sup> Trimble. Top Ten Agricultural Trends to Watch in 2021. Jan 2021.

## **Effects of 2021 Drought on California's Agricultural Employment**

It is inherently difficult to predict what effects a drought will have on agricultural employment because each drought varies in terms of length and severity, the responses or coping measures agricultural employers take to mitigate the effects of a drought, and the effectiveness of water management strategies and policies of public agencies and government entities.

Agricultural employment losses often are less than feared or first expected during droughts because many farmers shift production to less water-intensive crops, adopt more water-efficient irrigation techniques, and rely on groundwater to compensate for water shortages. Water allocation and re-allocation efforts may also help mitigate the effects of the drought. Agricultural employers may also reduce the number of hours worked but not the overall number of jobs.

Commodity price fluctuations may alter the level of agricultural employment, as increases can at least partially offset any increased production costs related to the drought. If commodity prices drop, the rising cost of production may eliminate any incentive to continue seasonal activities. This is often seen to have the greatest effect on ranching and livestock farming during a drought.

It will be particularly difficult to isolate any employment effects of the 2021 drought from available employment data because the COVID-19 pandemic and changes to U.S. immigration policies have also affected California's agricultural employment patterns in recent years.

- 3. Provide an assessment of the unique needs of farmworkers by summarizing 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.**

### **Number of MSFWs in California**

The official estimates of agricultural employment in this report are derived from agricultural labor data that the EDD, in collaboration with the USDA, compiles from monthly surveys of farm owner-operators in California. Agricultural employers who participate in the survey report the number of jobs filled by all workers in their establishments during the survey's reference week.<sup>4</sup> However, given the crop cycle, demand for farm labor tends to be highly seasonal with peak periods of demand for work that is often of short duration. As a result, high job turnover and worker mobility are distinguishing features of the agricultural labor market. While official employment estimates, based on surveys, count permanent farm jobs and include any jobs filled by MSFWs identified by employers as working during the survey's reporting week, they do not necessarily count positions that are filled by MSFWs at other times of the month. Moreover, an analysis of the public use data from DOL's 2017-2018 National Agricultural Workers Survey (NAWS)<sup>5</sup> indicated that 41.0 percent of California farmworkers were undocumented<sup>6</sup>, many of whom were employed under informal work arrangements. As such, official estimates of agricultural jobs most likely understate the actual number of individuals in California's agricultural workforce. This is particularly true of MSFWs.

This report provides a best estimate of the number of MSFWs in California in 2019 because data unavailability and limitations preclude making a precise estimate. A seasonal farmworker is defined as an individual who works 149 days or less of the year on a farm. A migrant farmworker as one who travels more than 75 miles to obtain a job in U.S. agriculture. The best estimate relies on official 2019 survey-based agricultural employment estimates. One such 2019 study published in *California Agriculture* that was undertaken by UC Davis and EDD's Labor Market Information Division (LMID)<sup>7</sup> that estimated the actual number of farmworkers in 2016 and calculated a ratio of actual farmworkers to the number

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<sup>4</sup> The survey reference week is always the week that includes the 12<sup>th</sup> of the month.

<sup>5</sup> The most current NAWS public use data available are for the 2017-2018 period. They may be accessed on the DOL Website at: <https://www.dol.gov/agencies/eta/national-agricultural-workers-survey> .

<sup>6</sup> This was a large decrease from 2015-2016, when NAWS data showed that 56.0 percent of California farmworkers were undocumented.

<sup>7</sup> Martin P, Hooker B, Stockton M. 2019. Ratio of farmworkers to farm jobs in California increased to 2.3 in 2016. *Calif Agr* 73(2):73-78. <https://doi.org/10.3733/ca.2019a0002>.

of officially estimated farm jobs, and findings from the 2017-18 NAWS survey to estimate the number of MSFWs.

MSFWs are typically employed as crop workers and demand for their labor ebbs and flows with the crop production cycle. Under the North American Industry Classification System (NAICS), crop production jobs are counted in two industries: crop production and farm labor contractors and crew leaders. Whereas crop production jobs are mostly field-based and reported directly by growers, farm labor contractors supply workers to farms and a job reported by a farm labor contractor may include work done on more than one farm. In 2019, employment in crop production totaled 163,200 jobs and farm labor contractors reported an additional 150,700 jobs, yielding a combined total of 313,900 crop production jobs in California. Three-quarters (74.7 percent) of all agricultural jobs in California in 2019 were in crop production.

The 2019 study by UC Davis and the EDD-LMID compared the number of agricultural workers to the number of officially reported farm jobs in 2016 based on an analysis of the comprehensive wage and employment records that are maintained by EDD-LMID. The study used social security numbers (SSN) to identify and count the number of workers in agricultural establishments as coded under NAICS. After making adjustments for what appeared to be false or shared SSNs, the study determined that there were 989,500 unique SSNs reported by agricultural establishments in 2016. In contrast, the official EDD estimate was that California had 425,400 agricultural jobs in 2016. Based on these findings, the UC Davis/EDD-LMID study concluded that there were 2.3 agricultural workers for every reported agricultural job in California in 2016. This was up from 2.0 in 2015.

Assuming that most MSFWs are primarily crop workers employed by growers and farm labor contractors, the estimated number of MSFWs in California in 2019 was calculated as follows:

- In 2019, the reported number of crop production and farm labor contractor jobs totaled 163,200 and 150,700, respectively, for a total of 313,900 jobs in crop production. Assuming that there were 2.3 farmworkers for every officially estimated job, this implies that there were 722,000 crop workers in California in 2019.
- Analysis of the 2017-2018 NAWS public use data indicated that 79.1 percent of California farmworkers reported that they worked for their employer on a year-round basis and 20.9 percent reported they worked on a seasonal basis. The 2017-2018 NAWS data also indicated that 14.0 percent of crop farmworkers in California were migrants. Applying the NAWS-derived estimated shares of crop workers who were seasonal to the estimated number of crop workers in 2019, yields an estimate that there were approximately 150,900 seasonal farm workers in California in 2019, of whom 21,100 were migrant workers.
- It should be noted that the NAWS survey data shows that the share of seasonal farmworkers fell from 40.1 percent in 2015-2016 to 20.9 percent in 2017-2018. There were correspondingly large decreases in the shares of undocumented farmworkers

(from 56.0 to 41.0 percent) and labor-contracted farmworkers (from 38.0 to 23.0 percent) over the same period. Although it is not immediately clear why these changes occurred, the U.S. federal government’s adoption of strict immigration controls after 2016 likely played a role.

The best estimate calculations are also summarized in a tabular format below.

**Table 7**  
**Estimated Number of MSFWs in California in 2019**  
 (Estimates are rounded to the nearest hundred)

<b>Total Jobs in Crop Production (Official Estimates)</b>	<b>313,900</b>
Assumed Farmworkers to Job Ratio	2.3
<b>Estimated Number of Crop Workers in California</b>	<b>722,000</b>
Share of Farmworkers Who Work Seasonally (NAWS)	20.9%
<b>Estimated Number of Seasonal Farmworkers in California</b>	<b>150,900</b>
Share of Farmworkers Who Are Migrants (NAWS)	14.0%
<b>Estimated Number of Migrant Farmworkers in California</b>	<b>21,100</b>

Source: EDD-LMID

Note: Seasonal and migrant shares as reported or calculated based on 2017-2018 NAWS survey data.

**Outreach Activities. The local offices outreach activities must be designed to meet the needs of MSFWs in the State and to locate and contact MSFWs who are not being reached through normal intake activities.**

The EDD operates an MSFW Outreach Program consisting of 29 primary outreach workers located in 31 Designated AJCCs throughout the State. The outreach workers provide MSFWs with information on the services and resources available at local AJCCs, Community Based Organizations (CBO), and other State and federal agencies serving MSFWs in the area.

The outreach workers spend 85 percent of their time in outreach activities contacting MSFWs where they live, work, or gather. Typically, MSFWs live in economically depressed locations in the outskirts of cities or in farm homes. Often the housing infrastructure for MSFWs is inadequate. Therefore, due to the isolation and conditions in which MSFWs live, barriers are created, thereby preventing them from accessing social services, community resources, and employment and training services.

The work of the MSFW outreach worker is normally performed outdoors in remote areas in varied weather conditions, around pesticides, and machinery. The outreach workers are frequently required to drive on dirt roads off main highways often impacted by extreme weather conditions or by irrigated farm fields requiring the use of 4-wheel drive vehicles.

**F. Describe the State agency's proposed strategies for:**

**1. Contacting farmworkers who are not being reached by the normal intake activities conducted by the employment service offices.**

By acknowledging that many MSFWs live in isolated areas, the outreach workers are strategic in how they reach MSFW. The outreach worker collaborates with agricultural employers and conducts outreach efforts to promote the full range of employment, training, referral and supportive services to MSFWs. All outreach staff must be multilingual and spend a majority of their time conducting outreach where MSFWs work, live and congregate. Statewide outreach strategies include:

- Utilizing local networks with state, community and local partners that provide services to MSFWs to identify community events and have presence to share information and educate MSFWs about resources available to them.
- Statewide, the EDD promotes local coordination with partner agencies to compliment efforts to reach the MSFW community. The collaboration involves working strategically to disseminate resources material focused on educating the farmworker community on topics pertaining labor law, health, safety and supportive services. Recent efforts include working with the Labor Workforce Development Agency and Cal/OSHA to address COVID-19 safety and protection awareness, Temporary Agricultural Program (H-2A) assurances, and distribution of Disaster Preparedness outreach packet material.
- Strategic and regular collaboration with local non–profit and advocacy organizations occurs statewide to ensure we are reaching the MSFW population to adequately address their needs. Engaging with MSFWs in a manner that is culturally and linguistically appropriate to meet their needs.
- Augmented staff resources, the EDD allocated an additional 3.5 Personnel Years (PY) to conduct additional outreach and assist with additional outreach in counties with a high estimated number of MSFWs and a large H-2A footprint of foreign workers performing agricultural work. This increased the outreach budget from 22.94 PY to 26.44 PY for State Fiscal Year (SFY) 2020-21.

**2. Providing technical assistance to outreach staff. Technical assistance must include trainings, conferences, additional resources, and increased collaboration with other organizations on topics such as one-stop center services(i.e. availability of referrals to training, supportive services, and career services, as well as specific employment opportunities), the Employment Service and Employment-Related Law Complaint System (“Complaint System” described at 20 CFR 658 Subpart E), information on the other organizations serving MSFWs in the area, and a basic summary of farm worker rights, including their rights with respect to the terms and conditions of employment.**

The EDD uses all of the methods referenced in this section to increase the capacity of its outreach staff. Additionally, the EDD Foreign Labor and Farmworker Services Group (FLFSG) hosts MSFW outreach quarterly conference calls that provide an open forum for representatives from EDD, partners, and CBOs to discuss the delivery of services, training programs, and technical support to better serve MSFWs. Participants are able to share best practices, discuss outreach goals for the upcoming quarter, and promote partnerships with state agencies and CBOs. The Monitor Advocate Office (MAO) and FLFSG obtain feedback to update and enhance EDD’s policies and procedures. Keynote speakers are invited to provide information and educational material at each quarterly conference call.

Below are examples of the topics discussed during the MSFW quarterly conference calls in the past two State PYs:

- The Agricultural Labor Relations Board provided an overview of its role and responsibilities, the type of complaints it investigates, and best practices for collecting information to process complaints. The MAO provided information regarding the elements it reviews during the on-site annual review of the Designated MSFW AJCCs for staff and management. The information focused on the MSFW Outreach Program daily and monthly reports, the recruitment of workers to the H-2A job orders, and the Migrant Indicator of Compliance (MIC) report.
- The Department of Industrial Relations (DIR) Division of Labor Standards Enforcement presented information regarding wages in California including the 2019 minimum wage, overtime requirements in agricultural, and MSFWs paid piece-rate wages. In addition, Cal/OSHA presented information on best practices regarding heat illness prevention.
- The UC Davis Western Center for Ag Health & Safety Training was invited to provide a training regarding COVID-19 key prevention practices for employees to protect themselves in the field and COVID-19 interim guidance for agricultural employers to protect their employees in the workplace.
- To address the COVID-19 pandemic concerns, Cal/OSHA presented on the safety and health guidance to prevent COVID-19 infection in the agricultural industry. In addition each of the Workforce Service Divisions were invited to discuss their innovative communication strategies with agricultural employers and farmworkers while following the latest health and safety guidelines.
- Cal/OSHA’s Occupational Safety and Health Enforcement Outreach Coordination Program shared a training that covered CCR, Title 8 sections 3205 – 3205.4: COVID-19

Prevention, Multiple COVID-19 Infection and COVID-19 Outbreaks, Major COVID-19 Outbreaks, Prevention in Employer-Provided Housing, COVID-19 Prevention in Employer-Provided Transportation to and from Work.

- The California Department of Fair Employment and Housing provided a series of trainings to keep the MSFW Outreach Program staff and management informed on violations that constitute discrimination in work and living spaces, as well as sexual harassment and labor trafficking.
- During the fourth quarter of PY 2020-21, all California NFJP Grantee directors, including the newest NFJP grantee, Western Center for West Hills Community College District, shared a high-level overview presentation on common supportive services to MSFWs, their collaboration with local organizations, and service area.

**3. Increasing outreach staff training and awareness across core programs including the Unemployment Insurance (UI) program and the training on identification of UI eligibility issues.**

The EDD has continued its efforts to increase outreach workers' awareness of core programs by completing the following:

- Providing training on core programs, including California Training Benefits, UI, Trade Adjustment Assistance, Veteran's programs, and Youth and Dislocated Worker programs.
- Developing and providing two-hour training on the UI program. The training included UI claim filing eligibility basics, UI claim management, maneuvering UI's public facing computer system, and understanding notices sent to claimants. The UI training also included requirements to seek work and the results of non-compliance.
- The State Workforce Agency (SWA) obtained access to the UI Direct phone line by adding the outreach worker's cell phone number to the list of authorized phone numbers. This effort is a victory for the farmworker population because it expands the access point for UI Direct and allows outreach workers to provide meaningful assistance when they encounter farmworkers with complicated UI claims.
- During the first quarter of PY 2020-21, the MSFW Outreach Program staff and management received training by a DIR Labor Commissioner to address the 2021 COVID-19 Supplemental Paid Sick Leave overview and benefits. In addition, a representative from the EDD State Disability Insurance Program gave a training on eligibility filing process, and claimant resource material for outreach workers to utilize and share with the farmworker community.

**4. Providing outreach staff professional development activities to ensure they are able to provide high-quality services to both jobseekers and employers.**

The State will use professional development activities that increase cultural and linguistic-related competencies for outreach staff to ensure they are able to provide high-quality services to both job seekers and employers. These training activities will enable staff to assist MSFW job seekers with knowing and improving their skills, obtaining the best job possible, and progressing in a Career Pathway. Furthermore, these training activities will



provide employers with access to qualified candidates and strengthen their businesses. Staff will be provided with the required information about core programs, including UI, and hear a consistent message regarding expected levels of performance, service delivery and service quality.

In PY 2020-21, the SWA provided multiple trainings and published Internal Administrative Notices to provide technical assistance to help Designated MSFW AJCC offices reduce and/or eliminate obstacles to achieve compliance with State and federal mandates. The delivery methods of these trainings include, but are not limited to, virtual training, workshops, seminars, on-the-job training, and web-based training sponsored by the DOL Employment and Training Administration (ETA) as listed below:

- Migrant and Seasonal Farmworkers 101 Training Module
- Agricultural Outreach Workers Training Module
- State Monitor Advocate Roles and Responsibilities Training Modules:
  - Employment Service Complaint System
  - Create Effective Outreach Strategies for Farmworkers, Employers and Stakeholders
  - Youth in Agriculture: Serving Young Farmworkers
  - Provide Exemplary Customer Service to Farmworkers - Perform Better on the Job Series
- EDD Farmworker Services Unit, Migrant and Seasonal Farmworker Outreach Program Overview Training Modules:
  - Characteristics of Farmworkers in California
  - MSFW Outreach Program Roles and Responsibilities
  - Documenting and Reporting
  - Migrant Indicators of Compliance
  - MAO Annual Reviews
- EDD Foreign Labor Certification Unit- H-2A Housing Inspection Training for Agricultural Business Representatives
- Cal/OSHA Emergency Temporary Standards: COVID-19 Prevention in Employer-Provided Housing.

Designated MSFW AJCC managers continue to provide ongoing training and development for staff regarding employment services through its core curriculum serving the public and marketing EDD services. There is also training and community vendor services available to MSFWs and employers to better support outreach worker responsibilities in the field. The FLFSG assists in providing technical support and guidance to support managers and outreach staff on State and federal regulations pertaining to MSFW outreach.

##### **5. Coordinating outreach efforts with NFJP grantees as well as with public and private community service agencies and MSFW groups.**

Other outreach efforts include partnering with La Cooperativa Campesina de California (La Cooperativa), a statewide association of service providers operating WIOA Title I Section 167

and Community Services Block Grant MSFW service programs. La Cooperativa's Board of Directors consists of NFJP grantees which include the Center for Employment Training, California Human Development Corporation, Central Valley Opportunity Center, County of Kern Employer's Training Resource, and Proteus, Inc. These NFJP grantees currently operate 66 service centers including mobile service units and other service access sites throughout 31 counties in California, offering comprehensive services to rural, agricultural regions. The services provided include education and ES, supportive services, emergency and disaster services, and advocacy and awareness. In 2020, West Hills Community College District was announced by DOL as a new NFJP grantee.

Since the services offered by NFJP grantees focus on increasing self-sufficiency and protecting farm workers in local communities in which they live, and with partners whom are trusted within the community, they are able to achieve much higher rates of participation within this traditionally hard-to-reach population.

The EDD will continue to pursue and promote more collaborative co-enrollment policies between WIOA Title I Section 167 providers and other WIOA funded programs that will assist the WIOA Title I Section 167 network provide their mutual farmworker customers with an enhanced and accessible range of services. This effort will be augmented by the mutual use of the State's CalJOBS<sup>SM</sup> system.

#### **WIOA 25 Percent Additional Assistance Grants**

La Cooperativa is an ongoing recipient of WIOA 25 percent assistance funding. The recipient received \$6,643,200 to serve MSFWs in 30 counties across California from April 1, 2019, to March 31, 2021. This funding is intended to assist participants in the areas of career services, training services, and follow-up services who are adversely affected by dislocation due to seasonal farm work and whom typically have various significant barriers to employment preventing them from obtaining sustainable work. Barriers that are addressed include basic skills deficiency, low education, limited English, and limited career exposure and poverty.

#### **Wagner-Peyser 10 Percent Discretionary Grants**

To expand MSFW outreach efforts throughout the state of California, EDD annually awards the Campesino de California Outreach Grant - Radio Media using Wagner-Peyser 10 discretionary funds for \$100,000 to provide information to MSFWs and their families utilizing radio and media strategies. From November 1, 2019, to November 30, 2020, the Mixteco/Indigena Community Organizing Project (MICOP) received a Wagner-Peyser 10 discretionary grant to strengthen communication with the indigenous immigrant community in Ventura County, estimated at 24,000 people. Most are strawberry farmworkers, and many speak their indigenous language primarily. MICOP's majority-indigenous staff builds community leadership and self-sufficiency through education and training programs, language interpretation, health outreach, humanitarian support, and cultural promotion reaching approximately 6,000 individuals each year.

The new PY 2021-22 recipient of the Wagner-Peyser 10 discretionary grant was awarded to La Cooperativa for a total of \$250,000 to operate both the Campesino de California

Outreach Grant Radio Media and the Complaint System Awareness and Referral Program. The partnership with La Cooperativa, NFJPs, and MICOP helps to enhance our footprint in the agricultural communities where the personal touch and one-on-one engagement with MSFWs is limited. Thus, it requires educating partners within the Workforce Development System on the needs and best strategies to increase MSFW participation at the Designated MSFW AJCC offices.

**6. Services provided to farm workers and agricultural employers through the one-stop delivery system. Describe the State agency's proposed strategies for:**

**(A) Providing the full range of employment and training services to the agricultural community, both farmworkers and agricultural employers, through the one-stop delivery system. This includes:**

**(i) How career and training services required under WIOA Title I will be provided to MSFWs through the one-stop centers;**

**(ii) How the State serves agricultural employers and how it intends to improve such services.**

The EDD has been able to successfully serve the agricultural community through an outreach program designed to serve both MSFWs and agricultural employers. The primary responsibility of the outreach worker is to locate and contact MSFWs who are not being reached by the normal intake activities conducted by the Designated MSFW AJCC offices. The outreach workers search for MSFWs throughout the State, especially in rural areas where they live, work, and gather to present the services in a language readily understood by them. In addition, AJCC partners commit to offer services to adults with barriers to employment including individuals who are English Language Learners and face cultural barriers, including eligible MSFWs. The responsibilities of an outreach worker along with applicable career services guaranteed under WIOA Title I partners collocated at the AJCC include:

- Educating MSFWs of their rights with respect to terms and conditions of employment.
- Informing MSFWs about the Employment Services Complaint System and providing assistance with filing a complaint.
- Developing and maintaining relationships with MSFWs, public and private community agencies, MSFW groups, and employers.
- Coordinating outreach efforts with MSFW community service providers, including WIOA Title I Section 167 providers and State agencies such as the multilingual labor rights mobile caravans to directly inform farmworkers about workplace protections.
- Assisting MSFWs with job search and placement, initiating job development contacts, and referrals to supportive services.
- Assisting with the completion of the CalJOBS<sup>SM</sup> registration, resume, job applications, and other documents as needed.
- Conducting follow-up interviews with reportable individuals to ensure service or training

was received, as well as post-employment follow-up services and support.

- Assisting MSFWs with applying for financial aid for training and education programs not provided under WIOA.
- Assisting MSFWs with making appointments and arranging transportation;
- Providing assistance with obtaining UI benefits, information on the California Training Benefits program, and referrals to specific employment opportunities if MSFWs are unemployed.
- Providing information regarding employment opportunities that may be available including any available H-2A agricultural job orders.
- Staff from WIOA Title I Section 167 providers collaborate with the EDD to provide MSFWs with a comprehensive list of services designed to place them into full-time, non-seasonal employment or provide placement assistance in agricultural occupations offering higher wages.
- Engaging in public awareness campaigns to educate job seekers and small businesses about Covered California™ as a resource to help make informed decisions about health care coverage options.
- The Workforce Development Board of Ventura County hosts English Language Learner Roundtable which includes partners in the community who serve farmworkers and refer them to the AJCC and NFJP grantee, Center for Employment Training, for employment and training services.
- Prior to Covid-19, in-person Farmworker Fairs were hosted at the AJCCs with WIOA Title I partners in conjunction with EDD. The Farmworker Fair connects farmworkers to resources and services offered by a variety of different state-government and local-community agencies.
- WIOA Title I partners help promote the English Language Learner grant from EDD that focuses on farmworkers and indigenous farmworkers.
- The Ventura College has an Agricultural Field Supervisor training program for farmworkers. Both the AJCC and Center for Employment Training refer participants to this program.

Agricultural employers and MSFWs receive additional services from the Agricultural Business Representatives (ABR). The ABRs complete housing inspections for agricultural employers that use the H-2A Program to ensure employers are providing adequate housing to MSFWs. The ABRs also collect agricultural data and prepare crop activity reports of their respective agricultural areas, as well as conduct field checks of H-2A employers to ensure employers follow the terms and conditions of their work contract. They also assist with conducting prevailing wage and prevailing practice surveys and play an important role in the health and safety and protection of the H-2A workers.

## **Services to Agricultural Employers**

The EDD recognizes the importance of the agricultural industry in California and has devoted resources to meet the labor needs of agricultural employers and MSFWs. Funding for agricultural services comes from Wagner–Peyser and Foreign Labor Certification (FLC) funds granted to the States annually. The FLC funds are provided by DOL to California to process foreign labor application requests, conduct housing inspections, agricultural prevailing wage and prevailing practice surveys, and collect agricultural crop and labor information.

California also provides labor exchange services for agricultural employers. These services target the specific needs of the agricultural workforce by using one or more of the following services provided by CalJOBS<sup>SM</sup>:

- Generate CalJOBS<sup>SM</sup> letters that enable staff to create and send formatted letters to job seekers who are registered in CalJOBS<sup>SM</sup> regarding job opportunities and targeted recruitment letters.
- Employer self–service options to update their company profiles, post and update recruitments, conduct résumé searches, and contact qualified job seekers.
- Perform recruitment activities to find and refer qualified MSFWs in order to fill the labor needs of agricultural employers at least 30-60 days before the start of the harvest season.
- Conduct mass job referrals electronically through CalJOBS<sup>SM</sup>.
- Assist with résumé searches and ES office staff mediated services that encourage agricultural employers to publish their job openings using CalJOBS<sup>SM</sup> to fill their job openings.
- Provide labor market information such as data on supply and demand, salaries, training requirements, new and emergent occupations, and industry growth.
- Provide Rapid Response services due to plant closure or mass layoffs. These services are offered to workers at the employer’s job site and include information on assistance that can be provided at the AJCCs.

### **(B) Marketing the Complaint System to farmworkers and other farmworker advocacy groups.**

Information on the Employment Services Complaint System is an integral part of the outreach workers’ educational toolkit and is constantly shared with the MSFWs and the advocacy organizations that the outreach workers interact with regularly. The Designated MSFW AJCC staff receive training on the Employment Services Complaint System. As of August 2021, the MAO revised the Employment Services Complaint System Manual and continues to provide technical assistance to the system’s users during annual on-site monitoring reviews. An internal team site was also created to allow staff to view training modules, pertinent forms and instructions, and webinars. The WorkforceGPS training modules are among the various trainings available on this site.

In accordance with TEGL 8-17, the MAO has established a MOU with NFJP grantees to establish an ongoing liaison and meet on a quarterly basis to receive input on improving conditions of the coordination of services to MSFWs. Additionally, the MOU includes efforts

to refer any complaints or apparent violations to the nearest AJCC EDD complaint specialist that serves agricultural employers and assist in referrals of alleged violations to enforcement agencies. The goal of the MOU is to create a partnership in order to facilitate outreach worker contacts, job referrals, and provision of services between the AJCCs and NFJP grantees to help ensure MSFWs have meaningful access to services in a way that meets their unique needs.

**(C) Marketing the Agricultural Recruitment System for U.S. Workers (ARS) to agricultural employers and how it intends to improve such publicity.**

The ARS is a nationwide recruitment and referral system that brings together job seekers and employers who are seeking U.S. workers to perform farmworker on a temporary, less than a year-round basis. The ARS can be used to systematically move workers within a state and from other states when there is an anticipated shortage of agricultural workers. The process is less time-consuming and more cost-effective for employers that use the H-2A Program.

The EDD staff in the Designated MSFW AJCC offices will market and recruit eligible job seekers in the local labor market area during the course of their daily general activities at the AJCCs, as well as during outreach activities to MSFWs. Staff will receive training and continue to provide the following services:

- Display the job announcement in English and Spanish in the lobby area, job board, binder, or other visible location where it is accessible to job seekers.
- Share the job announcement with local partners and CBOs.
- Share the job order with MSFW outreach staff to promote the job announcement where MSFWs work, live, and congregate.
- Conduct an Advanced Resume Search in CalJOBS<sup>SM</sup> to identify potential job seekers and send a notification through CalJOBS<sup>SM</sup> to the list of potential job seekers.

**7. Other Requirements.**

**(A) Collaboration. Describe any collaborative agreements the State Workforce Agency (SWA) has with other MSFW service providers including NFJP grantees and other service providers. Describe how the SWA intends to build upon/increase collaboration with existing partners and establish new partners over the next four years (including any approximate timelines for establishing agreements or building upon existing agreements).**

The EDD has substantial financial agreements with MSFW service providers including various contracts with La Cooperativa and the Kern, Inyo and Mono counties (KIM) Workforce Development Board. The full award granted to sub grantee KIM totals \$6,603,200 for Agricultural Industry Dislocation Project awarded from April 2019 to May 2021. In addition the EDD has implemented ongoing efforts to strengthen its collaborative efforts with advocacy agencies including the Consulate General of Mexico, Sacramento to leverage referrals and conduct meaningful outreach in the fields.

The EDD will continue building on these relationships and agreements and develop new relationships over the next two years through the following:

- Continue working with our NFJP partners to strengthen and improve how we serve our immigrant and limited English proficient populations including increasing co-enrollment between both WIOA Title I and Wagner-Peyser by using the CalJOBS<sup>SM</sup> case management system to track, manage, and report on MSFWs.
- Provide additional WIOA discretionary resources to develop California's capacity to serve MSFWs and other limited English proficient populations. For example, during state PY 2019-20, \$1.2 million of WIOA discretionary funds for Regional Workforce Accelerator projects was awarded to develop and test innovations that accelerate employment for these populations.
- Participate in convening stakeholders that have specialized expertise in serving immigrants and/or persons with limited English language proficiency to identify and develop partnerships with immigrant rights organizations.

**(B) Review and Public Comment.** In developing the AOP, the SWA must solicit information and suggestions from NFJP grantees, other appropriate MSFW groups, public agencies, agricultural employer organizations, and other interested organizations. In addition, at least 45 calendar days before submitting its final AOP, the SWA must provide a proposed plan to NFJP grantees, public agencies, agricultural employer organizations, and other organizations expressing an interest and allow at least 30 days for review and comment. The SWA must: 1) Consider any comments received in formulating its final proposed AOP; 2) Inform all commenting parties in writing whether their comments have been incorporated and, if not, the reasons therefore; and 3) Transmit the comments and recommendations received and its responses with the submission of the AOP.

**i. The AOP must include a statement confirming NFJP grantees, other appropriate MSFW groups, public agencies, agricultural employer organizations and other interested employer organizations have been given an opportunity to comment on the AOP. Include the list of organizations from which information and suggestions were solicited, any comments received, and responses to those comments.**

The State MAO reviewed the 2021 submission of the AOP and provided valuable feedback in compiling the final draft. The EDD is awaiting comments and recommendations from La Cooperativa and NFJP grantees. The comments and suggestions received will be reviewed, addressed, and considered before incorporating in the final AOP.

**(C) *Data Assessment.* Review the previous four years Wagner-Peyser Act data reports on performance. Note whether the State has been meeting its goals to provide MSFWs quantitatively proportionate services as compared to non-MSFWs. If it has not met these goals, explain why the State believes such goals were not met and how the State intends to improve its provision of services in order to meet such goals.**

The State has historically met the Wagner–Peyser performance goals to provide qualitatively equivalent and quantitatively proportionate services to MSFW as compared to services provided to non–MSFWs.

A review of the past four years of Wagner–Peyser data reports indicates that EDD has met all equity service level indicators for PY 2019-20 and PY 2020-21 ensuring MSFWs continue to receive qualitatively equivalent and quantitatively proportionate services at significantly greater rates than non-MSFWs.

The EDD is also required to meet the minimum service level indicators to encourage the provision of more services to MSFWs and to prevent a reduction of these services by Designated MSFW States. The minimum service level indicators were established to ensure that MSFWs receive equitable employment services. During PY 2019-20, the EDD met three out of four minimum services level indicators. The Review of Significant/Special Circumstance Offices service level indicator was not met due to the COVID-19 pandemic and the governor issuing a Statewide stay-at-home order.

The EDD has taken an active role to ensure compliance in tracking services to MSFWs and all job seekers. The EDD has trained staff and AJCC partners on the use of CalJOBS<sup>SM</sup> and has created comprehensive tools on the CalJOBS<sup>SM</sup> service codes.

**(D) *Assessment of progress.* The plan must include an explanation of what was achieved based on the previous AOP, what was not achieved and an explanation as to why the State believes the goals were not achieved, and how the State intends to remedy the gaps of achievement in the coming year.**

The DOL ETA requires that states ensure equity of services for MSFWs and non-MSFWs. The MAO ensures MSFWs continue to receive qualitatively equivalent and quantitatively proportionate services similar to non-MSFWs by monitoring indicators of compliance on all service outcomes tracked for regular job seekers, including MSFWs.

Effective March 19, 2020, all MSFW program services and outreach activities were modified due to the COVID-19 pandemic. MSFW services were provided by telephone, email or by appointment. The outreach workers in the Designated MSFW AJCC offices were redirected to conduct indoor outreach activities and contact partner agencies and CBOs to find out what modified services were being provided and how they could practice social distancing while assisting clients. As a result of the unprecedented circumstances there was a decrease in the intake of complaints and apparent violations handled by the local offices. Several local offices also reported delays in the processing of complaints. Despite the challenges presented this past year, all five of the Equity Ratio Indicators were met. The EDD will continue to direct its focus for the upcoming year on training staff on providing equity of services to meet the federal Migrant Indicators of



Compliance report including referrals to employment, referrals to supportive services, staff assisted career services, job development contacts, and career guidance.

A summary of the recent data analysis in comparing PY 2019-20 to PY 2020-21 includes the following:

- **Referred to Employment:** In PY 2020-21 the number of referrals to employment decreased for MSFWs by 5,059 compared to the 9,849 captured in PY 2019-20.
- **Referred to Supportive Services:** In PY 2020-21 the number of MSFWs referred to supportive services decreased by 3,175 compared to PY 2019-20.
- **Received Staff Assisted Services:** In PY 2020-21 the number of staff assisted services received by MSFWs was 8,464, a decrease of 50.2 percent compared to PY 2019-20; however, the EDD still met the minimum service level to MSFWs.
- **Job Development Contacts:** In PY 2020-21 the number of job development contacts to MSFWs by 43% compared to PY 2019-20. However, the EDD still met the minimum service level to MSFWs.
- **Career Guidance:** In PY 2020-21 the number of MSFWs receiving career guidance decreased by 4,777 compared to PY 2019-20; however, the EDD still met the minimum service level to MSFWs.

**(E) State Monitor Advocate. The plan must contain a statement confirming the State Monitor Advocate (State MAO) has reviewed and approved the AOP.**

The State MAO reviewed the 2021 submission of the AOP and provided valuable, informal feedback in compiling the final draft. The EDD is awaiting comments and recommendations from La Cooperativa, NFJP grantees, and other CBOs serving the MSFW community. The comments and suggestions received will be reviewed, addressed, and considered before incorporating changes in the final AOP.