

**Migrant and Seasonal Farmworkers (MSFW) Report
Recommendations Progress Report
March 25, 2019**

Preface

At the request of the Michigan Department of Civil Rights (MDCR), the Interagency Migrant Services Committee's (IMSC) Policy and Advocacy and Civil Rights Subcommittee (PACR) prepared the *Migrant and Seasonal Farmworkers (MSFW) Report Recommendations Progress Report* (hereinafter "The 2019 Report") for use by MDCR during the March 25, 2019 Michigan Civil Rights Commission meeting.

The 2019 Report was drafted by various members of PACR, but it does not reflect the opinions of any single agency/subcommittee member. Rather, it is a collaborative work reflecting the ideas presented by various IMSC members and stakeholders. On February 5, 2019, the IMSC voted to have PACR draft and submit a report to MDCR on its behalf. Between February 5, 2019 and March 22, 2019, PACR sought input from IMSC subcommittees, Migrant Child Task Force, IMSC members, and stakeholders through written submissions and/or involvement in the five meetings that were open to the public.

Pursuant to MDCR's request, The 2019 Report was formatted to follow conventions established by prior reports. First, a one-page update is included for each of the fifteen recommendations that were identified in MDCR's original 2010 report (see pages one through fifteen). Each page is divided into four sections. The first section is italicized and contains the actual recommendation language from the original 2010 report. The second section contains historical information for the period between 2010 and 2017 related to the original 2010 recommendation. The third section, labeled "Accomplishments," identifies notable accomplishments that occurred between 2017 and 2018 related to the original 2010 recommendation. The fourth section, labeled "Challenges," identifies the most pressing challenges farmworkers face in Michigan that relate to the original 2010 recommendation. In order to keep each recommendation update to the requested one page, the historical, accomplishment, and challenges sections were abbreviated and only include the most notable issues that were brought to PACR's attention prior its submission of The 2019 Report. Therefore, this Report should not be considered a comprehensive analysis of the challenges faced by Farmworkers in Michigan, but rather an abbreviated update to the specific items identified in the 2010 Farmworker Report.

Second, an Update Report was included in The 2019 Report for the IMSC (pages 17 through 21) and any IMSC member agencies that submitted updates prior to its submission to MDCR on March 22, 2019 (beginning on page 22 and continuing through the end of the document). MIOSHA's Update Report was submitted to PACR on March 25, 2019 and forwarded to MDCR for its inclusion in The 2019 Report.

On March 22, 2019, PACR sent The 2019 Report to MDCR. On March 25, 2019, MDCR presented The 2019 Report to the Michigan Civil Rights Commission. The Commission approved a motion acknowledging “significant progress” and recognizing “continuing barriers for MSFWs in Michigan.” The Commission also authorized the Michigan Department of Civil Rights (MDCR) to continue working with the IMSC on addressing the 15 Recommendations. The goal of this collaboration is to help drive coordination of services to farmworkers, collaboration between agencies, and administrative and legislative changes to address the challenges faced by farmworkers in Michigan.

On April 2, 2019, PACR shared The 2019 Report with the entire IMSC and welcomed additional feedback from agencies. Agencies have since provided additional information and feedback regarding their service provision, which will be included in future reports. Based on questions and feedback, the PACR decided that this Preface, explaining The 2019 Report, and the following corrections to The 2019 Report were needed:

- “Participating and Contributing Members” should be updated to state “Participating Members and Contributors”
- The Participating Members and Contributors list should update “Interagency Migrant Services Committee” to “Interagency Migrant Services Committee and its Subcommittees” and the list should also include:
 - Michigan Occupational Safety & Health Administration
 - Dr. Lisbeth Iglesias-Rios, Post-Doctoral Research Fellow, Department of Epidemiology, UM School of Public Health
- Page 2, Historical Section, Change to:
 - “A decline funding of MDARD’s Migrant Labor Housing Program (MLHP), in 2009, led to a thinly-staffed state program with only 3 inspectors and a deteriorating enforcement capacity. MLHP staff initiated use of a pre-inspection worksheet, which was completed by the camp owner, and expedited pre-season inspections. Since that time, MLHP has increased and maintained a unit with 7 staff who perform pre-licensing and in-season inspections for labor camps with an application for use by 5 or more migrant farmworkers.”

**MIGRANT AND SEASONAL FARMWORKERS
(MSFW) REPORT RECOMMENDATIONS
PROGRESS REPORT**

PREPARED FOR

THE MICHIGAN CIVIL RIGHTS COMMISSION

BY

**THE INTERAGENCY MIGRANT SERVICES COMMITTEE'S
POLICY & ADVOCACY AND CIVIL RIGHTS SUBCOMMITTEE**

March 25, 2019

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Michigan Department of Licensing and Regulatory Affairs Michigan Wage and Hour Division
Michigan Farm Bureau
Michigan Immigrant Rights Center
Michigan Primary Care Association
Michigan State University Extension
Michigan Talent Investment Agency / Workforce Development Agency
Migrant Legal Aid
Telamon Corporation Migrant Head Start
Telamon Corporation National Farmworker Jobs Program
Social Security Administration
U.S. Department of Labor Wage and Hour Division

Recommendation 1:

Identify ways to improve migrant labor housing inspections. This includes both ensuring that present inspection levels are maintained and finding ways to inspect housing after occupancy to ensure that it is not allowed to fall below minimum legal requirements while in use, ensuring enforcement of maximum occupancy limits for individual units, preventing minors from living in a unit with unrelated adults, or any other changes that can be identified to better protect the occupants of such housing. The percentage of total seasonal migrant labor housing that is inspected must be maintained, or even better, increased.

Urgent concerns regarding a rapidly deteriorating Migrant Labor Housing Program (MLHP) within the Michigan Department of Agriculture and Rural Development (MDARD) triggered the original request for MCRC hearings in 2009. Since that time, the MLHP has managed to build and maintain a unit with 7 licensing staff, one manager, and one bilingual office assistant. However, new housing challenges have arisen as the result of local zoning, the growth of H2A positions (from 500 in 2013 to 9,005 in 2018), and consolidation in the dairy industry.

Accomplishments

- ❖ MLHP is working to computerize the licensing process to improve consistency between staff, faster processing of applications, and the ability to generate migrant camp maps
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Challenges

- ❖ Aggressive zoning restrictions are limiting or eliminating the construction of housing occupied by farmworkers. These restrictions have included limitations on where farmworkers can be housed and discriminatory citizenship/immigration requirements. As a result, employers and housing providers are engaging in familial, marital status and age discrimination under ELCRA.
- ❖ Employers are creating more single gendered housing. This has meant that domestic farmworkers with families are being denied housing and/or employment, deterred from applying for employment or living in the migrant labor camps, forced to live in separate units, or housed together in units that do not meet standards for familial housing. Having farmworker children living in a unit with unrelated adults is unacceptable and can be dangerous. MDARD provides recommended floor plans for migrant labor camp construction, but only one floorplan is identified as acceptable for families.
- ❖ To address aggressive zoning restrictions and growth in single-gendered housing, the IMSC requests the Civil Rights Commission to reaffirm its support for fair housing that does not discriminate against domestic workers and their families.
- ❖ We also request the MDCR to send letters to municipalities taking a firm stance against both practices and to create a flyer for those interested in migrant labor construction to put them on notice of potential liability & zoning solutions prior to construction.
- ❖ Family housing needs to facilitate unique/protected spaces for children to eat & play.

Recommendation 2:

Ensure swift, certain, systemic and sufficient fines for housing, health and/or other violations as a deterrent to bad conduct.

In 2009, deteriorating enforcement capacity within MDARD's Migrant Labor Housing Program (MLHP) led to a thinly-staffed state program with 3 inspectors that relied on "self-inspection" and corrective action by migrant labor housing owners. Since that time, the MLHP has managed to build and maintain a unit with 7 licensing staff who perform pre-licensing, in-season, and post-season inspections of all labor camps with 5 or more migrant farmworkers.

Accomplishments

- ❖ In 2018, MLHP licensed 840 camps with 4,258 units and an overall capacity for 25,997, an increase of nearly 1,500 since 2014. The number of in season occupancy inspections increased by 160% while the overall number of inspections increased by 14%
 - ❖ MLHP has licensed some dairy labor camps at the request of the owner.
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Challenges

- ❖ MLHP & MIOSHA have no licensing staff with farmworker experience or with fluency in Spanish. As a result, they do not interview or provide instruction to migrant labor camp occupants who do not speak English. MLHP & MIOSHA are challenged to prioritize the recruitment and hiring of individuals with these cultural and linguistic competencies.
- ❖ The statutory limitation that prevents MLHP from requiring agricultural labor camp licensing where 4 or fewer migrant farmworkers are housed has left concerning gaps, including a migrant farmworker family being housed in a semi-tractor freezer trailer and the death of two farmworkers in April 2018 in housing where seven dairy workers resided in Cass County.
- ❖ MLHP does not enforce licensing requirements on dairy housing since dairy work is year-round, even though dairy workers often move seasonally and fall under MLHP's jurisdiction.
- ❖ MLHP should be authorized to levy fines for violations of state migrant labor housing camp occupancy standards, in addition to its present authority to issue fines for unlicensed camps. When MDARD issues a fine, it is always for less than the regulatory max, for example levying a 50% charge & requiring the other 50% be used to bring housing into compliance.
- ❖ Migrant camp licensing rules, like allowing 10 workers per shower and the use of privy outhouses, are insufficient to ensure farmworkers have access to healthy living conditions.
- ❖ Although MIOSHA fine maximums have increased, it is unclear whether they investigated any farmworker housing in 2018 or whether actual fines levied by MIOSHA have increased.
- ❖ TIA has the authority and responsibility to assure that it only refers workers to housing that is inspected and compliant with relevant local, state and federal housing standards.

Recommendation 3:

Ensure migrant and seasonal farmworkers are not paid less than the required minimum wage due to insufficient “piece rates” or other reasons.

Non-payment of wages, lack of written employment contracts, and ‘piece-rate’ concerns surfaced repeatedly during 2009 MCRC hearings. New urgency for this issue came when the administrative decision by LARA’s Wage & Hour Division in 2016 stated that they have no jurisdiction to investigate and enforce the state’s minimum wage protection for farmworkers on small Michigan farms. In 2017, Attorney General Schuette issued FO-7301 agreeing with LARA’s decision. These decisions swept aside the consistent and long-recognized purpose of Michigan’s minimum wage law which was to effectively fill gaps that have existed in federal coverage – in particular due to the exemption of small farms by the Fair Labor Standards Act. The effect of these decisions is to leave a portion of Michigan’s farm labor force with no recognized legal right to a statutory minimum wage and no effective remedy to compel an abusive employer to pay them any wage at all for their labor. Known as *wage theft*, it is a form of labor trafficking. Farmworker dependence on a piece-rate, rather than being paid an hourly wage for each hour worked, can also lead farmworker families to enlist more of their children, including underage children, to unofficially contribute toward the family’s harvesting, a practice known as *ghost workers*. Lack of minimum wage protections are also more likely to lead migrant farmworkers to choose other states, exacerbating the state’s migrant labor shortages.

Accomplishments

- ❖ Michigan’s minimum hourly wage increased to \$9.25 in 2018 and will be \$9.45 on 3/29/19.
 - ❖ For Fiscal Year 2018, Michigan Wage & Hour Division received 12 claims from agricultural employees, resulting in the collection of \$3,542 in wages.
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Challenges

- ❖ Farmworkers need to be covered by the state’s minimum wage and paid medical leave laws. The IMSC requests the MCRC to support MDCR’s request for AG Nessel to reconsider AG FO-7301 regarding minimum wage protection to farmworkers on small farms.
- ❖ Farmworker service providers and enforcement agencies need to be trained to identify labor exploitation and labor trafficking in children and adults. These unlawful practices can include adverse working and living conditions, violations of minimum wage, withholding of wages or identity documents, being deceived about the nature of the job or work contract.
- ❖ Reliance on piece rate employment makes it more difficult for farmworkers to document their earnings as they do not control the scales/record keeping; it also encourages child labor.

Recommendation 4:

Build upon the efforts of the Interagency Migrant Service Committee to coordinate the actions of State agencies that deal with migrant farmworker programs, growers, migrant support service providers and other community leaders with the continuing goal of improving services to all parties, avoiding duplication of effort, and improving the living and working conditions of migrant farmworkers and their families.

The IMSC is chaired by the MDHHS Office of Migrant Affairs (OMA) Director and meets monthly with the objective of improving the living and working conditions of farmworkers. The IMSC accomplishes these functions partly through several subcommittees and task forces that meet regularly.

Accomplishments

- ❖ With the addition of the Michigan Immigrant Rights Center, the IMSC membership roster now includes 30 member agencies, the highest in our 39 year history.
 - ❖ The OMA is the only office of its kind in state government among top farm labor states.
 - ❖ The Migrant Child Task Force annually carries out four outreach events throughout the state.
 - ❖ The Outreach and Education Subcommittee provides annual outreach trainings as well as the Biennial Farmworker Conference.
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Challenges

- ❖ Increasing in person attendance at IMSC meetings.
- ❖ IMSC members and representatives need to be connected with their Department's leadership structure, empowered to interact and share, and provide substantive agency updates.
- ❖ Ensuring regular and active participation from all stakeholders in subcommittees
- ❖ Consistently preparing Civil Rights Recommendation Progress Reports on an annual basis.
- ❖ Fostering a greater exchange of information within the local Migrant Resource Councils (MRCs) and between the MRCs and the director-level IMSC.
- ❖ Coordinating and staffing the IMSC, its subcommittees and overseeing the MRCs and various trainings/conferences and action-items of the IMSC and its subcommittees. Due to the action items arising from prior MCRC Reports and Recommendations, the IMSC and its subcommittees have become more active creating additional responsibility and oversight for the OMA. OMA staffing devoted to these activities need to increase to match the increase in responsibility, oversight, and coordination needed to accomplish the recommendations and address the challenges identified throughout.

Recommendation 5:

Work with the Interagency Migrant Service Committee to determine whether the goal of improving the living and working conditions of migrant farmworkers and their families could be better met by reassigning specific functions from one department/agency to another.

The Office of Migrant Affairs and the IMSC have historically been charged with advancing recommendations to the Governor's Office and Cabinet Members regarding the most productive alignment of state programs and services to meet the needs of farmworkers in Michigan. The IMSC delegated the task of preparing the report on these recommendations to the Policy and Advocacy and Civil Rights (PACR) Subcommittee. The challenges identified are the result of the overall group discussion and are not necessarily representative of all individual group members.

Accomplishments

- ❖ In 2017, the Talent Investment Agency (TIA), Telamon – National Farmworker Jobs Program (NFJP), and MDHHS implemented a memorandum of understanding directed at improving and coordinating outreach to farmworkers and agricultural employers.
 - ❖ In March 2019, TIA announced an increase in staffing and supervision of their agricultural outreach staff, which would be centralized under two agricultural outreach supervisors and a return of unified supervision for the first time since November 2015 when these positions were first privatized and subsequently returned to state service under divided supervision.
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Challenges

- ❖ The relocation of Youth Employment from LARA to MDE has resulted in policies that require farmworker youths to obtain work permits for summer agricultural employment from the local school system, which is difficult because they have no connection to the school. The IMSC recommends these responsibilities be returned to LARA Wage & Hour Division.
- ❖ The Migrant Labor Housing Program is not responsive enough to the needs of farmworkers at MDARD. None of the licensing staff is fluent in Spanish or have farmworker experience.
- ❖ The State Monitor Advocate (SMA) is responsible for monitoring and filing complaints for apparent violations of the H-2A, MSFW outreach staff, and employment services regulations. However, TIA has structured the SMA so that the SMA is responsible for the training and supervision of the H-2A, MSFW and Employment Services programs. The SMA should be moved to another department in order to ensure his/her ability to oversee the activities of TIA without conflict.
- ❖ TIA's withdrawal of agricultural outreach staff from migrant resource council leadership positions impairs the functioning of these local groups and the services that they provide to farmworkers throughout the state.

Recommendation 6:

Identify how, and where necessary, implement cross-training of State employees working onsite with growers and/or farmworkers in one area of expertise, to also function as additional observers on behalf of other departments and agencies.

Cross-training and interagency collaboration play a crucial role in solving both capacity and program area shortages. A rigorous schedule of available, recommended, and required training for professional development needed to be developed, agreed to, and implemented if the benefits of a cross-training program are to be achieved. The IMSC Outreach and Education Subcommittee has taken the lead role in meeting this recommendation.

Accomplishments

- ❖ Since 2014, Outreach & Education has hosted an annual IMSC Outreach Worker Cross-Trainings for all outreach staff from all partner agencies in the late spring.
 - ❖ With the Housing Subcommittee, the Outreach & Education developed an IMSC Interagency Referral Form for outreach staff to report potential issues identified during outreach.
 - ❖ The Biennial Conference for Michigan's Farmworkers, Growers, and Service Providers was successfully held in October 2018.
 - ❖ Resources and tools for outreach workers to promote safety and education continue to be developed and reviewed annually by Outreach & Education based on new policies and feedback from outreach workers. In 2018, a logo and letterhead template were developed to unify the group's message and increase awareness.
 - ❖ Resources produced by the Outreach & Education Subcommittee are provided in English and Spanish for outreach workers to use while working with farmworkers.
 - ❖ In 2017, the National Center for Migrant Farmworker Health held a Midwest Stream Conference in Michigan. Many presenters and attendees were IMSC members.
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Challenges

- ❖ Concerns about the lack of confidentiality of migrant interagency referrals has inhibited the number of farmworker and migrant service agency referrals. The Migrant Labor Housing Program reports that they distribute bilingual cards in migrant camps for reporting housing issues, but believes people are scared to make a report.
- ❖ Pursuing strategies to foster a safe environment that encourages communication between farmworkers, outreach agencies, and providers with the goal of showing appreciation of farmworkers' work, developing trust, credibility and confidence between farmworkers and stakeholders.

Recommendation 7:

Ensure farmworkers, growers and crew leaders are regularly informed about the legal rights of farmworkers including, but not limited to, the right to drinking water, hand washing facilities and bathrooms in the field.

Various agencies and non-profit organizations offer educational materials, trainings, and presentations to workers, crew leaders, & growers on field & camp sanitation issues access to social, legal & medical services. Improvements in access to drinking water/sanitation, along with proper food handling processes improve the lives of farmworkers & directly impact food safety.

Accomplishments

- ❖ The Migrant Child Task Force (MCTF), Outreach & Education Subcommittee, and the Migrant Resource Councils all provide information on social, legal and medical services to growers and farmworkers and outreach workers through the following activities: four outreach events to camps by the MCTF; one in-person Outreach Worker Training for an average of 75 attendees per year; 21 MRC events with growers and farmworkers were held in 2018; MDHHS Migrant Staff completed 211 grower contacts and 3931 farmworker contacts.
 - ❖ Successful cross-training of agency outreach staff occurs regularly to ensure that the most up to date information circulates to farmworkers and growers.
 - ❖ MSU Extension has a variety of initiatives including training for ornamental horticultural managers and employers on Worker Protection Standards, OSHA Right to Know, Hazard Communications and respirator selection to encourage employer compliance and the provision of safe working conditions for farmworkers.
 - ❖ OMA represents the IMSC and farm labor at MDARD's Pesticide Advisory Committee.
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Challenges

- ❖ In June 2018, Michigan passed HB 4438 exempting farms from standard provisions regulating the servicing and transportation of portable toilets and allowing for longer septage storage periods. It also requires MDARD to issue new field sanitation, worker protection and food safety requirements applicable to the exemption, and a guide on spill mitigation and response. Implementation of these changes should be closely monitored and reviewed as the law only recently took effect, September 27, 2018.
- ❖ The increase in out-of-state H2ALCs, FLCs and new-to-Michigan workers increase the need for a state-operated crew leader/farm labor contractor training program & registry.
- ❖ Need for adequate training in the primary language of farmworkers related to use and safe handling of pesticides and chemicals and the improper use of pesticide warning signs, encouraging the use of protective equipment (e.g. masks, protective clothing, sunscreen, and hats) for all farmworkers (including children and adolescents).

Recommendation 8:

Work with Michigan State Police to clarify, and to inform both the public and law enforcement agencies about, the laws and regulations affecting the enforcement of immigration laws by police officers.

Extensive enforcement activity in Michigan by the U.S. Department of Homeland Security was an urgent concern for the farmworker community leading into the 2010 Civil Rights hearings. In addition, farmworkers expressed concerns regarding racial profiling in routine traffic stops and the impact of the 2008 changes to the requirements to obtaining a Michigan state-issued driver's license or identification. These concerns have intensified greatly in the last two years.

Accomplishments

- ❖ A Michigan Traffic Law Guide for Migrant Farmworkers was created with collaboration between the Michigan State Police (MSP) and farmworker service providers.
 - ❖ MSP were very involved in creating Farm Bureau's farmworker transportation handbook.
 - ❖ Prosecutors have been open to expanding language access plans for non-English speaking victims of crime
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Challenges

- ❖ Sheriffs from 41 Michigan counties signed on to a letter calling for stronger immigration enforcement, weakening the relationship between farmworkers, service providers, and law enforcement.
- ❖ The MSP has been contacting Customs and Border Protection (CBP) to provide interpretation at traffic stops, unduly imperiling undocumented workers in the vehicle.
- ❖ MSP and CBP are allegedly engaged in joint traffic stops. Cooperation between law enforcement agencies and CBP serves to create a fear of police in general, and reduces the rate at which undocumented workers will report crimes.
- ❖ Cooperation between local law enforcement and Immigration and Customs Enforcement (ICE), particularly in regard to detainer requests, continues to erode community trust between immigrant farmworkers and their local police departments and county sheriffs, encourage racial profiling, and expend local resources to channel individuals who pose no safety threat to their communities, into federal detention and deportation proceedings. The IMSC opposes passage of House Bills 4083 and 4090 which would broadly prohibit local governments and law enforcement from limiting their communication or cooperation with ICE and expose them to litigation from the Attorney General and even private citizens.
- ❖ Law enforcement needs training to accept foreign driver's licenses as provided for in SB 501.
- ❖ After the 2013 loss of MSP Trooper Paul Butterfield, Project Respeto lost a driving force and appears to be inactive.

Recommendation 9:

Identify specific amendments to Michigan law that could be made to address concerns raised in the report.

In addition to the administrative changes discussed throughout this report, some needed changes, including those set forth in the 2013 Report, can only come as the result of legislative changes.

Accomplishments

- ❖ SB 501 expanded the ability to use a foreign driver's license from any country.
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Challenges

- ❖ Many immigrant farmworkers face barriers to traveling and working in Michigan, because they cannot establish their Michigan residency to obtain a standard Michigan driver's license or state identification. Michigan should amend the definition of residency in MCL 257.51a (vehicle code) and MCL 28.291a (state identification card) to remove the restriction on individuals who are not legally present in the United States.
- ❖ Michigan minimum wage laws should ensure that all farmworkers receive at least the state minimum hourly wage and overtime protections.
- ❖ The unemployment insurance seasonal exemption for certain designated agricultural employers should be rescinded to be consistent with the eligibility of construction trades and other non-agricultural employment.
- ❖ The IMSC recommends the passage of SB 45's limited English proficiency protections.
- ❖ Michigan should join the 33 states who extended Medicaid coverage under CHIPRA to all lawfully residing immigrant children and pregnant women
- ❖ Worker Disability Compensation laws should be amended to extend coverage to all farmworkers suffering illness or injury in the fields or packing facilities regardless of the worker's status as piece rate agricultural employees or their lawful work authorization at the time of their work-related illness or injury.
- ❖ The exponential growth of out-of-state H2A labor contractors who do not own migrant labor worksites or housing and evade USDOL debarment via name changes reinforces the need for a state-operated crew leader/farm labor contractor training program & registry.
- ❖ The Medical Sick Leave Act should ensure that all farmworkers can receive paid or unpaid sick leave without fear of retaliation.
- ❖ Statutory changes are needed to provide enforcement agencies dedicated funding to conduct programmed inspections without advance notice whenever agricultural workers are present.

Recommendation 10:

Find funding for and conduct an Enumeration Study to update the 2006 information.

A second enumeration study was conducted in 2013 and successfully provided updated information about the number of migrant and seasonal farmworkers by county throughout the state. This data was used to direct service and outreach efforts to farmworkers in those areas.

An updated enumeration study is needed to eliminate the speculation and conjecture regarding the current farmworker population, particularly regarding the H2A population which has grown to 8,000 workers since 2013 and the growth in the dairy farmworkers. It would also be invaluable for resource allocation by state agencies, as well as for research, grant writing, and business purposes by non-profit organizations, academia, and the agricultural community. It would improve access to health care, benefits, and services for farmworkers as well as increase higher education opportunities. Past studies have highlighted the need for additional adequate housing and more health and education services targeted to many farmworker children. With an updated study, researchers can identify agricultural labor needs and trends, supplying critical data to Michigan's second biggest industry. Finally, an updated study would strengthen our agricultural sector and further improve the living and working conditions of the men and women vital to this industry.

To help address these concerns, the IMSC Data Task Force has taken on the responsibility for conducting a follow up enumeration study.

Accomplishments

- ❖ The IMSC Data Task Force has taken on the responsibility for conducting a follow up enumeration study that includes an analysis of the H2A and dairy worker population.
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Challenges

- ❖ Given the longstanding commitment by the Michigan Civil Rights Commission to the welfare and protecting the civil rights of farmworkers, supporting the preparation and completion of an enumeration study would affirm the Commission's leadership in this important sector.
- ❖ The IMSC requests the Commission to take the lead by passing a resolution calling for the issuance of an updated enumeration study and directing the MDCR to take all steps to make this happen.
- ❖ To produce a new enumeration study, the Data Task Force needs to secure funding, identify and oversee a contractor, and provide for publication and dissemination of the report.

Recommendation 11:

Work with the Secretary of State to clarify the documentation and status requirements for both drivers and marriage licenses and ensure uniform enforcement by all county clerks.

Access to Michigan driver's licenses and state identifications remains a top priority and of urgent concern for migrant and seasonal farmworkers. The restrictions on Michigan residency, excluding individuals who are not "legally present" leaves many farmworkers without safe and consistent transportation, increases their vulnerability to immigration enforcement, and limits the job duties they can perform.

The inability of undocumented farmworkers to obtain a state-issued driver's license makes the simple and necessary act of driving a crime that begins the jail to ICE to deportation pipeline. As a result, these workers are increasingly isolated, suspicious of strangers, and ultimately their families torn asunder for the simple act of driving their child to school

Accomplishments

- ❖ The Secretary of State (SOS) is working to clarify acceptable documentation that immigrants may use to obtain state-issued license or identification.
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Challenges

- ❖ Urgent legislative change is needed to remove the "legally present" restriction on Michigan residency.
- ❖ The Secretary of State should join the IMSC and commit to regular participation to ensure farmworker driver's license and identification issues are understood and promptly addressed.
- ❖ Farmworkers are facing an increasing number of barriers at Secretary of State offices, including lack of language access and inconsistent verification requirements. Since the IMSC's 2017 update, the Secretary of State changed their documentary requirements, published as SOS-428, with an overly restrictive list of allowable legal presence documents, despite Michigan law allowing for a much broader range of documentation. This has led to erroneous denials of licenses, inconsistent practices by frontline staff, and in some cases may lead to national origin discrimination.
- ❖ U.S.-born migrant farmworkers also face challenges traveling from out of state, seeking recognition of their out-of-state licenses, and birth certificates that may lack the certification and "stamp or raised seal" required on SOS-428.
- ❖ H-2A temporary visa workers face the added burden of paying for yearly renewals or new licenses, even when returning to Michigan every year.

Recommendation 12:

Eliminate any and all illegal use of child labor in agriculture.

The unlawful use of child labor in agriculture is extremely complex as are the mechanisms for addressing the need for youth services. Children as young as 12 are lawfully allowed to perform certain non-hazardous agricultural work provided that a parent works for the same employer. Improvements to the piece-rate/minimum wage structure, including ensuring that all farmworkers are paid at least the state minimum wage, will improve a farmworker family's ability to meet the most basic necessities like food, shelter, clothing and migration costs without relying on their children to work. Farmworkers are less likely to conscript their children to work if they receive a living wage and services such as child care and educational programming are readily available.

For older youth, local, state, and national factors have led to a significant decline in their agricultural employment opportunities. In response to concerns about child labor, some commercial buyers have constricted on-farm employment for those under 18 years of age. Attempts to provide continuing education regarding proper employment of youth in agriculture under state law have been unsuccessful.

Accomplishments

- ❖ Categorical eligibility for Migrant Child Care benefits & increased cooperation between OMA & Telamon provides expanded opportunities for in-camp and licensed child care.
 - ❖ Migrant educational programs have significantly increased coordination between Michigan and permanent residence states allowing migratory families confidence to obtain Michigan employment while securing education leading to graduation of their children, by improved school data transfer of migrant youth records and improved school retention.
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Challenges

- ❖ Concern that the ability of some small farms to pay less than the minimum wage could result in farmworker families resorting to underage child labor to make a living wage.
- ❖ Lack of clarity relating to youth employment has resulted in employers implementing discriminatory age policies or employing youth as *ghost workers* who are not on the payroll and become more susceptible to wage and other violations.
- ❖ Policies are needed to clearly define “non-hazardous agricultural work” for youth.
- ❖ Concern that pregnant women and children living on-site and working in the field are exposed to environmental and occupational hazards and are uniquely vulnerable and susceptible to the adverse effects of pesticides or other chemicals.
- ❖ Child care facilities and staff availability for migrant families continues to be a challenge.

Recommendation 13:

Increase the number of State employees working with migrant and seasonal farmworkers who speak Spanish and provide tools to facilitate communication between non-Spanish speaking State employees and non-English speaking workers.

Farmworkers across the state expressed concern with ongoing Limited English Proficiency (LEP) challenges that are barriers to accessing basic services.

Accomplishments

- ❖ The OMA and TIA both require and test their local outreach staff for Spanish fluency.
 - ❖ OMA staff help review translated documents to ensure comprehension by farmworkers.
 - ❖ As a result of the Hispanic Latino Commission strong advocacy for ensuring that emergency communications are translated into Spanish, the OMA has provided Spanish translations of MDHHS communications, like press releases, that bypass direct notice to clients
 - ❖ The OMA has worked with the MDHHS Diversity Committee to place a focus on hiring staff with the cultural and linguistic competency to serve our clients. To help the Diversity Committee identify offices and locations where Spanish-speaking, Arabic-speaking, and other language needs are not being met by local office staff or partner agencies, the OMA has analyzed the Department's usage of the LEP-related contract for interpreters.
 - ❖ USDOL has entered a settlement agreement with the Unemployment Insurance Agency, requiring improved services for LEP claimants.
 - ❖ Improved language on the MDHHS application to more accurately inform undocumented applicants without unnecessarily alarming them.
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Challenges

- ❖ The largest unit directly serving farmworkers without anyone in the field who can fluently speak Spanish continues to be MDARD's Migrant Labor Housing Program. This impairs their ability to communicate directly with farmworkers. As a result, these staff are unable to build a trusting relationship with them that would allow these migrant camp occupants to share their housing concerns. Their challenge is to fill vacancies by recruiting individuals with the cultural and linguistic competencies of the farmworker community that they serve.
- ❖ Encourage MSP & local law enforcement to recruit field & central office staff who are fluent in the languages, like Spanish, commonly spoken by the community where they are located.
- ❖ SB 45 would benefit LEP farmworkers by improving access to essential public services, requiring state agencies to provide sufficient interpretation (oral and in-person) & translation of important documents in offices where over 3% of the population or more than 1,000 people are served, and by providing oversight by MDCR.

Recommendation 14:

Solicit recommendations from organizations with expertise on farmworker issues for ways these next steps may be accomplished, and provide submitted suggestions to the Commission, and the Interagency Migrant Service Committee.

Implementation of this recommendation requires maintenance of current collaborative levels through continued regular meetings, active participation by agency directors or their designees and continued involvement and feedback by IMSC members

Accomplishments

- ❖ The IMSC Policy, Advocacy, and Civil Rights subcommittee continues to meet on a regular basis. The committee deals with the top issues that are occurring i.e. Public Charge, Wage and Hour, etc. The committee chair gives a report at each monthly IMSC meeting. Additional agencies or individuals are contacted for contribution to any issues that are addressed and need experts that are not on the IMSC.
 - ❖ The IMSC also has subcommittees for Outreach and Education and the Migrant Child Taskforce. These committees meet regularly to address issues regarding housing for farmworkers and issues regarding farmworker children and families. Reports and updates are given at each monthly IMSC meeting.
-

Challenges

- ❖ The IMSC needs for MDCR to provide funding/resources/staffing to oversee and contribute to action items stemming from recommendations of these reports and to continue to update these reports.
- ❖ The IMSC also has a Housing Subcommittee and a Data Task Force which meet intermittently. These committees need to meet more regularly and to provide meaningful input on housing issues to the broader IMSC and MDCR.
- ❖ There is a need for farmworker experts and service providers to be engaged and empowered to report issues (e.g. complaints of parents regarding education, access to jobs, police, providers, etc.) during IMSC meetings to provide Agency updates and to engage in the work of the IMSC.

Recommendation 15:

Designate an employee of the Department as the Commission's liaison on protecting migrant and seasonal farmworkers, and assign this person with the duty of coordinating the above efforts with the Interagency Migrant Service Committee and reporting back to this Commission on progress.

Recommendation 15 was the first to be fully accomplished, and yet is arguably the most important to regularly revisit to assure the progress initiated by the Commission's 2010 report is not allowed to regress. It represents the Commission's mandate that the Department of Civil Rights commit resources to addressing the conditions facing farmworkers.

Accomplishments

- ❖ MDCR hired Mariza Gamez-Garcia as their farmworker liaison in September 2018. She is charged with attending IMSC meetings, subcommittees, and task forces, co-chairing the Policy Advocacy and Civil Rights subcommittee, and regularly attending MRC meetings.
 - ❖ The MDCR farmworker liaison is responsible for identifying and reporting on any issues of potential discrimination to the IMSC including areas such as H2A housing, Driver Licenses, LEP access, or age discrimination.
 - ❖ The MDCR farmworker liaison is also responsible for assuring that the Recommendations Status Report is compiled by the IMSC and submitted to the Michigan Civil Rights Commission by the end of the first quarter of the year on an annual basis.
-

Challenges

- ❖ The IMSC requests that the Commission reaffirm its support for the 2010 Farmworker Report and the 15 recommendations including fair housing and wages for all farmworkers.
- ❖ To ensure that future Recommendations Status Reports reflect an accurate and unvarnished assessment of the challenges facing farmworkers, the IMSC requests that the MDCR ensure that their farmworker liaison takes a lead role in drafting future versions of this report, based on feedback provided by IMSC members but also reflecting her observations and assessments.
- ❖ This Report focuses on updates to the Recommendations addressed in the 2010 Report following a series of hearings and public testimony. Additional challenges have been identified that were not addressed in the 2010 Report and, therefore, may not be reflected in the updates documented in this Report. The Commission should hold farmworker hearing(s) in 2019 for a more complete review of the recommendations/stakeholder input in order to issue a 10 year update to the 2010 report and consider whether additional Recommendations should be addressed in future reports.

AGENCY REPORTS

MICHIGAN INTERAGENCY MIGRANT SERVICES COMMITTEE

The Michigan Interagency Migrant Services Committee (IMSC) provides a forum at the state level for communication among state agencies, resolution of problems, development of a state strategy, and provide recommendations to policy makers. Agriculture is the second biggest industry in Michigan, and farm labor is vital to the agricultural industry and therefore the state's economy. The mission of the IMSC is to coordinate the delivery of services for migrant and seasonal farmworkers and to serve as a clearinghouse for the exchange of views, problems and solutions between all parties concerned with migrant and seasonal farm labor and related services to improve the quality of life for farmworkers.

IMSC membership consists of state and federal agencies, educational institutions, agricultural industry representatives, and farm labor advocacy organizations. Services provided by member agencies to migrant and seasonal farmworkers range in areas as in health, education, public benefits, employment, child care, and child labor among others. Member organizations are statewide in scope with their purpose and functions compatible with the stated mission of the IMSC. When organizations work together, Michigan's farmworker families receive the services they need.

The IMSC structure is as follows:

- Convene monthly meetings.
- Establish and maintain subcommittees for specific projects and areas of concern. Share agency information through agency updates and member agency profile document.
- Provide technical assistance and mutual support to member agencies in their work with farmworkers/farm labor issues through cross-education and other means.
- Promote exchange of information between the IMSC and the Migrant Resource Councils.
- Make recommendations to policy makers regarding migrant programs
- Educate the general public and policy makers about the importance of farmworkers and farm labor issues.
- Annual report on progress made by each subcommittee member agency.

Accomplishments in 2018

- Meeting locations during the summer months included the Telamon Migrant Head Start Center in Watervliet, Farmworker Legal Services/Michigan Immigrant Rights Center in Kalamazoo, and Grand Traverse DHHS in Traverse City all followed by a Migrant Child Task Force Outreach Event in the area
- Renewed partnership with MSU Extension has led to consistent representation at meetings and events and hosting an annual IMSC meeting, providing an interesting presentation on educating dairy workers in Michigan.

For additional information, contact Dale Freeman at (517) 230-5614.

IMSC Subcommittees and Task Forces

Policy, Advocacy, & Civil Rights Subcommittee

Purpose - To convene state agencies and non-state partners to ensure fair and beneficial policies for Michigan farmworkers and their families and progress toward fulfilling the 15 Recommendations outlined in the 2010 Civil Rights Report.

Goals/Priority Areas - Review Michigan policies affecting farmworkers and their families and advocate for policy changes. Complete the stated agency goals in the 2013 Civil Rights Recommendations Update.

Strategies - Bimonthly meetings to review and address public and program policies and opportunities for advocacy; Develop metrics to measure agency progress; Report annually on agency progress to the Civil Rights Commission.

Membership - IMSC member agencies and other partners; in particular state and non-state agencies with Goals in the 2013 Update.

Accomplishments for 2018

- The Policy and Advocacy and Civil Rights Subcommittees merged to better address matters and advocate for farmworkers on policy changes and civil rights issues
- Submitted comments to the 2018 Mid-Cycle Modification for Michigan's Unified State Plan under the Wagner-Peyser Program and Agricultural Outreach Plan sections
- Submitted a public comment in response to DHS Docket No. ICEB-2018-0002, RIN 0970-AC42 1653-AA75, Comments in Response to Proposed Rulemaking: Apprehension, Processing, Care, and Custody of Alien Minors and Unaccompanied Alien Children
- Signed onto Farmworker Justice's public comment in response to a proposed rule that would allow the Department of Homeland Security to longer detain migrant children.

For additional information, contact Kara Moberg at (269) 492-7190 or Mariza Gamez-Garcia at (517) 335-8267.

Data Task Force

Purpose – To convene state agencies and non-state partners to support the collection and analysis of data to improve service delivery and advocacy.

Goals/Priority Areas - Support efforts to expand and share knowledge of the farmworker population.

Strategies – Promote opportunities for IMSC members and others to share program and services data and patterns to membership; Pursue resources for enumeration of migrant and seasonal farmworkers in animal agriculture, and statewide data integration of agency data on farmworkers; Facilitate presentations at IMSC meetings to encourage data sharing and building program awareness; Provide tools/resources to support sharing of data finding from Enumeration Studies and

other relevant reports.

Membership - IMSC member agencies and other partners.

Data Task Force Accomplishments in 2018

- Met with stakeholders to identify funding and potential research partners to do a new enumeration profiles study of farmworkers and their accompanied household members in Michigan
- Participated in an initial meeting of enumeration study author, Dr. Alice Larson's, Research Advisory Committee, which will develop a protocol for universities or other groups to perform their own studies
- Currently in the process of gathering 2018 program data from agency members for data sharing

For additional information, contact Dale Freeman at (517) 230-5614.

Housing Subcommittee

Purpose - To convene state agencies and non-state partners to identify issues, share best practices and develop solutions related to availability and quality of farmworker housing.

Goals/Priority Areas - Identify housing needs and issues related to housing availability and quality. Ensure that farmworker housing is inspected and licensed.

Strategies - Share information bimonthly to identify housing needs and issues; Collaborate among partners and further develop processes to increase efficiency of inspections, and extend inspection activity to off-farm and other housing not currently licensed; Collaborate regarding loans, grants, and cooperative agreements to increase quality, availability and use of housing.

Membership - IMSC member agencies that inspect, monitor or subsidize farmworker housing. Also open to IMSC member agencies and non-IMSC agencies with an interest in farmworker housing issues.

For additional information, contact Majed Ghussaini at (517) 284-5621.

Michigan Migrant Child Task Force

Mission - To promote the well-being of Michigan's Migrant children through the education of their caregivers, advocacy for effective public policy, and collaboration with community partners.

Vision - Healthy Migrant children today. Strong communities tomorrow. Cultivating hope.

Purpose - To identify issues, share best practices and develop solutions related to "farmworker children," meaning children (ages 0-21) working in agriculture or the children (ages 0-21) of migrant and seasonal farmworkers.

Goals/Priority Areas - Increase public awareness about the needs of farmworker children; Increase

access to quality education, healthcare, public benefits, and other community services; Advocate for public policy that supports farmworker children; Increase access to caregiver development and supports.

Strategies – Convene regular meetings with partners and stakeholders; Conduct camp visits each season as funding allows, distribute materials to families/workers, and make referrals; Identify gaps in service and make recommendations to relevant groups, focusing on education and healthcare; Collaborate at the state level to increase access to community services; Strengthen and maintain relationships and build new partnerships at the local level between the MRCs and service providers, i.e. Great Start Coalitions and Collaboratives; Survey families/workers during outreach events on services received in Michigan; Invite new stakeholders to outreach events.

Membership - IMSC member agencies and non-IMSC member agencies with goals and purpose similar to those of the Migrant Child Task Force.

Outreach Events - Estimated Families Helped – 183. Each family receives a bag with information regarding services in Michigan for farmworkers, health care tips, legal rights calendar, bandanas, first aid kits, and hand sanitizers. Also distributed were 174 t-shirts, 58 water bottles, 26 soccer balls, diapers/wipes, toothbrushes/toothpaste, additional miscellaneous donated items, 180 books, and 7 Zika kits to pregnant women. Referrals to local services – Head Start, DHHS, Legal Aid, and the College Assistance Migrant Program.

Accomplishments for 2018

- Four Outreach Events across the state reaching 183 families
- Display and promotional materials offered at 5 community events reached approximately 680 individuals
- Referrals to local services
- Provided referrals and informational bags to single workers during outreach

For additional information, contact Patricia Raymond at (517) 323-7002 or Audra Fuentes at (269) 615-6308.

Outreach and Education Subcommittee

Purpose - To provide training and resources to ensure effective and safe services to all farmworkers (H2A, Migrant, Seasonal) by service providers and community members.

Goals/Priority Areas - Plan training opportunities and develop resources on outreach for state and non-state service providers; Coordinate the planning of statewide educational and advocacy events.

Strategies - Provide in-person training and/or webinars for outreach workers; Solicit feedback from outreach workers and other stakeholders; Plan statewide educational and advocacy events; Develop and maintain resources for outreach workers.

Membership - Open to agencies and service providers with an interest in the training and safety of

outreach workers and farmworkers.

Accomplishments in 2018

- Worked with a graphic designer to develop a logo and letterhead template to unify our message and materials, and increase awareness of the group
- Updated our webpage to post all revised resources and training materials
- Held the 4th Annual Outreach Worker Training for approximately 70 outreach workers across the State from agencies providing public benefits, legal, housing, employment, training, and education assistance. Program experts presented on topics related to outreach safety and service delivery.
- Planned and executed the biennial statewide conference, *Conference for Michigan's Farmworkers, Growers, and Service Providers*, in October 2018.

Resource Library for outreach workers consists of Personal Safety Tips; Brochure for Domestic Workers on the H2A Program; Interagency Referral Form; Housing Locator Resources; Smartphone Application List; Migrant Traffic Safety Guide produced by MI Office of Highway Safety Planning; Sample Introductions to Farmworkers and Growers; Agency Referral Contact List; List of Resources for MSFWs; Workplace Sexual Harassment and Assault Referral Form.

For additional information, contact Audra Fuentes at (269) 615-6308.

Michigan Department of Health and Human Services
Office of Migrant Affairs

The Michigan Department of Health and Human Services (MDHHS) was designated by Governor Milliken as the lead state agency responsible for the assessment, development and coordination of services for Michigan's approximately 49,000 migrant and seasonal farmworkers, their family members and dependents. MDHHS responsibilities are accomplished through the Office of Migrant Affairs (OMA). OMA directs the Migrant Program, which provides a quick-response, human services safety net through a MDHHS staff of 13 seasonal and 23 full-time bilingual (English/Spanish) workers in 2018. Migrant Program staff is housed in 11 counties and provide outreach and services to a total of 49 counties, up from 33 counties in 2014.

OMA enhances the delivery of MDHHS services to migrant families by:

- Analyzing, recommending and advocating improvements in MDHHS program policies and procedures that affect migrant and seasonal farmworker families.
- Responsible for the allocation, recruitment, testing, hiring and training of MDHHS bilingual (English/Spanish) Migrant Program seasonal and year-round staff.
- Advocating on behalf of farmworker families.

OMA provides statewide, interagency leadership on the coordination of services to farmworkers through the: Michigan Interagency Migrant Services Committee (IMSC):

- The Director of the OMA is the permanent Chair of the IMSC, comprised of state and federal departments, educational institutions and statewide nonprofit partners that provide services to migrant and seasonal farmworkers. The committee meets monthly to coordinate services, analyze data, identify and take appropriate action on unmet needs, establish interagency goals, track progress on goals, and to formulate recommendations on farmworker issues.
- Regional Migrant Resource Councils (MRC): OMA established a network of nine councils and oversees these councils. They are comprised of local representatives from public and private migrant service agencies, growers, farmworkers, church groups and concerned citizens who meet regularly to establish referral networks and coordinate services to farmworkers at the regional level.

Michigan has the seventh-largest farmworker population registered with the state for agricultural employment. According to the 2014 Update to the Migrant and Seasonal Farmworker Enumeration Profiles Study listed the farmworker population at over 94,000 farmworkers, non-working family members and dependents, with more than 42,000 children and youth ages 0-19.

In 2018, MDHHS programs were provided to 11,765 individual migrant farmworkers and family members and 4,220 individual seasonal farmworkers and family members (unduplicated totals). Food Assistance, Medicaid, and Child Care were the most common MDHHS programs used by this client population.

For additional information, contact Dale Freeman at (517) 230-5614.

2018 Annual Update

2018 was a successful year for the MDHHS Migrant Program. Migrant Program Specialists continued to use mobile technology to expand outreach efforts, allowing them to better serve the migrant and seasonal farmworker population by taking MDHHS services to them, such as applying for public benefits, processing redeterminations, accessing correspondence, and processing verifications. Outreach efforts have also increased communications of MDHHS programs to growers and service providers.

Accomplishments in 2018:

- Annual pre-season training of Migrant Program Specialists includes Bridges and Policy Training, Child Welfare Training, MOU Training with TIA/Workforce Development and Telamon NFJP, Outreach Worker Training, and an All Staff Meeting.
- Pre-season and Post-season meetings are held annually for Migrant Program Supervisors to review program performance measures, new policies and procedures, outreach expectations, and new programs that benefit staff and farmworkers.
- Continued efforts to expand the delivery of child care benefits to more families through communicating the categorical eligibility for migrant families, collocating at Telamon Migrant Head Start Centers, and helping individuals enroll as unlicensed child care providers.
- Colocation sites have expanded to reach more farmworkers in areas they frequent, such as Hispanic Centers, WIC Offices, Telamon Migrant Head Start Centers, food pantries, and health centers.
- Six site visits were held at local offices to provide technical assistance to staff.
- Pre-season and Post-season meetings are held annually for Migrant Resource Council Officers to review bylaws, officer expectations, and initiatives to enhance the lives of farmworkers in their regions.
- Coordinated three of the four Migrant Child Task Force outreach events in 2018 and took the display to four events.

OFFICE OF MIGRANT AFFAIRS / IMSC METRICS

MDHHS OMA & Migrant Program Metrics	2015	2016	2017	2018
Interagency Migrant Services Committee				
Full Committee Meetings	12	12	12	12
Civil Rights Recommendations	0	0	0	n/a
Data Task Force	0	3	0	1
Housing Subcommittee Meetings	5	4	7	2
Minimum Wage Ad Hoc Subcommittee	0	0	2	0
MI Migrant Child Task Force	8	8	8	7
Outreach & Education Subcommittee	8	6	8	10
Policy and Advocacy	1	3	11	n/a
Policy, Advocacy, Civil Rights Subcommittee	n/a	n/a	n/a	8
<i>The Policy & Advocacy and Civil Rights Recommendations Subcommittees were combined in 2018.</i>				
Migrant Resource Councils				
MRC Meetings	72	69	73	74
Member Agencies on MRCs (approximate)	150	158	165	167
Interagency Meetings/Events	14	19	24	21
Local Agency Guides Created	6	7	8	6
Migrant Program Cross Training				
# Cross-trainings	2	2	2	2
# Agencies Presenting	4	4	3	3
# Participants	150	148	160	150
<i>Outreach Worker Training and MOU Training</i>				
Migrant Program Internal Trainings				
# Bridges and Policy Trainings	3	4	4	3
# Child Welfare Trainings	1	1	0	1
# DHHS All Staff Meeting	0	0	1	1
Migrant Program Cases				
Total Migrant and Seasonal Farmworkers Cases	4,292	4,167	4,236	4,372
Total Migrant and Seasonal Farmworkers Individuals	16,870	16,274	16,053	15,985
Total Migrant and Seasonal Farmworkers Cases	4,292	4,165	4,236	4,371
Total Migrant and Seasonal Farmworkers Individuals	13,143	12,633	12,497	12,413

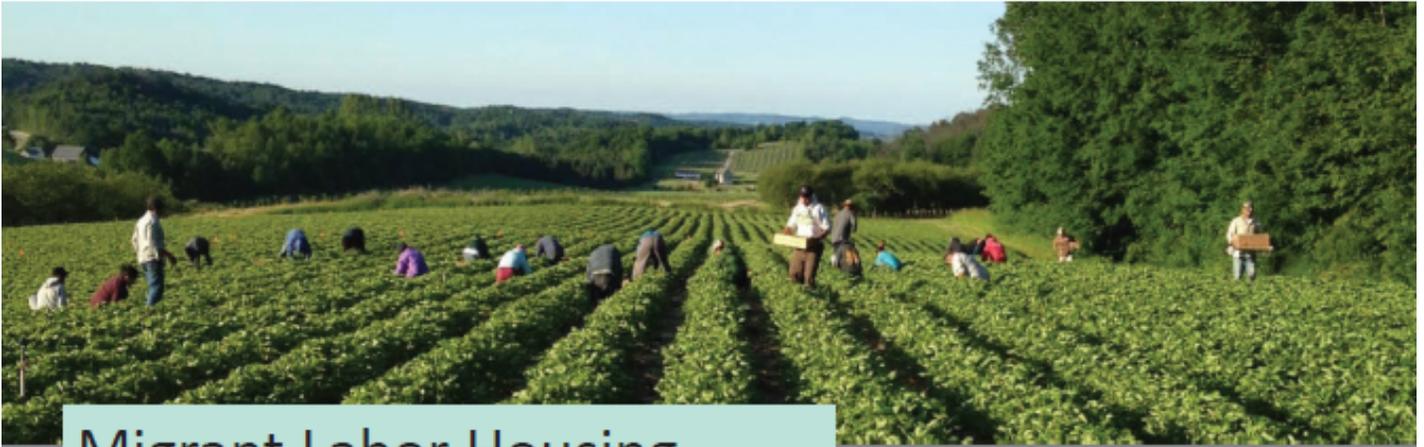
# of Migrant Cases per Assistance Program	1,624	1,649	1,627	1,765
# of Migrant Individuals per Assistance Program	6,285	5,963	5,774	5,980
DHHS Migrant Staff Outreach	2015	2016	2017	2018
# of Camps-Home Visited	4523	5629	4819	3563
# of Client Transport	261	497	415	481
# of Community Events	138	625	676	144
# of Grower Outreach	222	253	278	211
# of Interpreting/Translating	488	844	1187	607
# of MRC Meetings	246	1125	1349	391
# of Service Provider Networking	821	1718	1769	1113
# of Outreach Related Training	139	1060	1160	311
# of Outreach Entry	400	674	606	596
# Out of Office Client Visit	135	371	419	368
# Joint Collaboration	408	4030	3660	1083
# Outreach Planning	364	741	680	575
# MRC-related Activities	112	630	655	306
# Transporting & Interpreting		849	644	194
# of MPWs	38	37	38	36
# of MPW FTEs	32.92	32.73	33.53	32.92
# of GOAs/WPAs	8	7	7	7
# of GOAs/WPAs FTEs	7.12	7.19	6.38	6.58
# of Migrant Program Supervisors	4	4	4	4
Referrals				
# Staff Trained on Interagency Referral Form	38	37	38	36
# of Interagency Referral Forms Submitted (approximate)	6	4	8	6

Farmworker Legal Services

Farmworker Legal Services of Michigan (FLS) is a nonprofit, public-interest law firm that provides free civil legal services to indigent migrant and seasonal farmworkers throughout Michigan. FLS staff is bilingual and includes four-attorneys, a legal assistant, two community advocates, and 4 to 6 summer staff each year. FLS is a division of the Michigan Advocacy Program (MAP). In addition to FLS, MAP also serves low-income clients from five field offices in southern and central Michigan and supports several state-wide programs.

FLS is dedicated to improving the working and living conditions of farmworkers in Michigan through direct representation and community education on legal rights for agricultural and immigrant workers throughout Michigan. In addition, FLS, in partnership with the Michigan Immigrant Rights Center (MIRC), offers attorney-staffed telephone, intake, and referral services to farmworkers through the statewide Farmworker Law Hotline.

In 2018, FLS provided direct representation to 432 farmworkers in their various legal cases, including: wage theft, recruitment abuses and unilateral changes in their employment contract or working arrangement, substandard health and safety conditions in the migrant labor camps or in the workplace, sexual harassment, and discrimination based on a protected category or in retaliation for enforcing their rights. FLS staff visited 225 migrant labor camps and spoke to 2047 people during those camp visits. FLS staff gave 67 presentations to approximately 1700 individuals. FLS and partnering agencies distributed approximately 18,000 calendars, which explain the legal rights of workers in Michigan. In addition, FLS staff participate in the nine regional Migrant Resource Councils throughout the state, the Interagency Migrant Services Committee and its subcommittees, and various national advocacy networks in order to share information about the unique barriers and legal challenges faced by farmworkers and to collaborate regarding how best to ensure workers' equal access to economic and social justice.



Migrant Labor Housing

PROGRAM MANAGER: Majed Ghussaini | 517-284-5621 | ghussainiM@@michigan.gov

The Migrant Labor Housing Program is designed to ensure the safety of housing occupied by five or more migrant agricultural workers. Licensure indicates safe water supplies, fire and structural safety, proper sanitation facilities, proper food preparation, storage facilities, and waste treatment and disposal.

IMPACT FOR MICHIGAN:

Migrant workers play an important role in the planting, cultivating, harvesting and packaging of 38 labor-intensive crops grown in Michigan. These crops generate \$2.3 billion in farm gate revenues each year. Quality housing is needed to retain Michigan's reputation as a good place to work and attract this much needed seasonal workforce.

2018 ACCOMPLISHMENTS:

- Completed 752 housing inspections for farmers participating in the H2A guest worker program. This expanding effort represents a 24 percent increase over 2017.
- Supported a legislative amendment to Part 117 of Natural Resources and Environmental Protection Act allowing farmers to move portable toilets in the field along with their workers without a license from Michigan Department of Environmental Quality. Program staff also established a model sanitation plan for farmers to use and reference as part of this exemption.
- Staff continued to develop an electronic inspection system for use in 2019 licensing season.

MEASURING SUCCESS:

Metric	2014	2015	2016	2017	2018
Applications					
Not Opening	50	76	43	200	77
Opening	784	798	833	853	871
Inspections					
Licensing	971	1,014	1,136	1,132	1,110
H2A	88	157	305	608	752
CAP-Follow up	108	357	480	558	510
Occupancy	713	718	820	830	843
Enforcement	4	3	12	10	2
Plan Review	44	84	154	180	111
Total*	1,771	1,934	2,401	2,443	2,236
Licensing					
Camps	772	774	801	811	840
Units	3,836	3,944	4,147	4,046	4,278
Capacity	23,583	24,100	24,862	25,054	26,166

* Inspections cover multiple components of camp operation. The total is less than the sum of the individual components.

2019 PROGRAM GOALS:

- Fully implement new inspection system.
- Improve model housing plans supporting reduced cost/modular building technologies.
- Continue effort on document management to automate and expedite licensing.
- Update and improve program webpage.



KEY STAKEHOLDERS

- Fruit and vegetable growers
- Migrant farm workers and advocates
- Consumer of fresh fruits and vegetables
- H2A guest workers program

LEGAL AUTHORITY:

- Public Health Code, Public Act 368, 1978, Part 124, as amended.

Talent Investment Agency / Workforce Development Migrant & Seasonal Farm Worker Program

Agency Overview

Migrant Services Workers, through the Michigan Works! Agencies provide career services to agricultural workers and provide employment and recruitment services for employer.

- Community outreach to enhance the employment and quality of life opportunities within the migrant community.
- Career development services: referral to agricultural employment during the growing season; referral to employment opportunities for settled-out migrants; interpretation services between Spanish-speaking job seekers and employers.
- Health services: access to migrant, community, and county health clinics.
- Educational services: access to English as a Second Language classes, GED preparation, training and higher education classes.
- Housing and food programs: access to food pantries and emergency shelters.
- The Foreign Labor Certification Office assists with the processing of temporary labor certifications in two program areas: H-2A Certification for Temporary Agricultural Workers and H-2B Certification for Temporary Non-Agricultural Workers.

Migrant and Seasonal Farmworker Definitions

Migrant farmworker means a seasonal farmworker (as defined in this section) who travels to the job site so that the farmworker is not reasonably able to return to his/her permanent residence within the same day. Full-time students traveling in organized groups rather than with their families are excluded.

Seasonal farmworker means an individual who is employed, or was employed in the past 12 months, in farm work (as defined in this section) of a seasonal or other temporary nature and is not required to be absent overnight from his/her permanent place of residence. Non-migrant individuals who are full-time students are excluded. Labor is performed on a seasonal basis where, ordinarily, the employment pertains to or is of the kind exclusively performed at certain seasons or periods of the year and which, from its nature, may not be continuous or carried on throughout the year. A worker who moves from one seasonal activity to another, while employed in farm work, is employed on a seasonal basis even though he/she may continue to be employed during a major portion of the year. A worker is employed on other temporary basis where he/she is employed for a limited time only or his/her performance is contemplated for a particular piece of work, usually of short duration. Generally, employment which is contemplated to continue indefinitely is not temporary.

- **New Initiatives**

Reach out to H-2A workers.

- **Goals/Accomplishments**

Continue to meet federal requirements.

- **Challenges**

Recruitment of domestic workers.

- **Outreach Findings**

The traditional migrant farmworker stream from the state of Texas has shifted to higher numbers from Florida.

Metrics can include the following, but not limited to:

- **How many Migrant farmworkers served?**

11, 766 adults were contacted, some service or One-Stop information was provided.

- **Outreach hours:**

903 days of outreach were conducted.

- **Services Provided:**

Referral to support service organizations

Career guidance

Employment Service complaint system assistance

Job Development assistance

Referral to jobs

Resume assistance

- **Materials in Spanish**

Farmworker Rights

Complaint System

Agricultural Recruitment System

One-Stop service list

- **Inspections/Camp Visits**

1604 employer visits were conducted

- **Interagency Collaborations**

All TIA MSFW outreach workers attend local MRC meetings, participate in various events with partner agencies. Staff conducted outreach with Interagency partners 193 days, contacted 3416 MSFWs while on outreach.

- **Trainings**

Human Trafficking

Sexual Harassment

Coercion

Employment Service Complaint System

Identifying and reporting apparent violations

Agricultural Recruitment System

H-2A-Recruiting and referring domestic workers

Memo of Understanding, Telamon, MDHHS-Referral Process

From the State Monitor Advocate's Office:

A total of 63 complaints were received, of the 63 complaints received, 5 were filed by MSFWs and were all wage related. 60 days after date filed, complaints were resolved, or referred to enforcement, USDOL Wage and Hour.

Michigan Immigrant Rights Center

Program Data Report

The Michigan Immigrant Rights Center (MIRC) is a legal resource center for Michigan's immigrant communities. MIRC works to build a thriving Michigan where immigrant communities experience equity and belonging.

MIRC's farmworker team is dedicated to providing direct services to Michigan's agricultural and dairy workers, through outreach to migrant labor camps, community events, Know Your Rights presentations and a toll-free intake line for free legal services, including legal advice, referral and representation. MIRC's services to farmworkers span a broad range of issues including labor and employment, immigration status, housing, health and public benefits. In 2018, MIRC provided legal services to over 520 farmworkers. Additionally, in partnership with Farmworker Legal Services, MIRC conducted outreach to approximately 230 migrant labor camps and dairy farms.

MIRC also provides training and ongoing technical support to service providers and community advocates regarding farmworker and immigrant rights, through presentations, webinars, coalition building, phone support and participation in Migrant Resource Councils. Finally, MIRC engages in local and statewide policy and legislative advocacy to promote the rights and welfare of farmworkers.

**Michigan Department of Civil Rights
Community Relations Division
2018 MSFW Recommendations Status Report
Dated: March 21, 2019**

The Michigan Department of Civil Rights (MDCR) enforces one of the most comprehensive civil rights acts in the nation, the Elliott Larson Civil Rights Act and the Persons with Disabilities Civil Rights Act. These acts prohibit discrimination in employment, education, housing, public accommodation, public services, and law enforcement on the basis of religion, race, color, national origin, sex, age, weight, height, marital status, disability, or arrest record. The Michigan Department of Civil Rights accepts complaints based on any of the forms of discrimination covered in Public Acts 220 and 453 as amended.

The Michigan Department of Civil Rights provides unlawful discrimination investigative services to Migrant and Seasonal Farmworkers (MSFWs) and also supports other service providers and advocates for MSFWs in Michigan by serving as a member of the Interagency Migrant Services Committee and other organizations and coalitions. In August of 2009, the Michigan Civil Rights Commission (MCRC) unanimously voted to investigate the allegations about conditions being faced by Michigan's MSFWs and to report on what they discovered. MDCR staff and MCRC Commissioners conducted seven public forums to gain a clear understanding of the concerns and challenges faced by MSFWs; the Commissioners felt it was essential to hear directly from farmworkers.

At the March 2010 MCRC meeting in Lansing, the report entitled "A Report on the Conditions of Migrant and Seasonal Farmworkers in Michigan" was released. The 102-page report contained fifteen recommendations that addressed the most pressing issues confronting MSFWs in Michigan. Subsequently on March 25, 2013, and on May 19, 2014, updated reports were issued. On March 25, 2019, the MDCR is requesting that the MCRC reaffirm continuing support for the 2010 Farmworker Report and the 15 recommendations.

There will be a Recommendations Status Report submitted annually to the MCRC at their commission meeting every March. The MDCR Liaison is responsible for assuring that the Recommendations Status Report is compiled by the Interagency Migrant Service Committee (IMSC) annually and submitted to the MCRC. The MDCR Liaison reports to the IMSC at their monthly meetings regarding the challenges and progress on the 15 recommendations.

Deficiency:

MDCR and other stakeholders have not been successful in obtaining funding for the completion of an Enumeration Study since the last Enumeration Study prepared in 2013. As a result, on March 25, 2019, the MDCR is requesting that the MCRC take the lead by passing a resolution calling for the issuance of an updated Enumeration Study and directing MDCR to take all steps to make this happen.

Achievements:

The MDCR Liaison coordinated her calendar with other members of the Policy and Advocacy/Civil Rights Subcommittee and assured that members of the Policy and Advocacy/Civil Rights Subcommittee met periodically to complete the Recommendations Status Report for 2018.

The MDCR Liaison attended and participated in all IMSC subcommittees.

Successful in establishing that the role of the MDCR Liaison will be written into the Performance Evaluation Objectives.

On June 19, 2018, the MDCR issued a statement on its duty to ensure that the civil rights of children brought to Michigan after being separated from their parents at the US/Mexico border are protected. The MDCR issued the following statement: immediately re-establish contact between parents and children, determine each child's current health status, provide all children with access to effective communication, and unite parents and children.

On November 2, 2018, the MDCR and MCRC filed public comments challenging the proposed federal rule to amend regulations relating to the apprehension, processing, care, and custody of alien minors and unaccompanied alien children.

On December 9, 2018, the MDCR and MCRC filed public comments on the proposed federal changes regarding "Inadmissibility on Public Charge Grounds".

The MDCR working with various stakeholders has supported and fostered the formation of several ALPACTs (Advocates and Leaders for Police and Community Trust) in MI ((Detroit (2001), Flint (2011), Saginaw (2012), Lansing (2014), Grand Rapids (2013), Traverse City (2017), Ottawa County/Holland (2016), Benton Harbor (2013), Battle Creek (2018) and Jackson (2015)) which continue to exist. The purpose of ALPACT is to examine issues affecting police and community relations and ensure equitable enforcement of laws, including racial profiling, police discretion, use of force, recruitment and training, citizen complaint processes, community partnering, and police leadership and management disciplinary practices. ALPACT chapters including communities with migrant and seasonal farmworkers have been addressing issues affecting this segment of the community.

Metrics:

Recommendation #	Activity	2014	2015	2016	2017	2018
6	MDCR staff members on Outreach and Education Subcommittee	1	1	1	1	1
7	MDCR staff members on Housing Subcommittee	1	1	1	1	1
8	Meetings coordinated by MDCR with Michigan State Police	0	0	0	0	0
9	Meetings coordinated by MDCR with Michigan Legislators to amend laws	Met frequently				
10	MDCR successful in obtaining funding for Enumeration Study	0	0	0	0	0
11	Meetings coordinated by MDCR with Secretary of State	0	0	0	0	0
12	MDCR staff members on Migrant Child Task Force	1	1	1	1	1
15	Meetings coordinated by MDCR Liaison regarding recommendations	Unknown	Unknown	Unknown	Unknown	3
15	Recommendations Status Reports coordinated by MDCR Liaison	1	0	0	1	1
15	MDCR Liaison responsibilities as part of Performance Evaluations	1	1	1	1	1
15	MDCR staff members on the Data Task Force	1	1	1	1	1
15	MDCR staff members on Policy and Advocacy/Civil Rights Subcommittee	1	1	1	1	1

**Michigan State University Extension
IMSC Member Report for the Michigan Department of Civil Rights
February 2019**

MSU Extension: Proven Education Delivered Locally to Solve Problems and Increase Opportunities for Michigan Residents

Michigan State University (MSU) Extension helps people improve their lives by educating them where they are – in their homes, schools, farms, businesses and communities. Using research-proven education, MSU Extension equips residents with the information they need to do their jobs better, raise healthy and safe families, build strong communities, protect local environments and empower young people to not just dream but to pursue successful futures.

As an institutional member of the Interagency Migrant Services Committee, MSU Extension values the opportunity to leverage the research and knowledge base of Michigan’s land-grant research university to expand migrant and seasonal farmworker safety and employment training; provide assistance in managing personal and family health; grow family financial well-being; and to create opportunities for adults and youth to develop the skills needed to achieve empowered futures. The estimated reported 2018 MSU Extension program reach of migrant and seasonal farmworker related youth is 794. The migrant and seasonal farmworker adult direct service reach is estimated at 259 with an additional 39 managers who supervise farmworkers being trained.

MSU Extension Outputs to Expand Migrant and Seasonal Farmworker Safety and Employment Training - (Impacts MSFW 2014 Report Recommendations 4, 5, and 7)

- Presented Milker Employee Training programs for Spanish-speaking employees with the goal of improving milk quality and the milking routine as follows:
 - October 30, 2018, Litchfield, MI, Hillsdale Co. 8 employees
 - December 6, 2018, Fayette, OH, Fulton County, 7 employees
 - October 9, 2018, St. Johns, MI, Clinton County, 8 Employees
 - August 8, 2018, Gobles, MI, Van Buren County, 5 employees
 - February 27, Hudson, MI, Lenawee County, 33 employees
 - November 27, 2018, Lake Odessa, MI, Ionia County, 12 employees identified as Hispanic or Latino
- Collaborated with the Hispanic Center of West Michigan to translate fruit tree management articles related to planting; pruning; new species production and pest management for Spanish speaking audiences to improve fruit tree employee training and development.
- Provided 39 ornamental horticulture managers and employers from five counties (Allegan, Barry, Calhoun, Kalamazoo and Van Buren) training on the new Worker Protection Standard Requirements, OSHA Right To Know; Hazard Communication program and respirator selection to ensure employers were compliant and equipped to provide safe working conditions for farmworkers.
- Working in partnership with Michigan Food and Farming Systems, KVCC Food Innovation Center and Fresh Systems, LLC, to develop a comprehensive bilingual Farmworker FDA Produce Safety Rule training program for farm owners and managers to improve food safety performance.
- Community Food Systems staff member authored “Local Food for Little Eaters: A Migrant and Seasonal Head Start Guide to Local Food Purchasing” developed in partnership with the MSU Center for Regional Food Systems.
- MSU Extension provided “Low Stress Animal Handling and Down Cow management” training sessions in English and Spanish. The sessions consisted of a classroom style talk, followed by hands-on demonstrations and

participation by attendees. These were held on October 23, 2018, in Westphalia, MI, Clinton County, where 7 employees identified as Hispanic or Latino were trained.

- MSU Extension provided bi-lingual Dehorning Training where participants were able to practice what they learned with several calves and to ask questions while doing it. The two trainings were done in Spanish and English and were held:
 - October 30, 2018, Webberville, MI, Ingham County, 1 employee identified as Hispanic or Latino were trained.
 - May 30, 2018, St. Johns, MI, Clinton County, 3 employees identified as Hispanic or Latino were trained.
- MSU Extension Educator delivered “*Stress Less with Mindfulness*” program demonstration at the 2018 Outreach Worker training hosted by the IMSC. Program can be offered to migrant and farmworker personnel and to outreach worker staff.

MSU Extension Outputs to Help Migrant and Seasonal Farmworker Families live Healthier -

(Impacts MSFW 2014 Report Recommendations 4 – maybe 5?)

- Three Diabetes Personal Action Toward Health (PATH) classes were held for 22 Spanish speaking participants residing in Grand Traverse, Oceana and Leelanau Counties.
- The Extension Health Research Team members are working to develop a community-wide model for Type 2 Diabetics in Rural Areas to address the high prevalence among Latino migrant and seasonal farmworkers. The goal is to promote the development of bi-directional community-clinic partnerships to develop systems to screen, test and refer at risk patients through diabetes mobile clinics and use of bi-lingual resource materials such as diabetes health record cards; health passport booklets; Rx for health prescription pads and local diabetes resource guides for families.
- Updated Spanish Language *Dining With Diabetes* resource materials, recipes and participant books for use with Spanish speaking audiences.
- Oceana County MSU Extension provided health education and screening at the August 2018 Farmworker Appreciation Night event resulting in 38 participants receiving blood pressure checks; 23 participants receiving A1C tests with 14 receiving test results and recommendations; and 22 participants receiving pulmonary function tests.
- Lenawee County MSU Extension staff partnered with the Adrian Migrant Center to deliver presentation to nine participants on healthy eating, eating on a budget and diabetes prevention.
- MSU-Extension Senior Educator and MSU Faculty member co-authored journal article titled “*Disaster Preparedness Training for Latino Migrant and Seasonal Farmworkers in Communities Where They Work*” was published in the 2018 issue of the Journal of Occupational Medicine and Toxicology (<https://rdcu.be/bdKNX>). The article documents the emergency preparedness training delivered in June 2016 to migrant populations with the partnership of the Mason-Oceana County MDHHS, MSU Extension and Oceana and Newaygo County Emergency Services Directors, the Oceana Hispanic Center and the Northwest Michigan Health Services clinic.
- MSU Extension and Telamon Corporation partnered in coordination of the 2018 Migrant Nutrition Banquets.

MSU Extension Outputs to Help Grow Migrant and Seasonal Farmworker Family Financial Well-Being -

(Impacts MSFW 2014 Report Recommendations 4)

- Although employment status was not required of participants so it’s possible not all participants represented migrant and seasonal worker families, but 29 Hispanic and/or Latino participants received MSU Extension training on budgeting and accessing student loans at a program hosted by Wyoming High School in Kent County. Similar education programming was delivered to Hispanic High School students and parents at Catholic Central High School in Grand Rapids.

- Hispanic Dairy Farmworkers received training on financial education, money remittances, communication and homekeeping delivered by District 7 MSU Extension staff.

MSU Extension Outputs to Help Engage Migrant and Seasonal Farmworker Youth in Non-Labor Activities (*Impacts MSFW 2014 Report Recommendations 12*)

- Leelanau County MSU Extension offered – in partnership with the Suttons Bay Bingham District Library – a variety of 4-H program activities to 20 young people from the Suttons Bay Summer Migrant Program.
- MSU Extension state and county educators partnered with the Van Buren County Intermediate School District’s Migrant School to deliver educational programming to 348 children of farmers and farmworkers participating in the La Cosecha (The Harvest) Program. Educational programming focused on pomology or identifying and classifying fruit by its seed structure and the science behind fruit growth. Seventeen middle and high school youth also participated in a career exploration day at DeGrandchamps Blueberry Farm in South Haven.
- Nutrition education is provided to Clinton County Migrant youth in grades K-12 in partnership with the St. Paul’s Lutheran Church and School in St. Johns. The classes are delivered in both Spanish and English over three weeks culminating in an evening Fiesta.
- Allegan County MSU Extension partnered with the Pullman Linking Center on July 10 and July 31 to deliver Science and Technology education programming to 10 Hispanic youth grades K through 9th grade.
- Berrien, Kalamazoo and Van Buren County MSU Extension staff members partnered with the Migrant Resource Council to provide 4-H science and arts and craft activities as part of the MRC’s annual Christmas Event held December 15, 2018. Created and distributed a general 4-H activities promotional flyer in Spanish to 350 participants.
- Kent County MSU Extension works in partnership with the Cook Arts Center and the Grandville Avenue Community to encourage 4-H club and program participation engaging approximately 50 Hispanic youth participants.
- Genesee County MSU Extension hosted an Arts and Math learning session December 17-23, 2018 that was attended by 20 youth and 5 adults identified as representing migrant families. They also partnered with the Hispanic Technology and Community Center in 2018 to deliver youth activities for the Cinco de Mayo event on May 5th; the Light Up the City event on July 26th; the Flint Hispanic Festival on September 14; and the Baul de Dulces event on October 27th where family emergency planning resources were distributed in partnership with the Genesee County Health Department.

MSU Extension Outputs to Help Create Opportunities for Migrant and Seasonal Farmworker Adults and Youth to Develop the Skills Needed to Achieve Empowered Futures

(*Impacts MSFW 2014 Report Recommendation 4 and 7*)

- MSU Extension provided support and training to empower Hispanic blueberry farmer success through delivery of workshops to help farmers manage Spotted Wing Drosophila under a systems approach to pest management. Three workshops were offered attracting 51 Hispanic Blueberry Farmers from Allegan, Berrien, and Van Buren counties.
- MSU Extension educators provided training and support to help Hispanic Blueberry farmers participating in the La Cosecha project develop practices to manage production risks; maintain records; manage finances and employ effective pest management strategies.

MSU Extension Migrant and Seasonal Worker Connections and Collaborations:

- MSU Extension staff members participated in Migrant Resource Council meetings and events held in Allegan, Berrien, Genesee, Grand Traverse, Kent, Lenawee, Oceana, Van Buren and with the Mid-Michigan Migrant Resource Council.
- MSU Extension representatives serve on the Interagency Migrant Services Committee and its Outreach and Education Sub-Committee and Migrant Child Task Force.

*Compiled and submitted February 25, 2019 by Cheryl Howell, Program Leader,
MSU Extension Strategy and Partnership*

Social Security Administration Report

February 26, 2019

SSA does not have any programs specifically for the MSFW population. SSA's materials are available on the socialsecurity.gov website in several languages, including Spanish. If the field office does not have a Spanish-speaking employee available, employees are able to use a telephone interpreter service. SSA also has official translators to assist with any Spanish-language documents that are presented.

Services include:

- Original and replacement Social Security cards
- Providing letters of ineligibility for an SSN for Secretary of State purposes
- Retirement, Survivors, and Disability Insurance Benefit applications (benefits based on work history)
- Auxiliary applications for dependents of individuals Retirement, Survivors, or Disability Insurance benefits
- SSI applications (benefits based on need for individuals of all ages)
- Medicare applications
- Creation of a MySocialSecurity account that allows any individual access to their personal record to review earnings history, benefit estimates, file for benefits online, etc. It also allows individuals who are receiving benefits to access their personal benefit information and to make changes online.

Telamon Corporation Michigan Migrant Head Start

Telamon Corporation – Since 1965 Telamon Corporation has administered programs to serve those in need. Its mission is to provide educational services that lead to better jobs, better lives, and better communities. Telamon provides a variety of services including literacy and early childhood education; job training; emergency services; temporary or permanent housing opportunities; etc. to people and communities in twelve states. In 2017, Telamon Corporation received \$66.3 million in funding and \$1.7 million in in-kind and provided services to 26,667 people.

Michigan Migrant Head Start – Since 1992, Telamon Corporation has offered Head Start early childhood education services to migrant and seasonal farmworker families in Michigan. The program employs nearly 600 staff, is funded to serve 1,129 children (ages 0-5 years) and pregnant women and offers exceptional learning environments that help children to grow mentally, socially, emotionally, and physically. In addition to early childhood education, Michigan Migrant Head Start (MMHS) offers children: preventive health and oral health care; disabilities screenings, assessment and services, nutritious meals and nutrition education; and social support for the entire family. Services include parenting, health, and nutrition education; family goal setting, and community referrals for health care, food, clothing, emergency services, and other social supports.

Michigan Migrant Head Start (MMHS) Accomplishments – in 26 years of service, the MMHS program has grown from 9 to 15 locations throughout Michigan. **MMHS’s mission states** *“As advocates for farmworkers families in Michigan, we provide exceptional learning environments to promote school readiness and act as a bridge to connect families and resources within their communities.”* In order to prepare children for entry school, MMHS has implemented a school readiness plan that guides MMHS in the provision of comprehensive services. In addition, MMHS values parent, family, and community engagement. MMHS is proud that 2,282 parents and community volunteers supported the program in 2018.

MMHS Services:	2014	2015	2016	2017	2018
<i># of Children Served</i>	1,271	1,243	1,306	1,135	941
<i># of Infants/Toddlers Served</i>	717	669	678	566	663
<i># of Preschool Children Served</i>	534	558	562	507	253
<i># of Pregnant Women Served</i>	20	16	66	62	25
<i># of Families Served</i>	871	854	888	782	660
<i>% of Children Served With Diagnosed Disability</i>	10%	10%	9%	9%	9%
<i>% of Children Up-to-date on Health Screenings</i>	94%	95%	93%	95%	94%

http://www.telamon.org/images/AnnualReport/MI_2017-2018-Annual-report-2.pdf

Telamon MI Migrant Head Start Centers and Sites

Allegan County

Telamon MI Pullman Migrant Head Start, Pullman, MI

Berrien County

Telamon MI Sodus Early Head Start and Migrant Head Start, Sodus, MI

Telamon MI Spinks Corners Early Head Start, Benton Harbor, MI
Telamon MI Watervliet Migrant Head Start, Watervliet, MI

Kent County

Telamon MI Kent City Migrant Head Start, Kent City, MI

Leelanau County

Telamon MI Suttons Bay Migrant Head Start, Suttons Bay, MI

Lenawee County

Telamon MI Adrian Migrant Head Start, Adrian, MI

Manistee County

Telamon MI Bear Lake Migrant Head Start, Bear Lake, MI

Oceana County

Telamon MI Chase Migrant Head Start, Walkerville, MI

Telamon MI Hart Early Head Start and Migrant Head Start, Hart, MI

Telamon MI New Era Early Head Start and Migrant Head Start, New Era, MI

Ottawa County

Telamon MI Buen Pastor Early Head Start and Migrant Head Start, Holland, MI

Telamon MI Conklin Migrant Head Start, Conklin, MI

Van Buren County

Telamon MI Decatur Migrant Head Start, Decatur, MI

Telamon MI Keeler Migrant Head Start, Hartford, MI

State Administrative Office

Telamon Michigan Early Childhood and Family Support, Lansing, MI

Telamon Corporation National Farmworker Jobs Program

HOUSING & FINANCIAL EMPOWERMENT

Find and keep a home, manage money, and plan for the future.

Education is the most important component of financial success. At Telamon, we offer programs and workshops on a variety of topics, from budgeting and credit to buying a home and surviving financial setbacks.

Do you want to rent or buy a home?

- a. First-Time Homebuyer Program
- b. Rental Education & Counseling
- c. Information on Fair Housing Rights

Do you need guidance on other issues?

- d. Services for People Experiencing Homelessness
- e. Credit Counseling
- f. Personal Financial Coaching

Do you need help paying your mortgage or tackling debt?

- g. Foreclosure Prevention Programs
- h. Financial Management & Budget Counseling
- i. Advanced Loss Mitigation & Foreclosure Prevention
- j. Debt Reduction & Delinquency Counseling
- k. Mortgage Payment Assistance
- l. Reverse Mortgage Counseling

WORKFORCE & CAREER SERVICES

Telamon offers several programs to help people of all ages learn new skills to pursue better jobs.

If you are looking to improve your work-related skills so that you can enjoy the greater financial stability that comes from a better job, we have a program for you.

National Farmworker Jobs Program

Offers services that train or prepare farmworkers for other jobs.

La Cosecha

Provides education and training to improve farming practices.

Immigration Counseling Services

Offers legal assistance via partnership with MI Immigration Counseling Services.

Telamon Farmworker IDA Program

Helps eligible college students with funding for secondary education.

Michigan Department of Education Re-Interview Program

Screens children to ensure that education is accessible to all.

<http://www.telamon.org/where-we-work/michigan>

National Farmworker Jobs Program	PY 2016	PY 2017	PY 2018
Customers served	256	271	164
Active Employment & training participants	73	70	81
Job Placements	26	36	19
Trainings Completed		135	135
Entered Employment Rate 2nd Quarter after exit		85.20%	80.56%
Employment Retention Rate		90%	66.70%
Median Wages 2nd Quarter after Exit	\$5,682	\$6,037	\$5,621
Measurable Skills Gained		55.17%	84%
Credential Rate Post-Secondary		N/A	61.90%
Entered Employment Rate Adult		84%	80.65%
Employment Retention Rate Adult		69.23%	67.74%
Median Wages Adult		\$5,761.78	\$5,621
Measurable Skills Gained Adult		N/A	82.50%
Entered Employment Rate Youth		100%	80%
Employment Retention Rate Youth		0%	50%
Median Wages		\$6,585.45	\$8,840.86
Measurable Skills Gained		40.91%	85.71%

**State of Michigan - Department of Licensing and Regulatory Affairs- BER/Wage and Hour
Division
Update to 2019 Civil Rights Report on Farmworker Conditions in Michigan
March 14, 2019**

The Wage and Hour Division received Michigan Attorney General Opinion #7301 on December 19, 2017. This opinion supports the agency's interpretation of the Workforce Opportunity Wage Act that certain small farms which are exempt from federal minimum wage requirements remain exempt from the State minimum wage. LARA shared this opinion with our constituents, including with the Interagency Migrant Resource Committee.

For Fiscal Year 2018, Wage and Hour received 12 claims filed by employees working in agriculture, crop production and animal production. None of these claims were filed by a worker claiming they were paid less than minimum wage. The Wage and Hour Division collected \$3542.02 in wages on these claims. The number of claims filed last year is consistent with the number of claims filed by agricultural workers in past years.

Claims forms are available in English, Spanish and Arabic. Wage and Hour has 2 bilingual staff members. The agency also has a relationship with a translation company when bilingual staff are not available, or the inquirer speaks a language other than Spanish.

Wage and Hour distributed hundreds of wallet cards with our toll-free number to farmworkers, employers and their advocates since April 2017. Agencies include the cards in their outreach packets. Cards are also available on our website in English and Spanish.

In 2018, Wage and Hour presented at 5 outreach events planned for agricultural workers, employers and their advocates. In total, 524 people attended the events.

Wage and Hour also prepared an Agricultural Workers Guideline. This publication is available in English and Spanish.

Employees who believe they are owed wages may request assistance to file a claim. Claim forms are available in English, Spanish and Arabic. An investigation will determine the merits of the claim. The Payment of Wages and Fringe Benefits Act, Act 390 requires that a claim be filed within 12 months of the work performed.

The Workforce Opportunity Wage Act 138 (minimum wage and overtime) has a 3-year statute of limitations. An employee may file a claim with our office or pursue their own legal action.

The Division may be contacted at our toll-free number at 855-464-9243. Our website is www.michigan.gov/wagehour. The Division Manager Jennifer Fields may be contacted at 517-284-7802.



Migrant Health Center Data from the Michigan Primary Care Association

Organizational Background

History

For more than 35 years, the Michigan Primary Care Association (MPCA) has been the voice for health centers. MPCA formed in the late 1970s as a networking organization for health centers and stakeholders interested in fostering primary care in rural underserved communities across the state. MPCA advocates to influence health policy in Lansing and Washington, D.C., and provide operational support to its health centers, enhancing the delivery of integrated care including primary, dental, vision, and behavioral health. The goal? Getting all people in Michigan the proper health care they need. Today, 44 community health centers provide primary and preventive health care to more than 700,000 patients in rural and urban communities across Michigan. A supplemental health center infographic and MPCA fact sheet are attached for your convenience.

Mission

To enhance integrated care through community health centers while influencing policy at the state and national level.

Vision

Quality Integrated Care for All

Community Health Center Background

Community health centers (CHCs) have long been the hub of quality care for thousands of Michiganders. Without community health centers, many would be forced to look outside their communities for health care or would have no access to care at all. The MPCA is the voice of these centers, advocating for and supporting them, so they can deliver comprehensive primary and preventive care – improving health for all.

Community health centers provide cost-effective primary and preventive care, including dental, behavioral health services, substance use disorder treatment, vision, and pharmacy, that helps people get and stay healthy. They also connect their patients to social services, such as food or housing assistance, and enabling services that help them access care, such as transportation or translation. Those factors, combined with their ability to address multiple health needs under one roof, are why CHCs are leaders in treating chronic diseases, reducing health disparities, and keeping people out of the emergency department.

Migrant Health Center 330G program

History

Migrant health centers were established in 1962 to provide comprehensive primary care services to migrant and seasonal agricultural workers and their families in a culturally sensitive environment.

Like health centers, migrant health centers provide comprehensive health care services to their target population at an affordable price, regardless of insurance status. Migrant health centers use culturally sensitive clinical protocols, bilingual health personnel, and lay outreach workers.

Migrant Health Definitions

Migrant and seasonal agricultural worker reporting definitions for the Uniform Data System (UDS) are outlined by the Bureau of Primary Health Care, Health Resources & Services Administration (HRSA). The definitions of agriculture farming, in all its branches, are outlined by the Office of Management and Budget and developed from the North American Industry Classification System. Health center program grantees under HRSA must verify migratory or seasonal agricultural workers' status at least every two years.

The number of patients seen during the UDS reporting period include migratory or seasonal agricultural workers, family members of migratory or seasonal agricultural workers, and aged or disabled former migratory agricultural workers.

- **Migratory agricultural workers:** The number of patients whose principal employment is in agriculture and who establish a temporary home for the purposes of such employment as a migratory agricultural worker, as defined by section 330G of the Public Health Service Act.
 - Migratory agricultural workers are usually hired laborers who are paid piecework, hourly, or daily wages. Section 330G program grantees are to include patients who had such work as their principal employment within 24 months of their last visit, as well as their dependent family members who have also used the health center. The family members may or may not move with the worker or establish a temporary home. Note that agricultural workers who leave a community to work elsewhere are classified as migratory workers in their home community, as are those who migrate to a community to work there.
 - Section 330G program grantees are to also include aged and disabled former migratory agricultural workers. Aged and disabled former agricultural workers includes those who were previously migratory agricultural workers but who no longer work in agriculture because of age or disability, as well as their family members.
- **Seasonal agricultural workers:** The number of patients whose principal employment is in seasonal agriculture (e.g., picking fruit during the limited months of a harvest) but who do not establish a temporary home for purposes of employment. Seasonal agricultural workers are usually hired laborers who are paid piecework, hourly, or daily wages. Health centers should include patients (and their families) who have been so employed within 24 months of their last visit.
- **Total agricultural workers or dependents:** The number of patients seen who were either migratory or seasonal agricultural workers, family members of migratory or seasonal agricultural workers, or aged or disabled former migratory agricultural workers.

Migrant Health Data

The table below includes 2017 data reported to the UDS for those health centers in the Migrant Health Center 330G program. Section 330G grantees report three categories of data. All other health centers (section 330E grantees) report on total agricultural workers or dependents.

Thirty-four health center program grantees (330E and 330G) reported serving a total of 14,615 agricultural workers or dependents in 2017.

330G Health Center Patient Data	# of Migratory Agricultural Workers	# of Seasonal Agricultural Workers	# of Agricultural Workers or Dependents
Cherry Health	389	232	621
Family Medical Center of MI, Inc.	201	73	274
Great Lakes Bay Health Centers	967	345	1,312
InterCare Community Health Network	4,802	3,405	8,207
Northwest Michigan Health Services, Inc.	566	537	1,103
Totals	6,925	4,592	11,517

Migrant Health Promising Outreach Practices

While not an exhaustive list of the work health centers do to improve the health of migrant and agricultural workers, the following examples provide insight into proven outreach services to Michigan migrant communities.

Great Lakes Bay Health Centers (GLBHC) serve migrant and seasonal agricultural workers throughout Mid- and Lower-Michigan. Mobile medical and dental units travel to more than 30 migrant camps or houses during migrant season, mid-May through October. In addition, year-round agricultural workers may be seen at any of their sites. Patients can follow GLBHC on Facebook, and new migrant camps can request services under their outreach program, El Paisa Del Norte (the brother in the north). The outreach website and Facebook page are managed during migrant season to update and notify camps of outreach visits.

Northwest Michigan Health Services, Inc. (NMHSI) uses the Breast and Cervical Cancer Control Navigation Program (BCCCNP) to provide outreach cancer screening services and to coordinate follow-up care, including cancer treatment. NMHSI partners with the Michigan Department of Health and Human Services migrant case workers and with Telamon Corporation to promote outreach services with women who may be eligible.

Select Migrant Health 2019 Outreach Goals

Cherry Health is looking to provide Susan G. Komen Mobile Mammography services with Spectrum Health. Mammography outreach services have been proposed for events in July and August following Sunday church services.

InterCare Community Health Network has a stretch goal of serving 10,000 migrant and seasonal agricultural patients, with 1,000 nurse encounters and 2,000 outreach worker encounters.

Health Centers Deliver Value

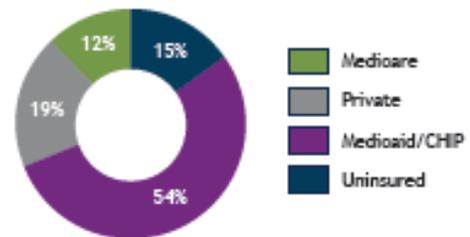
COMMUNITY HEALTH CENTERS are consumer-driven, patient-centered local health care organizations that provide care to people who live in medically underserved areas. Their services are tailored to fit the unique needs of the communities they serve, and their mission is simple: provide high-quality, affordable, and comprehensive medical services to everyone – regardless of who they are, where they come from, or their ability to pay.

THEIR DOORS ARE OPEN TO EVERYONE

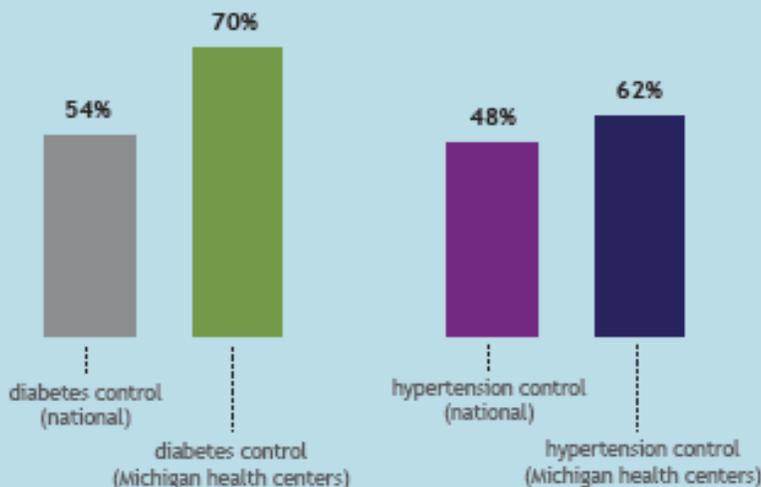
In 2017, Michigan health centers served more than 700,000 people:



Most Michigan community health center patients are uninsured or publicly insured:



INNOVATION LEADS TO BETTER OUTCOMES



Health centers are leaders in population **HEALTH INNOVATION** and have pioneered coordination of **SERVICES FOR BETTER CARE.**

Health centers perform better on **ambulatory care quality measures** compared to private physicians. In fact, health center patients have higher rates of diabetes and hypertension control.

HEALTHY PEOPLE SPELL A HEALTHY ECONOMY

Michigan health centers don't just put people back to work, they also **CREATE JOBS** and generate cost savings.



6,000 people

Michigan health centers employ nearly 6,000 people of all skill and education levels.



2.7 million

In total, staff at Michigan health centers provided more than 2.7 million patient visits last year.



\$24 billion

Nationwide, health centers save the health care system \$24 billion **EVERY YEAR**.

Nationally, health centers' average daily cost per patient is lower:

\$3.06

All
physician
settings

\$2.09

Health
Centers

Health centers (on average) save more nationwide than \$2,300 (24%) per Medicaid patient:

\$9,889

Other
Primary
Care
Providers

\$7,518

Health
Centers

COVERAGE EQUALS CARE

PREVENTIVE, INTEGRATED CARE offered by Michigan health centers makes it easier to catch problems early – when they're easier and less expensive to treat. Community health centers are also on the **FRONT LINES** of the opioid epidemic, providing evidence-based treatment to support recovery.



1,719,408
Medical
services



548,327
Dental
care



265,134
Behavioral
health



38,636
Substance use
disorder
treatment



29,893
Vision
services



100,715
Enabling
services

(e.g., transportation, translation, health education)

Sources

- 2017 Uniform Data System, Bureau of Primary Health Care, HRSA, DHHS.
- For more on this topic, see: 1. NACHC annotated bibliographies of "Studies of Health Center Quality of Care" (2017). 2. Community Health Center Chartbook. June 2018. NACHC. Note: Section 3 of the chartbook is dedicated to high quality health care and reducing health disparities.
- Ku et al. Using Primary Care to Bend the Curve: Estimating the Impact of a Health Center Expansion on Health Care Costs. GWU Department of Health Policy. Policy Research Brief HD. 14. September 2009.
- Community Health Center Chartbook. June 2018. Figure 4.1. Based on NACHC analysis of: 1. 2014 Uniform Data System, Bureau of Primary Health Care, HRSA, DHHS. 2. Agency for Healthcare Research and Quality. Medical Expenditure Survey. Table 8.1a: Office-based Medical Provider Services-Mean and Median Expenses per Person with Expense and Distribution of Expenses by Source of Payment: United States, 2014. Visits to physicians only.
- Mocon et al. Health Care Use and Spending for Medicaid Enrollees In Federally Qualified Health Centers Versus Other Primary Care Settings. AJPH. November 2016. 106(11): 1981-1989.
- 2017 Uniform Data System, Bureau of Primary Health Care, HRSA, DHHS.

**Michigan Department of Licensing and Regulatory Affairs (LARA)
Michigan Occupational Safety and Health Administration (MIOASHA)**

**MIOASHA Update for the Michigan Civil Rights Commission Annual Report on
Migrant Seasonal Farmworkers (MSFW)**

MIOASHA was established by Act 154 of 1974 as amended, with the purpose of assuring a safe and healthy work environment for all employees in Michigan workplaces. As of December 2018, according to State of Michigan labor market statistics, there are more than 4,440,000 workers employed in Michigan who are covered by MIOASHA occupational safety and health regulations.

According to the Michigan Migrant and Seasonal Farmworkers Enumeration Profiles Study 2013, approximately 49,000 MSFWs are employed in Michigan. Though a small percentage of the workers employed in Michigan, the health and safety of MSFW continues to be of great importance to MIOASHA.

Reaching out to and educating MSFWs is particularly important because these workers frequently move from one farm to another following the work wherever that maybe. Therefore they are less likely to be familiar with or understand their rights to a safe and healthy work environment. Two MIOASHA Standards in particular, address hazards often unique to the MSFWs work environment and places of accommodation: Part 55 Agricultural Operations, 1928.110 Field Sanitation; and Part 511, Temporary Labor Camps.

MIOASHA employs three strategies in an effort to reduce injuries, illnesses and deaths in the workplace. They include:

- Enforcement – inspection activity to assure that occupational safety/health regulations are adhered to in the workplace;
- Assistance – outreach & training to employers, employees, and MSFW outreach workers; and
- Cooperation – partnership and alliances with employers and associations through voluntary programs.

These strategies are employed by MIOASHA in an effort to assure a safe and healthy workplace for MSFWs, and for those situations involving employer-provided migrant housing, safe and healthy accommodations. The following table illustrates the MIOASHA program accomplishments, using the above three strategies, for MSFW related activities in fiscal years 2015 through 2018 (October 1 through September 30).

STRATEGY / ACCOMPLISHMENT	2015	2016	2017	2018
Enforcement				
Developed special emphasis program to ensure rapid response to complaints related to Part 55, Agricultural Operations, 1928.110 Field Sanitation Standard (no water or toilets being provided to MSFWs performing hand labor in fields)	Ongoing	Ongoing	Ongoing	Ongoing
MSFW field sanitation/temporary labor camp inspections conducted in response to complaints/referrals/accidents	0	7	1	0
MSFW Letter investigations initiated in response to complaints or referrals	3	2	1	0
Total MIOASHA Agriculture-Related Inspections	20	25	19	20

Conducted				
Citations Issued (Serious and Other-Than-Serious)	14	12	21	27
Total Citation Base Penalty	\$52,000	\$38,000	\$122,000	\$152,000
Industrial Hygienist & Safety Officers cross-trained on enforcement of Parts 55, Agricultural Operations, 1928.110 Field Sanitation and Part 511	2	0	2	0
GPS unit provided to measure exact distance of toilet facilities in farm field	1 per IH/SO	1 per IH/SO	1 per IH/SO	1 per IH/SO
Heat stress monitors available in all district offices to measure heat stress for individual employees, including MSFWs	Yes	Yes	Yes	Yes
Retained professional translator services	Yes	Yes	Yes	Yes
Assistance				
Cross-train SOM workers from Workforce Development	1	1	0	1
Participate in growers/other agriculture-related seminars	6	2	2	1
MIOSHA documents available in Spanish	12	12	12	12
Special emphasis program on heat stress developed to track and provide outreach services on heat stress	Yes	Yes	Yes	Yes
Cooperation				
MIOSHA Alliance formed with Mexican Consultant	Yes	Yes	Yes	Yes
Active Member of Interagency Migrant Services Committee (IMSC)	Yes	Yes	Yes	Yes
Active Member of IMSC Housing Subcommittee	Yes	Yes	Yes	Yes
Participated on committee with MDARD and USDOL Wage and Hour, or held regular phone calls, to improve consistency in enforcement of migrant housing rules between 3 enforcement agencies	Yes	Yes	Yes	Yes
Member of MDARD sponsored Pesticide Advisory Committee – includes agricultural and other type of pesticide application issues	Yes	Yes	Yes	Yes