

## **Governor's Council on Migrant Labor Minutes**

Wednesday, April 21, 2021

10:00 AM – 12:00 PM

Via WebEx

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Call to order: 10:00 a.m.

Roll Call

### **MEMBERS PRESENT:**

Lupe Martinez, John Bauknecht, Erica Sweitzer-Beckman, Laura Waldvogel, Jose Martinez, Erica Kunze, Kate Lambert, and Aimee Jo Castleberry

### **MEMBERS ABSENT:**

Senator Bob Wirth, Guadalupe "Wally" Rendon, and Jeanine M. McCain

### **DWD STAFF PRESENT:**

DWD Secretary-designee Amy Pechacek, Tasha Jenkins (Director – Bureau of Job Service), Katie Mueller (Section Chief – BJS), Andy Janssen (Program & Policy Analyst – BJS), Pam McGillivray (DWD Chief Legal Counsel), and Jennifer Wakerhauser (DWD Deputy Legal Counsel)

## **AGENDA ITEMS**

### **1. Call to Order:**

**Vice Chair Lupe Martinez** called the meeting to order. The roll was taken and there were 8 members present, constituting a quorum.

**DWD Secretary-designee Amy Pechacek** introduced herself to the Governor's Council on Migrant Labor. She stated that she has 20 years of experience in government and private the private sector. Secretary Pechacek added that she was working hard to resolve the unemployment issues and was humbled when the Governor asked her to stay on at DWD permanently. She is looking forward to working on the Badger Bounce Back, and glad that 2021 has arrived and that we are embarking on a post-pandemic new normal.

She thanked the Council members for all the great work they do and their service to the Governor. She stated that the migrant labor issues were vitally important to those who come here to work seasonally and to the employers who depend on them. She specifically

mentioned that the Governor's budget includes one additional position for a migrant labor inspector.

## **2. Approval of Agenda:**

**Jose Martinez** moved approval of Agenda. The motion was seconded by **Laura Waldvogel**. The motion was approved on a voice vote.

## **3. Approval of Minutes:**

Moved by **Laura Waldvogel** and seconded by **Jose Martinez** to approve the minutes of January 27, 2021. The motion was approved on a voice vote.

## **4. Legislative updates**

There were no legislative updates.

## **5. Migrant Seasonal Farmworker (MSFW) Program Updates**

**Katie Muller (Bureau of Job Service Section Chief)** Reported to the Council that a new Emergency Rule (ER 2109) was promulgated regarding COVID-19 safety measures. It will be in effect from March 19, 2021 through August 15, 2021. She stated that a public hearing would be taking place today at 1:00 p.m. if members were interested in attending or give public comment.

She stated that the Bureau of Job Service team of migrant labor inspectors is continuing with their camp inspection. As a requirement of ER 2109, employers are required to submit a COVID safety plan to DWD before their housing can be certified. Any housing that was inspected prior to ER 2109 must also send a COVID safety plan to DWD.

**Katie Muller (Bureau of Job Service Section Chief)** gave a report to the Council.

### **Migrant and Seasonal Farmworker Status Report**

As of 04/15/2021

- Migrant Housing Applications:
  - 2020: 75 migrant labor camp applications received
  - 2021: 69 migrant labor camp applications received
- Migrant Housing Inspections:
  - 2020: 71 migrant labor camps certified
  - 2021: 17 migrant labor camps certified or partially certified
- Migrant Labor Contractors/Crew Leaders

- 2020: 63 contractors certified
- 2021: 20 contractors and 15 agents certified
- Migrant and Seasonal Farmworker Outreach:
  - 2020: 2,174 outreach activities
  - 2021: 97 outreach activities

## **Foreign Labor Certification**

### **(Program year: October 1 to September 30)**

#### Year End Report for Federal Fiscal Year 2020 (October 1, 2019 – September 30, 2020)

- H-2A (Temporary Agricultural Workers):
  - 109 applications received since October 1, 2019
  - 2,022 workers requested; 2007 workers approved
- H-2A Housing inspections since October 1, 2019
  - 131 housing sites certified

#### Federal Fiscal Year 2021 (October 1, 2020 – September 30, 2021)

- H-2A (Temporary Agricultural Workers):
  - 78 applications received
  - 1,237 workers requested
  - 785 workers approved
- H-2A Housing inspections since October 1, 2020
  - 118 Camps Inspected
  - 112 Camps Certified

She added that they were still working on the population report for 2020 and she was hopeful they would have the completed in the next couple of weeks. In addition, she also mentioned the additional migrant labor inspector position included in the Governor's budget.

There were not questions for Katie from the members.

### **6. Old Business:**

There were no items under old business.

### **7. New Business:**

- COVID-19 updates, related to migrant and seasonal farmworkers
  - Wisconsin Department of Health Services (DHS), Dr. Jon Meiman

**Dr. Jon Meiman, Chief Medical Officer for DHS** thanked the Council for the invitation to speak about COVID-19 as it relates to migrant and seasonal farmworkers. He has almost exclusively on occupational health but due to COVID, he has also focused on the pandemic but through an occupational health lens. He has been fortunate to work with DWD, employers and community groups like Family Health La Clinica.

He discussed the state of COVID-19 in Wisconsin and the progress of vaccination, which are good when compared to the rest of the U.S. He presented the Council with a PowerPoint presentation and highlighted COVID-19 trends in the U.S. which included a spike in cases in the fall of last year. Since vaccination rates are not trending up in certain areas, we are seeing increases in cases. In addition, COVID-19 variants are increasing infection rates. They are following this very closely in public health.

Wisconsin mirrored what happened nationally with spikes in the fall of last year, but we are seeing some increases, so continued vigilance is necessary along with vaccination. DHS is monitoring the COVID-19 variants closely. Wisconsin is at about 3.9 million vaccine doses so far which is about 40% of the population over age 16.

He also touched on the issue of employer vaccine engagement. They have been working with employers to make vaccines accessible to employees. DHS is partnering with WEDC to provide information to employers to about reducing barriers for employees to get vaccinated.

They are providing information to the public in a variety of means in a variety of languages. They are continuing to build this out going forward. In addition, they are working with employers to set up employee clinics and he specifically mentioned the fine work that the Family Health La Clinica is doing in this regard.

**Dr. Jon Meiman**, as a wrap up, talked about the next steps in dealing with the pandemic. While numbers of infections are lower, the virus is still present, and infections are still a risk. DHS and Wisconsin are still doing everything they can to mitigate the spread and promote vaccinations to those who are eligible.

He then talked about specific risks for migrant workers. While migrant workers are at risk, the risk is not different than other workplaces. However, the work and living environments are unique to migrant workers. Due to the density of the workplace and congregate housing this does present challenges to reducing the spread. They must be vigilant and continue to do what works which includes wearing a mask, physical distancing, rapidly identifying symptomatic workers, testing, quarantine, and isolation.

There was a question in the chat from Alfonzo regarding whether there has been any new information on the approval the vaccine for those under 16.

**Dr. Jon Meiman** stated there was nothing yet but there was information from Pfizer stating they were seeing positive results from testing on those 12 and up. This could indicate that they are confident in their science that they will be able to soon immunize those under 16.

**Family Health La Clinica – Laura Waldvogel.** She stated that Dr. Kinzie, the Director of Mobile Health Services, regretted that he could not present personally. Laura Waldvogel delivered comments on his behalf.

Communication and collaboration are the mainstay of their efforts. Due to the work and partnership of so many people and organizations is the reason they have been so successful in serving the migrants and seasonal workers in the state and working with their employers. This has led to a great amount of trusting in carrying out their mission. The Wisconsin Farmworkers Coalition's Steering Committee for COVID-19 Risk Mitigation has provided key insights that have guided our work and enhanced the quality of the work.

The Wisconsin WI DHS has been very responsive and are working to increase testing and testing capacity. There have been no positive tests of the over 200 workers tested. Realtime COVID dashboards and staying on top of the latest data has helped. State support has allowed them to scale up workforce and test in more remote areas of the state. They have had to pause the use of J&J vaccine but are moving forward with Moderna vaccine. They have been able to start vaccination clinics early and prepare for the new arrivals coming for the season. In addition, they are vaccinating dairy workers. Their outreach has built trust with workers and decrease vaccine hesitancy. The only hinderances have been the lack of a national vaccine registry but they are collaborating to develop a migrant vaccine registry.

As of last week, they have gone out 33 times, completed 11 worksite assessments, educated over 500 workers, fully vaccinated 245 workers, 55 workers have received one of two vaccines due to having to pivot away from the J&J vaccine, vaccinated 200 year-round workers, and close to 200 workers have been tested and none were positive.

#### **Questions for Laura Waldvogel:**

**John Bauknect** – If the J&J is delayed are there going to be enough vaccines for the migrant workers as they come to Wisconsin? **Laura Waldvogel** responded that WI DHS has been incredibly supportive and have prioritized this population.

**Dr. Meiman** said that in general the supplies of both Pfizer and Moderna are high and will be sufficient for this population. However, the downside to the pause of the J&J vaccine is that it is just one shot and doesn't need cold storage like the Moderna and Pfizer vaccines. So logistically, this is more difficult. He anticipates the J&J will resume with possibly more restrictions on the groups it can be used on.

**Lupe Martinez** stated that part of the problem is that there may be vaccine hesitation for the J&J vaccine if it resumes because people will feel it is a risk to take it.

**Laura Waldvogel** - The success of Family Health La Clinica is because of those groups and individuals that have been willing to collaborate and support farm workers. She stated that she has never witnessed this type of collaboration.

**Mark Peters**, Director of Justice, Peace and Reconciliation Priests of the Sacred Heart, US Province, gave a report on work that the Catholic Coalition for Migrants and Refugees have been doing on immigration. The group was formed by Catholics in 2019 because they felt church leaders were not speaking out loudly enough on these issues and on behalf of the migrants at the southern borders of the U.S. and were ignoring the root causes of the issue.

Their group wanted to identify as Catholics and felt they should be on the forefront of this important issue. They feel that the government (both Democrats and Republicans) have failed to address the root issues from the home countries of these migrants and refugees. Securing the border and jailing will not solve the problem. The group wanted to go public last year but COVID and the Black Lives Matter movement interrupted their plans. They have been meeting with the Senators and Representatives. They hoped for comprehensive immigration reform, but Democrats and Republicans are looking at this as a race of who come out on top and not about the suffering of the people coming to this country.

They have kind of given up on comprehensive immigration reform because the Democrats are saying they don't have the votes and the Republicans won't budge until they get border security and other measures they want. Mark Peters provided his phone number to the Council as (414) 630-04240

#### **8. Announcements:**

**Erica Sweitzer-Beckman** announced that Texas Rio Grande Legal Aid is coordinating to have migrant workers fully vaccinate before traveling to Wisconsin. They are interested in partnering with employers. Erica stated that she can connect employers with Rio Grande Legal Aid. She added that Legal Action of WI doing a community priorities request for proposal and that she will share information with the Council.

#### **9. Migrant Labor Council Dates**

- Sunday, August 8, 2021 (Tentative) – Public hearing in conjunction with the Farmworker's Appreciation Day Picnic
- Wednesday, October 20, 2021

#### **10. Adjournment:**

**Kate Lambert** moved to adjourn. **Lupe Martinez** adjourned the meeting at 11:00 a.m.