

Michigan 2020 Agricultural Worker Enumeration Study IMSC Member - Michigan Department of Labor and Economic Opportunity-Workforce Development

The Monitor Advocate System

The Monitor Advocate System is a federal/state monitoring system that ensures migrant and seasonal farmworkers (MSFW) have equitable access to career services, skill development, and workforce protections offered by American Job Centers (AJC), so they may improve their living and working conditions.

The Monitor Advocate System

Key components of the Monitor Advocate System

- Monitoring services provided to MSFWs at AJCs;
- Conducting outreach to MSFWs at their working, living, and gathering places, this includes conducting outreach to workers who have been hired through the Foreign Labor Certification Program;
- Facilitating the Employment Service and Employment-Related Law Complaint System, which helps resolve labor-related complaints; and
- Promoting the Agricultural Recruitment System for U.S. workers, which connects jobseekers who need employment to employers who need workers.

What is the Foreign Labor Certification Program?

The Foreign Labor Certification (FLC) Program is a federal program established to allow the hiring of foreign workers for employment in the U.S. and normally requires approval from several government agencies.

The foreign labor certification process is the responsibility of the employer, not the employee. The actual procedures depend on the nature of the visa being requested. For the sake of this presentation, we will focus on the H-2A Visa Temporary Agricultural Program.

What is the H-2A Temporary Agricultural Program?

The H-2A temporary agricultural <u>visa</u> is a nonimmigrant visa which allows foreign nationals to enter into the U.S. to perform agricultural labor or services of a temporary or seasonal nature.

Note: The temporary agricultural program establishes a means for agricultural employers who anticipate a shortage of domestic workers to bring nonimmigrant foreign workers to the U.S.

Program Utilization

- Contracts throughout Michigan, with the majority on the west side of the state
- Growing use: 17% increase in the number of H-2A workers certified from Program Year 2017 to Program Year 2018
- Variety of crops and agricultural activities

Examples:

- Apple hand harvester
- Corn de-tasseling
- Nursery worker
- Agricultural field supervisor

Program Utilization 2018

- Nationally, 242,762 foreign worker positions were certified.
- Michigan was among the top ten states, ranking # 7 in the nation for the number of foreign worker positions certified.
- Michigan's 8,359 foreign worker positions certified, made up 3.4% of the national total.
- Berries were the #1 crop for which foreign worker positions were certified.

	2A Te	empora	ry Agr	icultura	al Labo	r Certific	ation Program	n - Selected Statistics	, FY 20	18	
Applica	tions	Receive	ed ¹					tistics by Worker Position		fied	
FY	Q1 Q2 Q3 Q4 %Change FY 2017				Change FY 2017	Rev	Review of Positions Certified FY 2018 (% of total certified FY 2018)				
11,806	2,756	4,727	2,83	7 1,4		16.7%		Georgia	32,364	13.3	
Applications Processed							Florida	30,462	12.5		
							Washington	24,862	10.2		
Determination		FY	Q1	Q2	Q3	Q4		North Carolina	21,794	9.09	
Total		11.698	1.730	4,935	3,178	1.855	Top 10	California	18,908	7.89	
Determina - Certified		11,319	1,625	4,850	3,078	1,768	States	Louisiana	10,079	4.29	
- Certilied	,	165		4,000	46	47		Michigan	8,359	3.49	
- Denied		214	39	33 52	40 54	4/		New York	7,634	3.19	
- Withdra Positions	Will		66					Kentucky	7,604	3.19	
Requeste	d	251,679	33,605 81,4		85,022	51,638		Arizona	7,497	3.19	
Positions Certified Processed	1	242,762	31,862	80,311 90,4%	81,228 90,1%	49,361 92.2%		North Carolina Growers Association (NCGA)	11,609	4.89	
Timely ²		91.7%	90.076	90.4%	90.1%	82.276		Washington Farm Labor Association (WAFLA)	5,163	2.19	
Georgia							Fresh Harvest, Inc.	4,237	1.79		
9.0%		o Stat	_	7.8%	Florid			Zirkle Fruit Company	4,169	1.79	
10.2				2% 3.4%	≡Wash ≡North	Carolina	Top 10	Alewelt Concrete, Inc.	2,706	1.19	
3.1% California 3.1% Louisiana					Employers	Elkhorn Packing Co., LLC	2,652	1.19			
1	L2.5%			3.1	6 Michig	gan		AG Labor, LLC	2,207	0.99	
	13.3%	6	30.2%	/	New Y			Overlook Harvesting Company, LLC	2,207	0.99	
Add 20270 Kentucky Add 202					Rancho Nuevo Harvesting Company, LLC	2,058	0.8				
				_				Foothill Packing, Inc.	2,056	0.89	
		Top C	rops	= Be		Workers		Berries ³	25,424	10.5	
4.5%						THURSES .		General Farm Workers	24,414	10.1	
4.5% 4.0% 3.4% 3.0% Tobacco								Tobacco ⁴	18,652	7.79	
6.1% 4.59	2.570 Amples							Apples ⁶	14,920	6.19	
6.1% 4.59		7.7%			Fruits and Vegetables		Top 10 Crops/	Melons ⁶	11,026	4.59	
6.1%			43.3%		Lettuce		Occupations	Fruits and Vegetables	10,858	4.59	
6.1%			43.3%		Com			Lettuce ⁷	9,758	4.09	
6.1% 7.7 10.1			43.3%							4.03	
6.1% 7.7 10.1	.%		43.3%	= Ch	erries	anhoura		Corn ⁸	8,254	3.49	
6.1% 7.7 10.1	.%		43.3%	= Ch = Nu	rsery & Gr			Corn ⁸ Cherries ⁰	8,254 7,245		
6.1% 7.7 10.1	% 10.5%	is derived for		≕Ch ≡Nu ■Re	rsery & Gre maining Cr				7,245	3.4	

Program Utilization 2019

- Nationally, 257,667 foreign worker positions were certified. An increase of 14,905 positions from the prior year.
- Michigan was among the top ten states, ranking # 7 in the nation for the number of foreign worker positions certified.
- Michigan's 9,096 foreign worker positions certified made up 3.5% of the national total.
- Berries were the #1 crop for which foreign worker positions were certified.

EMPLOYMENT AND TRAINING ADMINISTRATION, U.S. DOL
OFFICE OF FOREIGN LABOR CERTIFICATION
H-2A Temporary Agricultural Labor Certification Program - Selected Statistics, F

4.2%

4.4%

1.9% 1.7%

0.9%

0.9%

9.6%

3.89

FYTD Q1 Q2		Q3 Q4		Q4	% Change FY 2018		Review of Positions Certified FY 2019 E (% of total certified FY 2019 EOY)			
13,081	3,175	5,38	0 2,9	48	1,578	10.8%			Florida	33,5
	_								Georgia	29,4
pplicati					_	-	1		Washington	26,2
Determin	ation	FYTD	Q1	Q2	Q3	Q4			California	23,3
Total Determin	ations	13,095	1,964	5,800	0 3,357	1,974		Top 10	North Carolina	21,6
- Certifie	d	12,626	1,880	5,660	0 3,242	1,844		States	Louisiana	10,8
- Denied		211	34	67	53	57			Michigan	9,09
- Withdra	wn	258	50	73	62	73			Kentucky	8,31
Positions		268,729	36,477	91,16	1 85.45	4 55,637			New York	8,10
Requeste Positions			-		-				South Carolina	6,08
Certified		257,667	35,449	87,86	8 82,09	4 52,256			North Carolina Growers	11.2
Processed Timely ³		86.1%	92.6%	77.59	6 85.69	6 96.3%	3.3%		Association (NCGA) Fresh Harvest, Inc.	4,81
8 494							WAFLA	4.36		
9.1% 8.4	*- ⊺ 0	p Stat	tes		Georgia				Zirkle Fruit Company	3.40
4.2% 3.5% Washington 3.2% California 3.1% North Carolina						Top 10 Employers	Farm-Op Kuzzens H2A,	2.65		
							LLC			
11.4%					Ag Labor, LLC		2,40			
				Michigan					Foothill Packing, Inc.	2,30
1	.3.0%	31.4%			Kentucky				Overlook Harvesting Co.	2,30
					South Ca				R & R Harvesting, Inc.	2,00
					Remainir	ng States			Rancho Nuevo Harvesting	2,03
%	-	~		=(General Far	m Workers			General Farm Workers	31,9
		op Cro	ops	8.8%					Berries ⁴	24,6
5.4% 2.4% Tobacco Bruits and Vegetables Meions						Tobacco ⁵	16,2			
			~ ~	in ruits and vegetables					Fruits and Vegetables ⁶	13,9
				Nursery and Green				Top 10	Apples ⁷	12,4
9.6%		42.9	N.	■Agricultural Equ				Crops/	Melons ⁸	11,8
	12.4%	42.9	2		Com			Occupation	Nursery and Greenhouse	
		/			Apples Cherries				Workers	9,88
					Remaining	Crops			Agricultural Equipment	9,80
plications Received" is derived from data not publicly disclosed. nulative numbers may not match the numbers on previous reports due to changes in							Operators ⁹ Corn ¹⁰	9.77		
processing status. reent of complete H-2A applications resolved 30 days before the start date of							Tomatoes	6,25		
housing insp	ection repo	ort, workers'	compensat	ton, recru	ing all the doo ultment report) necessary for		Berries Celepory jock-de	I OM BLOCS Is Primary Crops of Berries, Blackberries, Blueberrier	
FLC Certifyin	ig Officer ti	o issue a fin	a determin	auon 30 d	aays before th	e start date of		Strawberries. Tobacco Category inclus Tobacco. Fruits and Vegetables C Apples Category include Malons Category include Agricultual Equipment O combine Harvestars, and	les Primary Crops of Air-cured, Burley, Cutting, Flue- alagory includes Primary Crops of Fruits, Fruits and 1 a Primary Crops of Apple Crops, Apples, and Fuji Ap is Primary Crops of Cantaloupes, Melons, and Wate centors Category Includes Primary Crops of Apricut	cured, Set

The Monitor Advocate System

What is the ultimate purpose?

To ensure MSFWs receive services that are qualitatively equivalent and quantitatively proportionate to the services provided to all other job seekers.

While the program focuses on retaining a skilled labor force for Michigan's farmers, encouraging participation in employment service programs to MSFWs can open the doors to improving employment opportunities, leading to an improved way of life.

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