



Meeting Minutes: Governor's Committee on the Safety, Health, and Wellbeing of Agricultural and Food Processing Workers

DATE: 10/25/2021

MINUTES PREPARED BY: CINTHIA MARTINEZ

Attendance

Committee Members

Present

Andrea Vaubel, Deputy Commissioner, Minnesota Department of Agriculture

Colin Laffey, Staff Attorney, Agricultural Worker Project, Southern Minnesota Regional Legal Services (SMRLS)

Gary Wertish, President, Minnesota Farmers Union

Jim Gleb, President, United Food and Commercial Workers (UFCW) Local 1189

Nicole Blissenbach, Deputy Commissioner, Minnesota Department of Labor and Industry

Rena Wong, Director of Organizing, United Food and Commercial Workers (UFCW) Local 663

Rodolfo Gutierrez, Executive Director, HACER

Sarah Berry, Public Health Director, Waseca County | CHS Administrator, Le Sueur – Waseca Community Health Board

Stephanie Low-Interim Executive Director/ Chief Medical Officer, Community Health Service Inc.

Susan Bishop, Supervisor, Minnesota Department of Health, and Migrant Agricultural Worker Response Lead, ICS

Tamara Nelsen, Executive Director, Minnesota AgriGrowth Council

Absent

Emilia Gonzalez Avalos, Executive Director, Unidos MN

Hamse Warfa, Deputy Commissioner, Minnesota Department of Employment and Economic Development

Kevin Paap, President, Minnesota Farm Bureau

Kiza Olson, CHS Administrator, Meeker-McLeod-Sibley Community Health Services

Staff Present: Ben Wood, Safety Consultant Principal, Minnesota's Workplace Safety Consultation Unit; Carrie Rigdon, Operations and Planning Section Manager, Minnesota Department of Agriculture; Blake Nordin, Environmental Health Supervisor, Minnesota Department of Health; Cinthia Martinez, CareerForce Office Coordinator, Minnesota Department of Employment and Economic Development; Jessica Grosz, Director of Labor Standards and Apprenticeship, Minnesota Department of Labor, and Industry; Lorrie Janatopoulos, CareerForce Director, Minnesota Department of Employment and Economic Development; Maureen Ramirez, Director of the Office of Economic Opportunity, Minnesota Department of Employment and Economic Development

Guests Present: No public guests introduced themselves

Agenda

1:00 PM **Welcome**

1:05 PM **Guest Introductions**
1:10 PM **Approve Minutes & Agenda**
1:15 PM **Updates – DC Vaubel**
1:35 PM **Work Group Recommendation**
2:35 PM **Migrant Services Consortium 10.13 Meeting Update**
2:45 PM **Data on Agricultural Worker Discussion**
2:50 PM **Public Comments**
2:55 PM **Final Thoughts & Next Steps**
3:00 PM **Adjourn**

Meeting notes

Guest Introductions

No members of the public introduced themselves.

Approve Minutes & Agenda

Approved.

Updates- DC Vaubel

Timeline- As the deadline for submitting recommendations approaches on December 1st, staff thought that it might be beneficial to hold an additional meeting to review recommendations that the workgroups are preparing. Cinthia Martinez has sent out an invitation for November 15th, from 1-3 pm. The Committee will be able to use this extra meeting to review the recommendations and determine if a general outline or consensus can be reached on what will be submitted to the Governor.

Committee engagement- In working toward recommendations, staff wanted to emphasize the importance of connecting with those represented by members of this committee. Please let staff know if there is a way that they could be helpful or if there is an opportunity to answer questions and meet with the people being represented.

Decision- making process- At the last AWWC meeting it was discussed how decisions will be made and what the group collectively wanted to put into the report to the governor. One thing staff want to bring up and ask for input on is if Committee members could come up with shared guidelines or values as they relate to the recommendations. Some of them came from the executive order.

Shared guidelines/values for recommendations. (Includes Committee Member feedback)

- Equity lens: honoring preferred language
 - Summer hire jobs, their needs pushed to the front, so their issues are taken care of while they are still there
 - Recognizing that meeting needs while workers are present is important
- Improve agricultural and food processing workers' wellbeing (EO)
- Improve current piecemeal approach among stakeholders that hinders effective solutions to the complex issues that contribute to workers' vulnerabilities (EO)

- Improve efficiencies, make it easier, simplify the government systems and government regulation. Process improvement. Improve state processes.
- Improve processes so that migrant consortium members (and other external stakeholders) know where to go

- Improving navigation within state systems and protections that already exist. AWP does that from the outside. Address the equity component that our systems aren't just a one size fits all approach, and that some people have barriers, other circumstances making it difficult to access our systems

Striving for Consensus- Andrea Vaubel (PowerPoint will be located in the meeting documents)
The committee members discussed the voting process and whether recommendations would be presented individually or in groups. Overall, the committee favored consensus voting.

Meeting continuance-This Committee does go on beyond the December 1st deadline, Deputy Commissioner Vaubel and staff want Committee members to start thinking about ideas on what role this committee can play after the recommendations are delivered to the Governor's office.

Work Group Recommendations

Housing Work group- (Colin Laffey)

1. Identify funds/grants focused on employer-provided safety improvements in housing
2. Targeted housing finance to rural MN areas with large ag worker presence for affordability/availability that is not employer owned
3. Registration of employers providing housing for workers, or other documentation of employer provided housing
4. Strengthen housing regulations
 - Proactive inspections
 - Inspections while occupied
5. Centralized complaint system that routes complaints to the regulating agency
6. Database of agricultural worker housing inspections across enterprise
7. Chart that describes jurisdictions and authorities for housing oversight

Committee Feedback:

- Widespread Support for recommendations 1, and 3.
- Recommendation 4 requires clear suggestions, and to be further examined.
- Concerns on 2nd – Does it need to be expanded? More Financing? Needs more time to put together.
- Recommendations 5, and 7 were also discussed and supported by other work groups.

Worker Safety Work group- (Ben Wood)

1. Develop formal alliances between state agencies and advocacy groups to help advocacy groups direct workers to the right state support in the moment, when they need it.
2. Develop a central source of information about government services available to ag and food processing workers that could be used by alliance groups to quickly triage workers to the right government services.

3. Develop posters and other materials with information about workplace safety, worker rights, and where to get help written in ALL languages spoken by agricultural and food processing workers in MN, to make it easier for employers to meet existing requirements.
4. Identify which subsectors of the agriculture and food processing industries have the worst accidents and injury experiences and develop a new OSHA “emphasis program” for them, based on complaints that captured through alliances with advocacy groups.
5. Increase the number of proactive inspections of agricultural and food processing worksites that occur each year.
6. Adopt “penalty conformity” for OSHA safety violations, so that state penalties cost no less than federal penalties.
7. Develop a more aggressive procedure for temporarily shutting down employers who have repeated incidents of workplace injuries, illnesses, or deaths.
8. Develop a competitive reward and recognition program for employers that meet excellent workplace safety standards.
9. Provide DLI and other relevant state agencies with enough funding to staff and perform everything mentioned above.

Committee Feedback:

- Concerns regarding recommendation 8, including financial incentives for what employers should be doing.
- Widespread support for recommendations 3, 6, 5, and 9.
- Recommendation 1: Alliances are important but need to approach cautiously.

Fair Labor Standards - (Jessica Grosz)

Legislative – strengthen existing MN laws that provide protections to agricultural workers and workers in the meatpacking and poultry processing industries and make sure these laws align with existing MN labor protections

- Minn. Stat. 181.85 – 181.91 (written employment statement requirement and biweekly 70 hour pay guarantee for recruited migrant cannery workers)
 - Expand scope of workers protected
 - Clarify DLI enforcement authority
 - Increase penalties
 - Strengthen recordkeeping requirement
 - Expand scope of employment statement
- Minn. Stat. 181.635 (written disclosure requirement for recruited meatpacking and poultry processing workers)
 - Expand scope of workers protected
 - Expand scope of required disclosure
 - Increase damages and fines
- Minn. Stat. 179.86 (Packinghouse Workers Bill of Rights)
 - Expand scope of workers protected

- Require explanation in writing and expand scope of what must be provided and when
- Expand enforcement

Administration/Agency-Based

- Strategic compliance framework
 - Within each agency that has jurisdiction over matters impacting housing, safety, and labor standards of agricultural workers and workers in the meatpacking and poultry processing industries, approach problem solving in three ways:
 - Education
 - Enforcement
 - Systems Intervention

Educational

- Increase employer awareness of responsibilities
- Increase worker awareness of rights

Committee Feedback:

- Committee members appreciated format used and looking and working with Legislation already in place.
- Administration/ Agency-Based and Educational sections need to be expanded on page 2.

Migrant Services Consortium 10.13 Meeting Update

Members of the Committee attended the 10.13 Migrant Services Consortium to share draft recommendations and ideas from the workgroups, as well as to solicit feedback and input. Consortium members shared their stories, experiences, and concerns they had within their work. Committee members expressed gratitude and the impact hearing the stories had on them.

The members of this Committee will be invited to present the recommendations brought forward by the Work groups at the next Consortium meeting on November 10th.

Data on Agricultural Worker Discussion

During the process of this Committee's work on a response for agriculture workers, it became clear that there were gaps in data, and stuff we need to fix. This is still worth pursuing. So, what staff is proposing is to discuss and investigate further the question of data in the coming year. Additionally, staff would like to hear about other experiences about where data is lacking, or how we could improve.

Moving this discussion to next meetings weeks agenda.

Public Comments

No one from the public made comments.

Final Thoughts & Next steps

The workgroups will receive input from today's meeting and start putting the recommendations into a finalized form for voting.

Adjourn