**Virginia Employment Commission**

**Agricultural Outreach Plan**

**Updates PY 2022**

This Agricultural Outreach Plan sets policies and objectives in providing workforce services to the agricultural community, including migrant and seasonal farm workers (MSFWs) and agricultural employers, in accordance with 20 CFR 653 and the Workforce Innovation and Opportunity Act (WIOA). The objective of the Virginia Employment Commission is to assist job seekers and employers through the operation of a basic labor exchange system as described in 20 CFR 652, Subpart A. The Commonwealth of Virginia provides equitable services utilizing the Virginia Workforce System to ensure that the full range of employment, training and educational services are available to MSFWs on a basis that is qualitatively equivalent and quantitatively proportionate to services provided to all other job seekers.

The Code of Federal Regulations at 20 CFR §653 sets forth the principal regulations of the Wagner-Peyser Act Employment Service (ES) concerning the provision of services for migrant and seasonal farmworkers (MSFWs) and states the requirement that all services of the workforce development system be available to all job seekers in an equitable fashion. This includes ensuring MSFWs have access to these services in a way that meets their unique needs.

Each Virginia Career Works Center provides MSFWs with a full range of career and supportive services, benefits, protections, and job and training referral services as are provided to all other job seekers. In providing such services, the centers must consider and be sensitive to the preferences, needs, and skills of individual MSFWs and the availability of job and training opportunities.

The Virginia Employment Commission (VEC) employs Agricultural Specialists across the state who provide services to migrant and seasonal farmworkers and agricultural employers. They are dedicated to assisting MSFW jobseekers and employers with all their employment-related needs. In collaboration with VEC’s partners, including Telamon, (WIOA 167 Grantee), MSFWs are able to access the full range of employment services, including:

* Virginia Workforce System registration assistance
* Job search assistance and referrals
* Referrals to training programs and other employment-enhancing opportunities
* Referrals to supportive services
* Referral to partner agencies
* Farmworker rights and labor law information
* Complaint assistance

The VEC operates an outreach program in order to locate and make contact with MSFWs who are not being reached by the normal intake activities conducted by the local offices. The Agency has full-time Agricultural Specialists available in the Virginia Career Works offices in Bristol, Charlottesville/Culpeper, Danville, Emporia, the Eastern Shore, Fredericksburg, Petersburg, and Winchester. The majority of the VEC’s Agricultural Specialist staff are bi-lingual in English and Spanish. They provide information to MSFWs about the services available through the Virginia Career Works Centers from a variety of partners, including Telamon. They also provide information and guidance to MSFWs regarding their employment rights, responsibilities and the employment service complaint system. In accordance with federal regulations found in 20 CFR §653, the VEC employs a full time State Monitor Advocate to help ensure that the services provided by the Agency to MSFWs are "qualitatively equivalent and quantitatively proportionate" to the services provided to other jobseekers within the Commonwealth.

**ASSESSMENT OF NEED**

Agriculture is Virginia's largest private industry by far, with nothing else coming a close second. The industry has an economic impact of $70 billion annually and provides more than 334,000 jobs in the Commonwealth.

Migrant and Seasonal Farmworkers face many challenges and barriers related to employment. MSFWs frequently find themselves unemployed or under-employed and many live in poverty. When they do have employment, they are oftentimes required to work long hours at labor-intensive and physically demanding jobs for little pay. According to Bureau of Labor Statistics data, agriculture is one of the most dangerous of industries. Most farmworkers do not have health insurance and often have limited access to adequate healthcare. It is estimated that at least half of the farm labor force in the United States lacks authorized immigration status, at least two thirds have fewer than 10 years of schooling, and two thirds speak little to no English. Languages include Spanish, Haitian Creole and some indigenous Indian dialects of Central American workers.

Farmworkers in Virginia, particularly migrant farmworkers, are predominantly of Hispanic descent, but there are also a significant number of Haitian Creole workers and Jamaicans. H-2A migrants come from Mexico, and other Central American countries such as Guatemala, Honduras, Haiti and Jamaica and there is a small number of South African workers. Migrant workers, in particular, live especially difficult lives. They invest time and money to travel in search of employment to distant and remote places where housing is often expensive, over-crowded, and can be unsafe. Migrant families frequently struggle to find suitable, affordable childcare, and many migrant children suffer due to a lack of continuity in school. Although farmworker housing in Virginia is, for the most part, well maintained for H-2A use due to vigilant inspection by Agricultural Specialist staff, we still find instances where migrants occupy housing that does not meet minimum health and safety requirements.

Farmworker training opportunities are facilitated primarily by our WIOA one-stop partners, with particular focus on Telamon, the Virginia operator for the WIOA 167 program.

As a means to address the many issues faced by migrant and seasonal farmworkers in Virginia, the Governor established, through the Employment Stabilization section of the Virginia Unemployment Compensation Act, an Interagency Migrant Worker Policy Committee. This committee, administered by the Virginia Employment Commission and Chaired by the VEC Commissioner, is comprised of representatives from appropriate state agencies whose services and jurisdictions involve migrant and seasonal farmworkers and their employers. This Committee addresses and formulates solutions to many of the issues faced by MSFW and agricultural employers.

**Assessment of Agricultural Activity**

In order to develop an accurate assessment of the agricultural activity in the state, an extensive statewide survey of previous and projected agricultural and farmworker activity is conducted by the VEC each year. The Assessment of Agricultural Activity is developed in conjunction with input from Agricultural Specialist staff, local office personnel, Virginia Cooperative Extension, Telamon, and members of numerous other organizations with knowledge of Agricultural Activity and MSFW employment. For Program Year 2021 (PY 21), approximately 13,000 MSFWs are estimated to be working in Virginia, including 5,300 H-2A workers. The top five labor intensive crops in Virginia for PY 21 are tobacco, apples, vegetables, including tomatoes and potatoes, grapes, and nursery stock.

 The following tables list the agricultural activity and MSFW employment throughout the nine federally-designated crop reporting areas of the Commonwealth. Projections of major labor-intensive crop activity and MSFW availability have been indicated by location and crop.

**EASTERN SHORE**

**Onley**

| **Crop** | **Activity****Period** | **Total****Employment** | **MSFW****Employment** | **Labor****Shortage** | **Crop****Changes** | **MSFW****Availability** |
| --- | --- | --- | --- | --- | --- | --- |
| **Tomatoes** | **Apr-Nov** | **1600** | **585** | **Yes** | **Stable** | **Decrease** |
| **Nursery** | **Mar-July** | **480** | **265** | **Yes** | **Stable** | **Decrease** |
| **Vegetables** | **Mar-Oct** | **250** | **170** | **Yes** | **Decrease** | **Decrease** |
| **Aquaculture** | **Sept-Apr** | **220** | **220** | **No** | **Increase** | **Decrease** |
| **Potatoes** | **May-Jul** | **90** | **90** | **No** | **Stable** | **Stable** |
| **Grapes** | **Jul-Oct** | **30** | **30** | **No** | **Stable** | **Stable** |

**NORTHERN NECK**

**Warsaw/Fredericksburg**

| **Crop** | **Activity****Period** | **Total****Employment** | **MSFW****Employment** | **Labor****Shortage** | **Crop****Changes** | **MSFW****Availability** |
| --- | --- | --- | --- | --- | --- | --- |
| **Vegetables** | **Jun-Nov** | **450** | **300** | **Yes** | **Increase** | **Decrease** |
| **Nursery** | **Feb-Nov** | **400** | **300** | **Yes** | **Increase** | **Decrease** |
| **Grapes** | **Mar-Sep** | **150** | **125** | **No** | **Stable** | **Stable** |
| **Aquaculture** | **Mar-Oct** | **75** | **60** | **Yes** | **Increase** | **Decrease** |

**CENTRAL**

**Roanoke**

| **Crop** | **Activity****Period** | **Total****Employment** | **MSFW****Employment** | **Labor****Shortage** | **Crop****Changes** | **MSFW****Availability** |
| --- | --- | --- | --- | --- | --- | --- |
| **Apples** | **Feb-Nov** | **100** | **50** | **Yes** | **Stable** | **Decrease** |
| **Tobacco** | **Apr-Nov** | **80** | **25** | **Yes** | **Stable** | **Decrease** |
| **Nursery** | **Feb-Dec** | **90** | **75** | **Yes** | **Stable** | **Decrease** |
| **Peaches** | **Apr-Aug** | **25** | **25** | **Yes** | **Stable** | **Decrease** |
| **Grapes** | **Mar-Oct** | **30** | **30** | **No** | **Stable** | **Decrease** |
| **Vegetables** | **Apr-Oct** | **30** | **30** | **No** | **Stable** | **Stable** |

**CENTRAL**

**Petersburg**

| **Crop** | **Activity****Period** | **Total****Employment** | **MSFW****Employment** | **Labor****Shortage** | **Crop****Changes** | **MSFW****Availability** |
| --- | --- | --- | --- | --- | --- | --- |
| **Vegetables** | **Apr-Nov** | **200** | **60** | **Yes** | **Stable** | **Stable** |
| **Tobacco** | **Mar-Oct** | **125** | **50** | **Yes** | **Stable** | **Stable** |
| **Nursery** | **Feb-Jun** | **135** | **80** | **Yes** | **Stable** | **Stable** |
| **Melons** | **Apr-July** | **75** | **75** | **No** | **Stable** | **Stable** |
| **Grain** | **Mar-Aug** | **75** | **55** | **Yes** | **Stable** | **Stable** |
| **Sod** | **Mar-Oct** | **35** | **20** | **Yes** | **Stable** | **Stable** |
| **Hemp** | **Mar-Nov** | **30** | **5** | **Yes** | **Decrease** | **Stable** |

**SHENANDOAH VALLEY**

**Winchester**

| **Crop** | **Activity****Period** | **Total****Employment** | **MSFW****Employment** | **Labor****Shortage** | **Crop****Changes** | **MSFW****Availability** |
| --- | --- | --- | --- | --- | --- | --- |
| **Apples** | **July-Nov** | **613** | **200** | **Yes** | **Stable** | **Decrease** |
| **Nursery** | **Feb-Dec** | **200** | **180** | **Yes** | **Stable** | **Decrease** |
| **Grapes** | **Aug-Oct** | **125** | **60** | **Yes** | **Increase** | **Decrease** |
| **Peaches** | **July-Sept** | **30** | **20** | **Yes** | **Stable** | **Decrease** |
| **Vegetables** | **Mar-Nov** | **160** | **100** | **Yes** | **Increase** | **Decrease** |
| **Peaches** | **Jul-Sept** | **40** | **25** | **Yes** | **Stable** | **Decrease** |
| **Sod** | **Feb-Nov** | **25** | **25** | **No** | **Stable** | **Stable** |

**SHENANDOAH VALLEY**

**Charlottesville/Culpeper**

| **Crop** | **Activity****Period** | **Total****Employment** | **MSFW****Employment** | **Labor****Shortage** | **Crop****Changes** | **MSFW****Availability** |
| --- | --- | --- | --- | --- | --- | --- |
| **Apples** | **Sept-Nov** | **400** | **60** | **Yes** | **Stable** | **Decrease** |
| **Peaches/ Nectarines** | **July-Sept** | **241** | **20** | **Yes** | **Stable** | **Decrease** |
| **Nursery** | **Jan-June** | **410** | **250** | **Yes** | **Increase** | **Decrease** |
| **Vegetables** | **May-Sept** | **280** | **57** | **Yes** | **Increase** | **Decrease** |
| **Grapes** | **Aug-Oct** | **200** | **75** | **Yes** | **Increase** | **Stable** |
| **Hay and Cattle** | **June-Sept** | **15** | **5** | **Yes** | **Stable** | **Decrease** |
| **Sod** | **Mar-Oct** | **24** | **5** | **Yes** | **Stable** | **Stable** |

**SOUTHSIDE**

**South Hill/Emporia**

| **Crop** | **Activity****Period** | **Total****Employment** | **MSFW****Employment** | **Labor****Shortage** | **Crop****Changes** | **MSFW****Availability** |
| --- | --- | --- | --- | --- | --- | --- |
| **Tobacco** | **Mar-Nov** | **699** | **336** | **Yes** | **Decrease** | **Stable** |
| **Hay** | **Feb-Dec** | **159** | **100** | **Yes** | **Stable** | **Stable** |
| **Nursery** | **Feb-Aug** | **97** | **77** | **Yes** | **Stable** | **Stable** |
| **Vegetables** | **Mar-Jul** | **70** | **57** | **Yes** | **Stable** | **Stable** |
| **Hemp** | **Mar-Nov** | **246** | **15** | **Yes** | **Decrease** | **Decrease** |
| **Sod** | **Feb-Nov** | **25** | **10** | **Yes** | **Stable** | **Stable** |

**SOUTHSIDE**

**Danville**

| **Crop** | **Activity****Period** | **Total****Employment** | **MSFW****Employment** | **Labor****Shortage** | **Crop****Changes** | **MSFW****Availability** |
| --- | --- | --- | --- | --- | --- | --- |
| **Tobacco** | **Apr-Oct** | **1072** | **200** | **Yes** | **Decrease** | **Stable** |
| **Vegetable** | **Jun-Aug** | **40** | **10** | **Yes** | **Stable** | **Stable** |
| **Nursery** | **Feb-Aug** | **60** | **40** | **Yes** | **Stable** | **Decrease** |
| **Hay/Grain** | **Apr-Oct** | **40** | **10** | **Yes** | **Stable** | **Stable** |
| **Apples** | **Aug-Oct** | **40** | **20** | **Yes** | **Stable** | **Stable** |
| **Sod** | **Mar-Sept** | **15** | **5** | **Yes** | **Stable** | **Stable** |

**SOUTHWEST**

**Bristol**

| **Crop** | **Activity****Period** | **Total****Employment** | **MSFW****Employment** | **Labor****Shortage** | **Crop****Changes** | **MSFW****Availability** |
| --- | --- | --- | --- | --- | --- | --- |
| **Christmas Trees** | **Oct-Dec** | **1377** | **300** | **Yes** | **Increase** | **Decrease** |
| **Vegetables** | **Mar-Nov** | **165** | **25** | **Yes** | **Increase** | **Decrease** |
| **Tree Fruits Grapes** | **June-Oct** | **150** | **100** | **Yes** | **Stable** | **Stable** |
| **Tobacco** | **May-Dec** | **50** | **45** | **Yes** | **Stable** | **Decrease** |
| **Nursery** | **Mar-Oct** | **40** | **30** | **Yes** | **Increase** | **Stable** |
| **Berries** | **May-Aug** | **46** | **10** | **Yes** | **Increase** | **Stable** |
| **Hemp** | **Apr-Nov** | **20** | **2** | **Yes** | **Decrease** | **Stable** |
| **Cattle** | **Mar-Nov** | **24** | **12** | **Yes** | **Stable** | **Decrease** |

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**Assessment of Farmworker Needs in Virginia**

Farmworkers in Virginia, particularly migrant farmworkers, are predominantly of Hispanic descent, but there is also a significant number of Haitian Creole workers and Jamaicans.  H-2A migrants come from Mexico, and other Central American countries like Guatemala, Honduras, Haiti and Jamaica and there is also a small number of South African workers. Migrant workers, in particular, live especially difficult lives.  They invest time and money to travel in search of employment to distant and remote places where housing is often expensive, over-crowded, and can be unsafe.  Migrant families frequently struggle to find suitable, affordable childcare, and many migrant children suffer due to a lack of continuity in school.  Although farmworker housing in Virginia is generally well maintained, especially for H-2A use due to vigilant inspection by our Agricultural Specialist staff, there is still instance where migrants occupy housing that does not meet minimum health and safety requirements.

Farmworker training opportunities are facilitated primarily by our WIOA one-stop partners, with particular focus on Telamon, the Virginia operator for the WIOA 167 program.

 As a means to address the many issues faced by migrant and seasonal farmworkers in Virginia, the Governor has established, through the Employment Stabilization section of the Virginia Unemployment Compensation Act, an Interagency Migrant Worker Policy Committee.  This committee, administered by the Virginia Employment Commission and Chaired by the VEC Commissioner, is comprised of representatives from appropriate state agencies whose services and jurisdictions involve migrant and seasonal farmworkers and their employers.  The Committee addresses and formulates solutions to many of the issues faced by MSFW and agricultural employers.

The Assessment of Need Data in the tables is developed in conjunction with input from VEC Agricultural Specialist staff, Virginia Career Works local office personnel, Virginia Cooperative Extension, data published by the Virginia Department of Agriculture and Consumer Services, Telamon, and members of numerous other organizations with knowledge of MSFWs.

For Program Year 2021 (PY 21), approximately 13,000 MSFWs are estimated to be working in Virginia with a peak of about 12,500. Approximately 5,300 of those are H-2A farmworkers.

The following table lists Virginia Farmworker Estimates for Program Year 2021.

|  |  |
| --- | --- |
|  |  |
| Total Number of MSFWs during Peak Season | 13,000 |
| Total Number of MSFWs during Low Season | 4,700 |
| Total Number of Seasonal Workers | 4,700 |
| Total Number of Migrant Workers\* | 8,300 |
| Total Number of H-2A Workers | 5,300 |
| Total Number of Year Round Farm Workers | 31,800 |
| All Farmworkers Including Year Round Farm Workers\* | 44,800 |
|  |  |

Virginia Farmworker Estimates for Program Year 2021

\**Includes H-2A workers*

*MSFWs-Migrant and Seasonal Farmworkers*

*Migrant worker-a worker who travels to an area to perform temporary or seasonal agricultural labor and is not able to return to his permanent residence each night after work.*

*Seasonal worker-a worker who performs temporary or seasonal agricultural labor and resides in the area where he is employed.*

*Year round farm worker-worker who performs agricultural labor on a year round basis.*

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

According to Virginia Department of Agriculture and Consumer Services, agriculture is Virginia’s largest private industry by far, with nothing else coming a close second. The industry has an economic impact of $70 billion annually and provides more than 334,000 jobs in the Commonwealth. The industries of agriculture and forestry together have a total economic impact of over $91 billion and provide more than 334,000 jobs in the Commonwealth. Every job in agriculture and forestry supports 1.7 jobs elsewhere in Virginia’s economy.

According to a 2017 economic impact study, production agriculture employs nearly 54,000 farmers and workers in Virginia and generates approximately $3.8 billion in total output. In addition, value-added industries, those that depend on farm commodities, employ more than 69,000 workers. When the employment and value-added impact of agriculture and forestry are considered together, they make up 9.5 percent of the state’s total gross domestic product.

In addition to its tangible benefits such as farm cash receipts and jobs, agriculture provides many intangible benefits. These include recreation, tourism, wildlife habitat, biodiversity, flood mitigation, improved water quality and soil stabilization.

**Assessment of Available Resources**

During PY 20-24, the Virginia Employment Commission will use one full-time Agriculture and Foreign Labor Specialist in our Virginia Career Works offices in Bristol, the Eastern Shore, Emporia, Charlottesville/Culpeper, Fredericksburg, Petersburg, and Winchester. In addition, the Virginia Employment Commission has added four regional Agricultural Outreach Specialist positions. This staff is fully bilingual and spend all of their time conduction outreach and providing services to MSFWs working in Virginia. As the season develops, staff will conduct outreach activities. The State Monitor Advocate, in the course of visits to areas where MSFWs live and work, may also conduct outreach. All offices utilize the Agricultural Specialist staff full-time for outreach duties during peak seasons for the crop activities in the service areas. The outreach activities are conducted in accordance with the 20 CFR 653.

To augment the VEC outreach efforts, staff from the State's WIOA 167 Grantee, Telamon, under an interagency cooperative agreement, will supplement the agency's efforts to contact a majority of the MSFWs in Virginia during the peak of the agricultural season. The map below shows the VEC’s Agricultural Outreach Service Areas.



**PY 20-24 Outreach Plan Service Areas**

**Bristol Outreach Service Area**

**Agriculture and Foreign Labor Specialist- Deborah Johnston**

**Agriculture Outreach Specialist-Will Jacobs**

200 Bob Morrison Blvd. Suite 100

Bristol, VA 24201

Service Area:

Bland, Buchanan, Carroll, Dickenson, Floyd, Giles, Grayson, Lee, Montgomery, Pulaski, Russell, Scott, Smythe, Tazewell, Washington, Wise, Wythe.

**Charlottesville Outreach Service Area**

**Agriculture and Foreign Labor Specialist-Ricardo Ortiz**

210 E. Stevens St.
Culpeper, VA 22701

Service Area:

Augusta, Albemarle, Amherst, Buckingham, Culpeper, Fluvanna, Greene, Highland, Louisa, Madison, Nelson, Orange.

**Emporia Outreach Service Area**

**Agriculture and Foreign Labor Specialist-Vacant (in recruitment)**

1300 Greensville County Circle; Suite C, Rm 105

Emporia, VA 23847

Service Area:

Amelia, Appomattox, Brunswick, Cumberland, Greensville, Lunenburg, Mecklenburg, Nottoway, Powhatan, Prince Edward.

**Eastern Shore Outreach Service Area**

\*\*Federally Designated Significant, Bi-lingual Office\*\*

**Agriculture and Foreign Labor Specialist -Luis Echevarria**

25036 Lankford Highway, Unit 16

Onley, VA 23418

Service Area:

Accomack, Chesapeake, Northampton, Suffolk, Virginia Beach.

**Danville Outreach Service Area**

**Agricultural Outreach Specialist-Logan Lorenzo**

211 Nor Dan Drive

Suite 1055

Danville, VA 24540

Service Area:

Alleghany, Bedford, Bath, Botetourt, Campbell, Charlotte, Craig, Franklin, Halifax, Henry, Patrick, Pittsylvania, Roanoke, Rockbridge.

**Petersburg Outreach Service Area**

**Agricultural Outreach Specialist-Vacant (in recruitment)**

Service Area:

Charles City, Chesterfield, Dinwiddie, Goochland, Hanover, Henrico, Isle of Wright, James City, New Kent, Prince George, Southampton, Surry, Sussex. York.

**Fredericksburg Outreach Service Area**

**Agriculture and Foreign Labor Specialist-Antonia Garcia**

10304 Spotsylvania Avenue, Suite 100

Fredericksburg, VA 22408

Service Area:

Caroline, Essex, Gloucester, King George, King and Queen, King William, Lancaster, Matthews, Middlesex, Northumberland, Richmond, Spotsylvania, Stafford, Westmoreland.

**Winchester Outreach Service Area**

\*\*Federally Designated Significant Office

**Agriculture and Foreign Labor Specialist-Jesus Diaz**

419 N. Cameron St.

Winchester, VA 22601

Service Area:

Arlington, Clarke, Fairfax, Fauquier, Frederick, Loudoun, Page, Prince William, Rappahannock, Rockingham, Shenandoah, Warren.

**Numerical Goals**

During the plan cycle, VEC staff are required to contact at least 33 percent of the Total MSFWs population (one-third of the estimated peak MSFWs in the state) to offer employment services. They are required to contact of at least 51 percent of H-2A Migrant workers and average at least 40 outreach contact per week. Actual VEC minimum outreach contacts are listed below by individual local office. Also included is the state total outreach goal for PY 21 and the VEC’s most recent publication of the *Migrant and Seasonal Farmworker Estimates* by county. Outreach goals are established before the start of each program year, as these goals are based on the estimated farmworker population in the Commonwealth at that time.

|  |
| --- |
|  **PY 21 MSFW OUTREACH GOALS and TOTAL WORKFORCE BY OFFICE** |
|  |
|  |  |  |  |  |
|  **OFFICE** | **MSFW OUTREACH GOAL 33%** | **H-2A OUTREACH GOAL 51%** | **PY 21 TOTAL OUTREACH GOAL**  | **MSFW Total Workforce** **Including H-2A** |
|  |  |  |  |  |
|  **Bristol** | **195** | **736** | **931** | **2,032** |
|  |  |  |  |  |
|  **Charlottesville** | **227** | **295** | **522** | **1,262** |
|  |  |  |  |  |
|  **Danville** | **211** | **349** | **560** | **1,323** |
|  |  |  |  |  |
|  **Eastern Shore** | **690** | **459** | **1,149** | **2,989** |
|  |  |  |  |  |
|  **Emporia** | **214** | **246** | **460** | **1,130** |
|  |  |  |  |  |
|  **Fredericksburg** | **469** | **135** | **604** | **1,683** |
|  |  |  |  |  |
|  **Petersburg** | **223** | **100** | **323** | **869** |
|  |  |  |  |  |
|  **Winchester** | **169** | **360** | **529** | **1,215** |
|  |  |  |  |  |
|  **State** | **2398** | **2,680** | **5,078** | **12,503** |

The WIA 167 Grantee, Telamon Corporation, under a cooperative agreement, will supplement the VEC outreach with approximately 2,000 MSFW contacts. Joint outreach activities may be arranged and conducted when possible. For this plan cycle, Telamon Corporation, and any other individual or organization, will be able to refer MSFWs to VEC services listed at [www.vec.virginia.gov](//rams.adp.vcu.edu/DWS/WilderSchool/Private/gbarber/Consulting%20Projects/Current/WIOA%202019/www.vec.virginia.gov%20) and search for employment opportunities through the Virginia Workforce Connection found at [www.vec.virginia.gov/virginia-workforce-connection](http://www.vec.virginia.gov/virginia-workforce-connection). MSFWs may review job openings at Telamon Corporation, and select prospective positions for which they may be qualified. This capability exposes MSFWs to more employment opportunities and ensures that they are better informed about the labor market. Through the, now available, self-service system or with the assistance of Telamon Corporation staff, MSFWs can be registered for employment services before they even visit one of the VEC local offices. Joint collaboration and referrals, team building, and staff training will ensure that MSFWs within the Commonwealth have full access to WIOA and Wagner-Peyser services. Personal meetings at any One-Stop location can be facilitated by contacting FPS staff directly.

In addition to the cooperative agreement with Telamon, the VEC plans to partner more closely with other agencies and organizations that have an interest in MSFWs. The VEC currently has an excellent working relationship with the Virginia Department of Health, Virginia Cooperative Extension, Central Virginia Legal Aid’s Farmworker Assistance Project, Virginia Department of Labor and Industry, and the U.S. Department of Labor, Wage and Hour Division. In order to better assist MSFWs, it intends to strengthen current partnership agreements and develop them as the need arises.

**Proposed Outreach Activities (20 CFR 653.107)**

All VEC staff that are assigned MSFW outreach responsibilities use a similar variety of techniques. Personal contact with MSFW is the primary outreach technique. Depending on the local circumstances, and with consideration for employer and MSFW preferences, outreach may occur in agricultural fields during the work day. Many MSFWs, especially those working on piece rate, prefer to continue to work rather than stop to talk with an outreach worker. In that situation, VEC staff will meet with MSFWs during lunch or after work at their living quarters. During these meetings, VEC staff, in a language appropriate for the MSFW, present information on the services available in Virginia Career works locations. They use written handout materials that are specific for each location. These handouts contain a full listing of partners, social service agencies, organizations, and special groups with an interest in serving MSFW needs. Specific written information is provided on the Employment Service Complaint system, and all outreach materials are available in English and Spanish and can be translated into other languages as appropriate. The Agricultural Specialist provides outreach materials in a language that the MSFWs in their area can understand. The staff describe, in detail, farmworker rights and responsibilities, the employment service complaint system and they provide business cards to MSFWs that contain contact information. The VEC State Monitor Advocate has overall responsibility for the operation of the VEC’s Employment Service Complaint system at the state level.

In all cases, outreach is afforded to MSFWS in order to explain the benefits of coming into the local office to receive the full range of services available.

Such services include referrals to agricultural and nonagricultural jobs, information on training and supportive services, with special emphasis on services available through Telamon Corporation, career guidance, job development, and the partner services available at all Virginia Career Works locations. Occasionally, VEC Agricultural Specialist staff conduct joint outreach with Telamon staff.

The VEC will conduct detailed follow-up with all U.S. workers referred either by the VEC or other partners on H-2A job orders who:

* Did not report for a scheduled interview
* Were not afforded an interview
* Were interviewed but not hired
* Quit before the end of the contract period
* Were later terminated by the employer

Agricultural Specialist staff will attempt to contact each U.S. worker referral to determine if qualified workers were offered employment. Case notes will be entered into the Virginia Workforce Connection on all referrals as appropriate.

**Technical Assistance**

Staff training is an ongoing process. Initial training for new Agricultural Specialist staff serving in Virginia Career Works Centers has been and will continue to be conducted on outreach, the employment service complaint system, MSFW definitions, other regulatory requirements, and the Agricultural Recruitment System. Additional training for selected staff, including Local Office Management and District Managers, will be provided through attendance at regional training sessions conducted by the State Monitor Advocate and the Agriculture and Foreign Labor Certification Manager. Training will also be conducted by the State Monitor Advocate for other staff, as needed. Monthly conference calls are conducted with all Agricultural Specialist staff, the SMA, and the Agriculture and Foreign Labor Certification Manager. Agricultural Specialist staff will participate at local grower meetings and combined training will be conducted with Telamon when feasible. The VEC will continue to work closely with labor law enforcement agencies, such as the U.S. Department of Labor, Wage and Hour Division, the Virginia Department of Labor and Industry, the Virginia Department of Health, and the Central Virginia Legal Aid Society in order to continue knowledge exchange and to ensure quality services are available to agricultural workers and employers.

**Outreach and Awareness**

The VEC maintains an Agricultural Services Unit with a professional, bi-lingual staff that coordinates all phases of the agency effort to provide employment services to agricultural employers and farmworkers. VEC Agricultural Specialists are located in eight of our Virginia Career Works locations and serve agricultural workers and employers throughout the Commonwealth. They all work very closely with the state's major grower associations, the Virginia State Horticultural Society, the Virginia Cooperative Extension Service, Virginia Polytechnic Institute and State University, the Farm Bureau, the Virginia Department of Agricultural and Consumer Services, and other interested agencies. One of the objectives of these working relationships is to disseminate information to agricultural employers and workers about the services available from the VEC and our partner agencies. With the cooperation of these organizations, the Agriculture and Foreign Labor Services Unit conducts farm labor seminars for agricultural employers on a statewide basis. In addition, participants are given information and updates on the following topics:

* Immigration Reform and Control Act (IRCA) of 1986
* Migrant and Seasonal Agricultural Worker Protection Act
* Agricultural Recruitment System (ARS)
* Farm Labor Contractor Registration
* Fair Labor Standards Act (FLSA)
* Child Labor Laws and Pesticide Safety
* Agricultural Labor Certifications (H-2A Program)
* Unemployment Insurance for Agricultural Workers

For the planning period 20-24, the Agriculture and Foreign Labor Services Unit will conduct several seminars around the state for employers who use temporary agricultural labor.  During these meetings, potential agricultural employers are often identified and their need for MSFW labor discussed.  The Unit will also attend several grower association conferences and trade shows to disseminate information to employers and plans to attend VA Cooperative Extension grower meetings. On a more technical level, the VEC uses various procedures to match agricultural employers and U.S. workers. The VEC will use the internet-based Virginia Workforce System for matching jobseekers and employers.  This system provides for staff assistance as needed, but also allows both jobseekers and employers to create their own files and find each other.  Agricultural job orders, to include H-2A job orders, can be created by employers with final oversight by VEC Agriculture and Foreign Labor Services staff.   As a result of the internet-based system, we have created a much wider dissemination of all agricultural job orders.  This increase in access promotes the employment of U.S. workers in Virginia agriculture.

Additional resources include the use of the Agricultural Recruitment System (ARS) for job orders, local and regional circulation of agricultural job orders, close coordination with WIOA service providers, and direct contact with grower associations.  The VEC has a "Home Page" on the Internet, found at: [www.vec.virginia.gov](http://www.vec.virginia.gov).  This site contains a State Monitor Advocate Section and an Agriculture and Foreign Labor Services Section which has many useful forms, publications and links, a list of the Agricultural Services Staff, copies of active H-2A job orders and information of interest to the agricultural community, including employers and MSFWs.  There are also links to Telamon and to other resources to assist farmworkers and agricultural employers.  Organizations serving farmworkers may access these sites and make appropriate information available to job seekers.

At the state level, the Governor has formed a MSFW interagency policy committee to coordinate overall services to MSFWs in Virginia.  This committee, which meets quarterly or as needed, brings together agencies which serve the needs of MSFWs.  Within this forum and by way of relationships developed as a result, substantial coordination is provided in order to respond to the local needs of MSFWs and agricultural employers.

Virginia continues to be a significant user of the H-2A program. Although some agricultural employers have reduced the number of workers they need in certain crops, they continue to diversify in the varieties of crops grown.  We have seen a large increase in the use of this program over the past several years as demand for a legal and stable workforce has grown as the prevalence of traditional migrant workers decreases. We continue to strive to match qualified workers to agricultural openings in Virginia, but this continues to be difficult due to the diminishing migrant population.  We hope to expand the use of the Virginia Workforce System among agricultural employers and workers alike to better match applicants with job openings.

Agricultural Specialist have been specifically trained on the unemployment insurance program and provide information regarding the program requirements to Migrant and Seasonal Farmworkers during outreach and they provide written materials to farmworkers and agricultural employers upon request.  They provide Spanish assistance to MSFW claimants and provide claims filing and processing assistance as need in support of all our Virginia Career Works offices.

The VEC will continue to work closely with labor law enforcement agencies, such as the U.S. Department of Labor, Wage and Hour Division, the Virginia Department of Labor and Industry, the Virginia Department of Health and with the Central Virginia Legal Aid Society in order to continue knowledge exchange and to ensure quality service are available to agricultural workers and employers throughout the Commonwealth.

In accordance with the Workforce Investment and Opportunities Act, Virginia’s plans for engaging all levels of business include creating a more employer demand-driven system, using various strategic planning efforts to meet the needs of business, using partnerships and leveraged resources-including economic development partnerships-to serve business customers, and supporting entrepreneurs through the workforce system.  This approach will benefit MSFWs in Virginia in that we will develop both non-agricultural and agricultural job opportunities and strive to assist workers in their endeavor to obtain their employment related goals.  With renewed emphasis on customer relations, operations, resource management and professional development, the VEC will work to make the Commonwealth an ideal place to work and conduct business.

**Professional Development**

Additional training for Agricultural Specialists and other selected staff, including Local Office Management and District Managers, will be provided through attendance at regional training sessions conducted by the State Monitor Advocate and Agriculture and Foreign Labor Certification Manager. Training will also be conducted by the State Monitor Advocate on the Employment Service Complaint system as needed. Monthly conference calls are conducted with all Agricultural Specialist staff, the SMA, and the Agriculture and Foreign Labor Certification Manager. Staff will participate at local grower meetings and combined training will be conducted with Telamon when feasible.

**Coordination of** **Outreach Efforts**

The WIA 167 Grantee, Telamon Corporation, under a cooperative agreement, will supplement the VEC outreach with approximately 2,000 MSFW contacts. Joint outreach activities may be arranged and conducted when possible. For this plan cycle, Telamon Corporation, and any other individual or organization, will be able to refer MSFWs to VEC services listed at [www.vec.virginia.gov](//rams.adp.vcu.edu/DWS/WilderSchool/Private/gbarber/Consulting%20Projects/Current/WIOA%202019/www.vec.virginia.gov%20) and search for employment opportunities through the Virginia Workforce Connection found at [www.vec.virginia.gov/virginia-workforce-connection](http://www.vec.virginia.gov/virginia-workforce-connection). MSFWs may review job openings at Telamon Corporation, and select prospective positions for which they may be qualified. This capability exposes MSFWs to more employment opportunities and ensures that they are better informed about the labor market. Through the self-service system or with the assistance of Telamon Corporation staff, MSFWs can be registered for employment services before they even visit one of the VEC local offices. Joint collaboration and referrals, team building, and staff training will ensure that MSFWs within the Commonwealth have full access to WIOA and Wagner-Peyser services. Personal meetings at any One-Stop location can be facilitated by contacting FPS staff directly.

In addition to the cooperative agreement with Telamon, the VEC plans to partner more closely with other agencies and organizations that have an interest in MSFWs. The VEC currently has an excellent working relationship with the Virginia Department of Health, Virginia Cooperative Extension, Central Virginia Legal Aid’s Farmworker Assistance Project, Virginia Department of Labor and Industry, and the U.S. Department of Labor, Wage and Hour Division. In order to better assist MSFWs, it intends to strengthen current partnership agreements and develop them as the need arises.

In accordance with the Workforce Investment and Opportunities Act, Virginia’s plans for engaging all levels of business include creating a more employer demand-driven system; using various strategic planning efforts to meet the needs of business; using partnerships and leveraged resources, including economic development partnerships, to serve business customers; and supporting entrepreneurs through the workforce system. This approach will benefit MSFWs in Virginia by developing non-agricultural and agricultural job opportunities and striving to assist workers in their endeavor to obtain their employment related goals. With renewed emphasis on customer relations, operations, resource management, and professional development, the VEC will work to make the Commonwealth an ideal place to work and conduct business.

**Services for Virginia Farmworkers**

The Virginia Employment Commission will meet the minimum requirements for providing services to MSFWs as listed in 20 CFR 653.112. The VEC will provide equitable services for:

* MSFWs referred to jobs.
* MSFWs for whom a service is provided
* MSFWs referred to supportive services
* MSFWs receiving career guidance
* MSFWs receiving job development

Employment Services Provided Through the One-Stop System

The Virginia Employment Commission will meet the minimum requirements for providing services to MSFWs as described in TEGL 20-16 and listed below:

| **Minimum Service Level Indicators** | **Compliance Levels** |
| --- | --- |
| Individuals placed in a job | Parity with Wagner-Peyser performance |
| Median earnings of individuals in unsubsidized employment | Parity with Wagner-Peyser performance |
| Individuals placed long term in non-agricultural employment | Parity with Wagner-Peyser performance |
| Reviews of Significant MSFW One Stop Centers | 100% |
| Field checks conducted when 10 or more job orders have been placed through the Agricultural Recruitment System | 25% |
| Outreach contacts per week | 40 contacts per week |
| Processing of Complaints | 100% |

For the 20-24 planning cycle, the Virginia Employment Commission will:

Collect career service indicator data for the career services specified in WIOA sec. 134(c)(2)(A)(xii).

Collect data, in accordance with applicable ETA Reports and Guidance, on:

(1) The number of MSFWs contacted through outreach activities

(2) The number of MSFWs and non-MSFWs registered for career services

(3) The number of MSFWs referred to and placed in agricultural jobs

(4) The number of MSFWs referred to and placed in non-agricultural jobs

(5) The percentage of MSFW program participants who are in unsubsidized employment during the second quarter after exit from the program

(6) The median earnings of MSFW program participants who are in unsubsidized employment during the second quarter after exit from the program

(7) The percentage of MSFW program participants who are in unsubsidized employment during the fourth quarter after exit from the program

(8) The number of MSFWs served who identified themselves as male, female, Hispanic or Latino, Black or African-American, American Indian or Alaska Native, Asian, Native Hawaiian or Pacific Islander, or White

(9) Agricultural clearance orders (including field checks), MSFW complaints and apparent violations, and monitoring activities

(10) Any other data required by the U.S. Department of Labor

**Monitoring**

Monitoring Virginia Workforce Centers throughout the year for compliance with MSFW regulations will be conducted by both the State Monitor Advocate and by the VEC’s EEO staff.

The significant local offices at Winchester and the Eastern Shore will have an annual in-season on-site review by either the Regional Monitor Advocate, or the State Monitor Advocate, or both together. These offices will maintain one fully bi-lingual Agricultural Specialist who will spend the majority of their time in the field during peak harvest for their respective areas.

All other local offices will have on-site reviews done by the State Monitor Advocate as appropriate or will have desk reviews done using data from the agency automated reporting system, using the format suggested by USDOL: “Virginia MSFW Indicators of Compliance, Qualitatively Equivalent and Quantitatively Proportionate Services: ES Services to Migrant and Seasonal Farmworker Applicants Compared with Services to All Non-MSFWs.”

Virginia continues to be a significant user of the H-2A program. Although some agricultural employers have reduced the number of workers they need in certain crops, they continue to diversify in the varieties of crops grown. The VEC continues to strive to match qualified workers to agricultural openings in Virginia, but this continues to be difficult due to the diminishing migrant population. The VEC hopes to expand the use of the Virginia Workforce System among agricultural employers and workers alike to better match applicants with job openings.

In accordance with the Workforce Investment and Opportunities Act, Virginia’s plans for engaging all levels of business include creating a more employer demand-driven system; using various strategic planning efforts to meet the needs of business; using partnerships and leveraged resources, including economic development partnerships, to serve business customers; and supporting entrepreneurs through the workforce system. This approach will benefit MSFWs in Virginia by developing non-agricultural and agricultural job opportunities and striving to assist workers in their endeavor to obtain their employment related goals. With renewed emphasis on customer relations, operations, resource management, and professional development, the VEC will work to make the Commonwealth an ideal place to work and conduct business.

**The** **Employment Service Complaint System**

Agricultural Specialist staff conduct outreach and provide information to MSFWs on their rights and responsibilities, employment-related laws and the employment service complaint system. The employment service complaint system is fully described in a language MSFWs can understand and business cards are provided to MSFWs with contact information in the event that they have a complaint. The State Monitor Advocate has overall responsibility for the operation of the VEC’s Employment Service Complaint system at the state level. Information on the complaint system is also available through all Virginia Career Works Centers, and each center displays an ETA approved complaint poster containing contact information for the State Monitor Advocate.  Services for MSFWs include a full explanation of the complaint system and assistance with filing complaints, and staff work to provide resolution to complaints at the local level whenever possible. Our Agency refers complaints and violations to enforcement agencies whenever appropriate.

**The Agricultural Recruitment System**

For the planning period 20-24, the Agriculture Labor Services team will conduct several seminars around the Commonwealth for farmworkers and for employers who use temporary agricultural labor. They will provide specific information on the use of the Agricultural Recruitment System and on the use of the H-2A program.

Staff will attend association conferences and trade shows to disseminate information to employers and plans to attend VA Cooperative Extension grower meetings. On a more technical level, the VEC uses various procedures to match agricultural employers and U.S. workers. The VEC will use the Virginia Workforce Connection System for matching jobseekers and employers. This system provides for staff assistance as needed, but also allows jobseekers and employers to create their own files and find each other. Agricultural job orders, to include H-2A job orders, may be created by employers with final oversight by VEC Agriculture Services staff.

Additional resources include local and regional circulation of agricultural job orders, close coordination with WIOA service providers, and direct contact with grower associations. In addition, the VEC’s website [www.vec.virginia.gov](http://www.vec.virginia.gov) contains a State Monitor Advocate Section and an Agriculture and Foreign Labor Services Section with forms, publications and links, a list of the Agricultural Services Staff, copies of active H-2A job orders, and information of interest to the agricultural community. There are links to Telamon services and other resources to assist farmworkers and agricultural employers. Organizations serving farmworkers may access these sites and make appropriate information available to job seekers.

At the state level, the Governor’s MSFW Interagency Policy Committee will address the needs of MSFWs and agricultural employers in Virginia. The committee is chaired by the VEC Commissioner and brings together agencies which serve the needs of MSFWs. Within this forum, and by way of relationships developed as a result, substantial coordination is provided in order to respond to the local needs of MSFWs and agricultural employers.

**Collaboration**

The WIA 167 Grantee, Telamon Corporation, under a cooperative agreement, will supplement the VEC outreach with approximately 2,000 MSFW contacts. Joint outreach activities may be arranged and conducted when possible. For this plan cycle, Telamon Corporation, and any other individual or organization, will be able to refer MSFWs to VEC services listed at [www.vec.virginia.gov](//rams.adp.vcu.edu/DWS/WilderSchool/Private/gbarber/Consulting%20Projects/Current/WIOA%202019/www.vec.virginia.gov%20) and search for employment opportunities through the Virginia Workforce Connection found at [www.vec.virginia.gov/virginia-workforce-connection](http://www.vec.virginia.gov/virginia-workforce-connection). MSFWs may review job openings at Telamon Corporation, and select prospective positions for which they may be qualified. This capability exposes MSFWs to more employment opportunities and ensures that they are better informed about the labor market. Through the self-service system or with the assistance of Telamon Corporation staff, MSFWs can be registered for employment services before they even visit one of the VEC local offices. Joint collaboration and referrals, team building, and staff training will ensure that MSFWs within the Commonwealth have full access to WIOA and Wagner-Peyser services. Personal meetings at any One-Stop location can be facilitated by contacting Agricultural Specialist staff directly.

In addition to the cooperative agreement with Telamon, the VEC plans to partner more closely with other agencies and organizations that have an interest in MSFWs. The VEC currently has an excellent working relationship with the Virginia Department of Health, Virginia Cooperative Extension, Central Virginia Legal Aid’s Farmworker Assistance Project, Virginia Department of Labor and Industry, and the U.S. Department of Labor, Wage and Hour Division. In order to better assist MSFWs, it intends to strengthen current partnership agreements and develop them as the need arises. We anticipate partnership agreements to be strengthened and solidified with USDOL, Wage and Hour Division and the Virginia Department of Health.

**Review and Public Comment**

The State solicited information and suggestions from WIOA 167 National Farmworker Jobs Program grantees, other appropriate MSFW groups, public agencies, agricultural employer organizations, and other interested organizations. Before submitting its final outreach plan, the State provided a copy of this plan to the organizations listed below and allowed 30 days for review and comment. The State took all comments received into full consideration when formulating the final plan, and it informed all commenting parties in writing whether their comments were incorporated and, if not, the reasons therefore.

The organizations listed below assisted in the development of this plan and/or were provided a complete copy of it for review and comment.

Jennifer Pusey Shahan, Director of Workforce and Career Services

Telamon Corporation

31901 Tri-County Way, Suite 245

Salisbury, Maryland 21804

Ms. Christianne Queiroz, Program Director

Virginia Farm Workers Program

Central Virginia Legal Aid Society

1000 Preston Avenue, Suite B

Charlottesville, VA 22903

Jason B. Yarashes, Lead Attorney & Program Coordinator

Virginia Justice Project for Farm and Immigrant Workers

Legal Aid Justice Center

123 East Broad Street

Richmond VA 23219

Frederick County Fruit Growers Association

P.O. Box 2735

Winchester, VA 22604

Ms. Jennifer Poole, Executive Director

Virginia Agricultural Grower’s Association

P.O. Box 857

South Boston, VA 22592

Ms. Carmen Otero-Infante, District Director

U.S. Department of Labor

Wage and Hour Division

400 N. 8th Street, Room 416

Richmond, VA 23219-4815

Mr. Micah Raub, Program Supervisor

Virginia Department of Agriculture and Consumer Services

Office of Pesticide Services
102 Governor Street, Room LL12, Richmond VA 23219

Ms. Julie Henderson, Director. Division of Food and Environmental Services

Office of Environmental Health Services

Virginia Department of Health

109 Governor’s Street, 5th Floor

Richmond, VA 23219

Ms. Kristen Clay, Policy Analyst Senior

Virginia Department of Health

Office of Environmental Health Services

109 Governor St., 5th Floor

Richmond, Virginia 23219

Mr. Ed Rossmooore, Executive Director

Rural Family Development

**The Virginia Council of Churches**
1214 West Graham Road
Richmond, VA 23220

Ms. Elizabeth Whitley Fulton, President

MAS Labor

P.O. Box 507

Lovingston, VA 22949

Nikole Cox, Director Central Region
Virginia Department of Social Services
1604 Santa Rosa Rd, Suite 130,

Henrico, VA 23229

**Data Assessment**

For PY 20, the VEC met Equity Indicators for service to MSFWs. Information that is reported on the LEARS Report, and described therein, is a result of an extrapolation using available data from Local Office Reports, the Virginia Workforce Connection, and longstanding historical service trends.

We expect to demonstrate continual improvement in overall performance and improvements in serving MSFWs within the one stop environment.  We assert that we are providing equitable services to MSFWs in Virginia. We have provided and will continue to provide our Agricultural Specialists and other Wagner Peyser staff with specific training with respect to meeting WIOA performance goals and documenting services within the One-Stop system.

**MSFW OUTREACH PERFORMANCE BY OFFICE PY 20**

The below tables reflect the VEC’s most recent performance as outlined in the Commonwealth of Virginia Agricultural Outreach Plan.

|  |  |  |  |
| --- | --- | --- | --- |
| **OFFICE** | **OUTREACH GOAL****PY 20** | **OUTREACH ACHIEVED** **PY 20** | **STATUS**  |
| **BRISTOL** | **192** | **216** | **MET** |
| **CHARLOTTESVILLE** | **239** | **156** | **DNM** |
| **EASTERN SHORE** | **598** | **1171** | **MET** |
| **EMPORIA** | **156** | **439** | **MET** |
| **FREDERICKSBURG** | **724** | **291** | **DNM** |
| **LYNCHBURG** | **209** | **293** | **MET** |
| **PETERSBURG** | **239** | **332** | **MET** |
| **WINCHESTER** | **197** | **279** | **MET** |
| **STATE** | **2549** | **3437** | **MET** |

For PY 20, the Virginia Workforce Connection data reports reflect that VEC met four of the Equity Ratio Indicators and the Minimum Service Level Indicators. The indicators for MSFWs "Placed in Jobs” and "$0.50 Over Minimum Wage" were not in compliance. Placement data may not be current due to the fact that they are generated based on the employer wage records, which can be a quarter behind. Piece rate earnings are not reflected within the system, but based on worker and employer interviews, MSFWs averaged $12-$16 per hour. Therefore, the VEC concludes that the indicator for “$0.50 Over Minimum Wage is being met.

**Virginia State Monitor Advocate Plan Approval**

This plan for agricultural services in Virginia was prepared by the State Monitor Advocate with the assistance of Agency Management Staff, Local Office Managers, Telamon Management and staff, and the VEC Agricultural Specialist staff who directly serve MSFWs and agricultural employers. The State Monitor Advocate has reviewed and approved this Agricultural Outreach Plan.